

TOWN BOARD

MINUTES

1985

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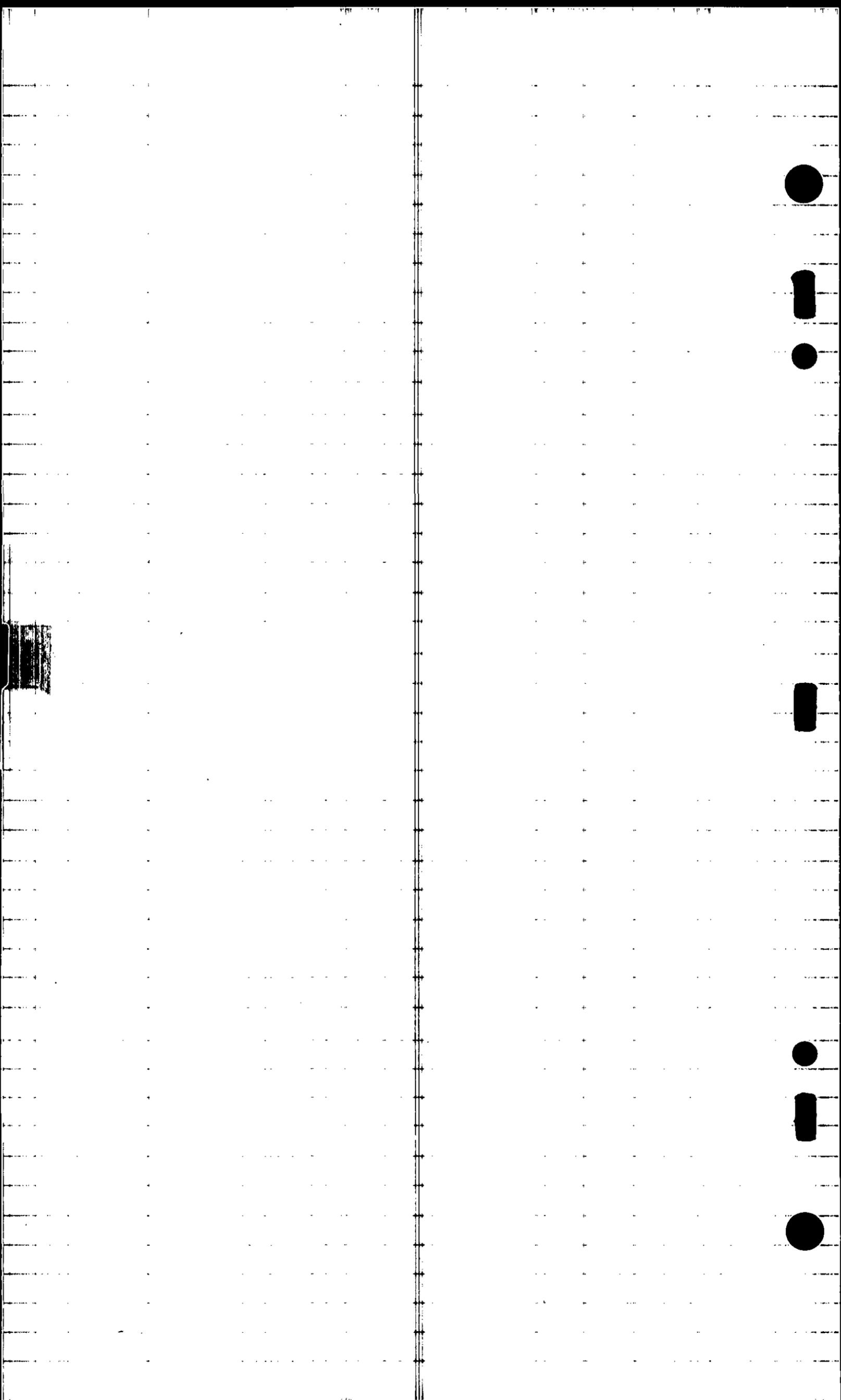
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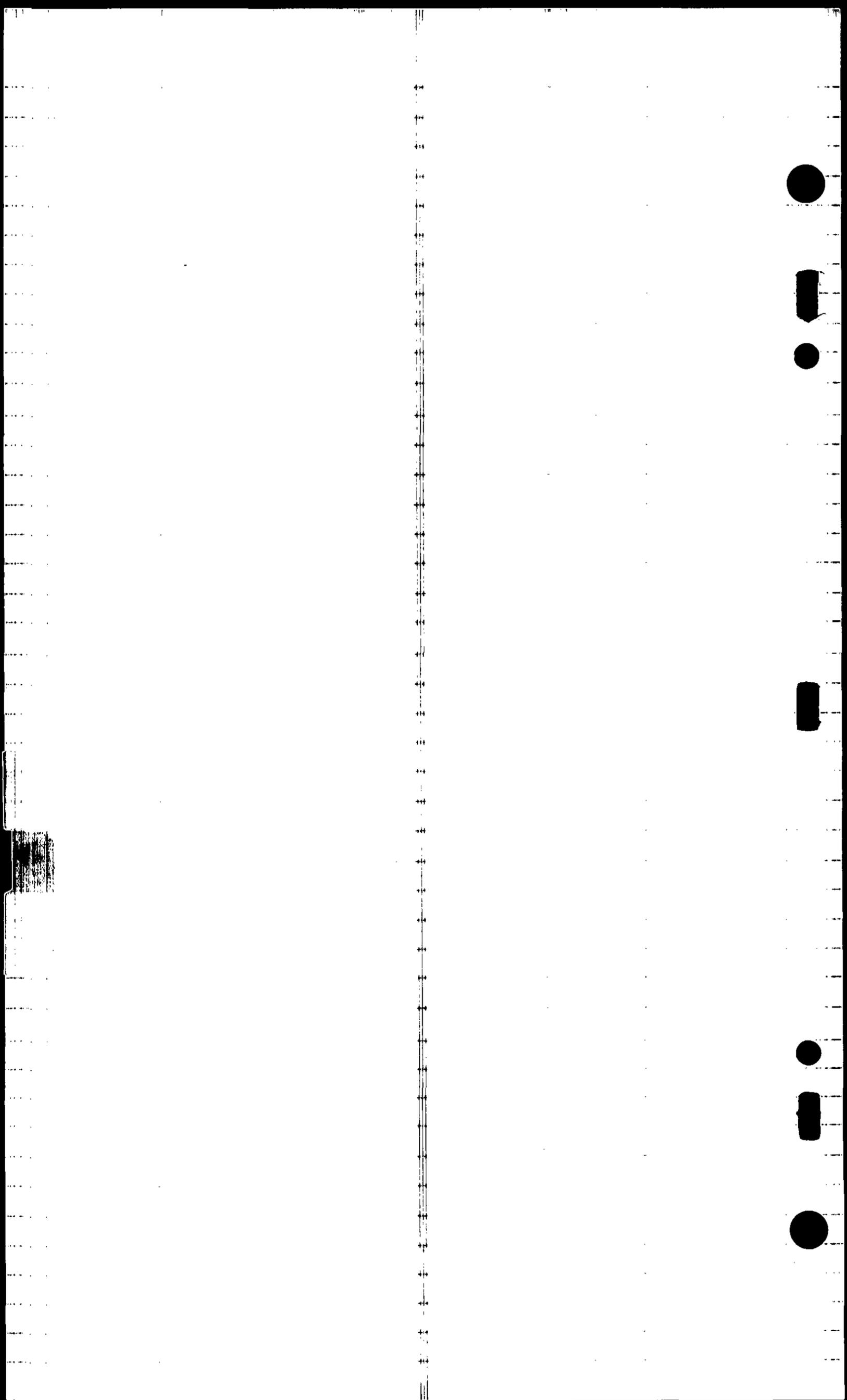
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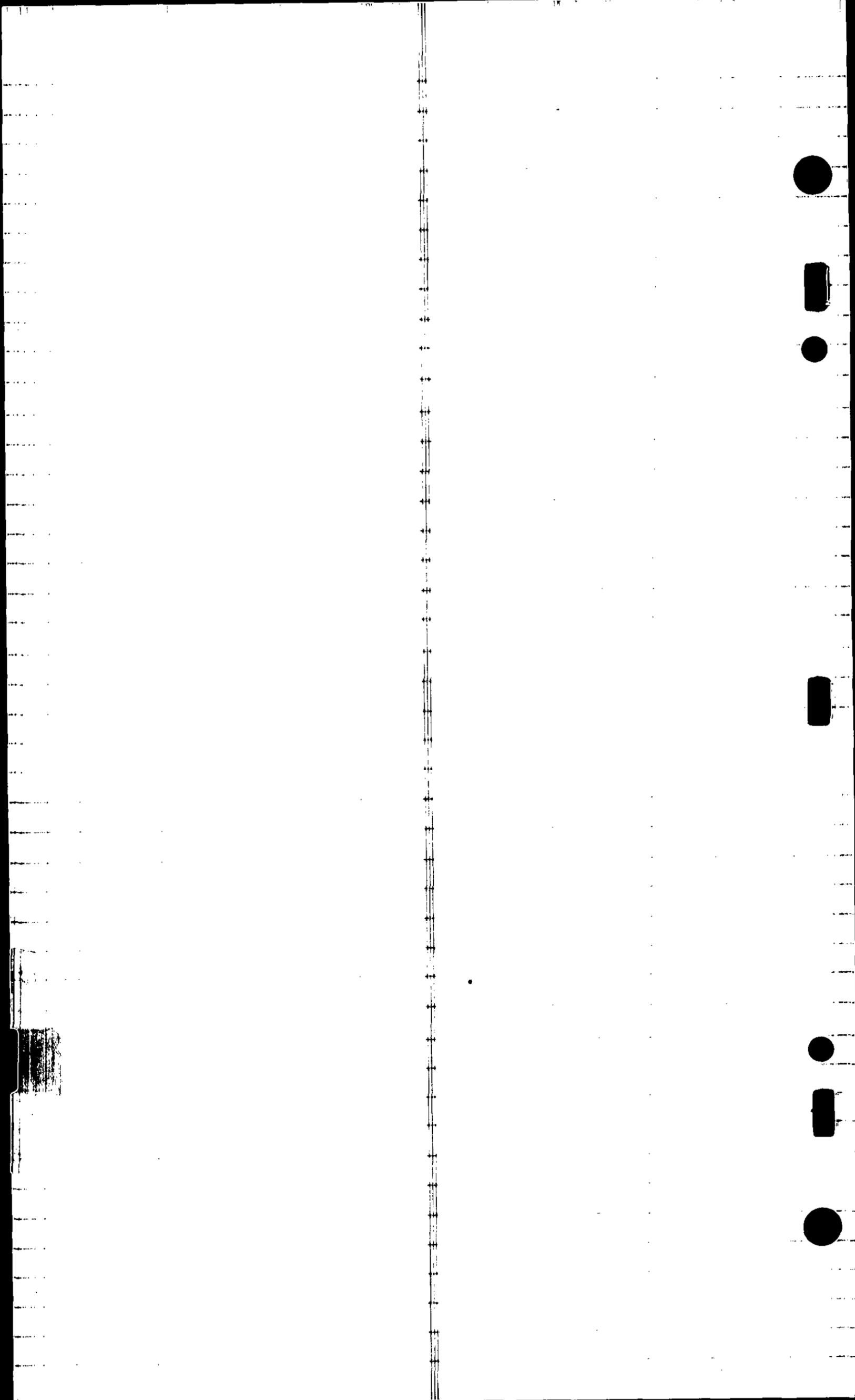
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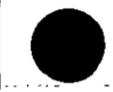
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100-100

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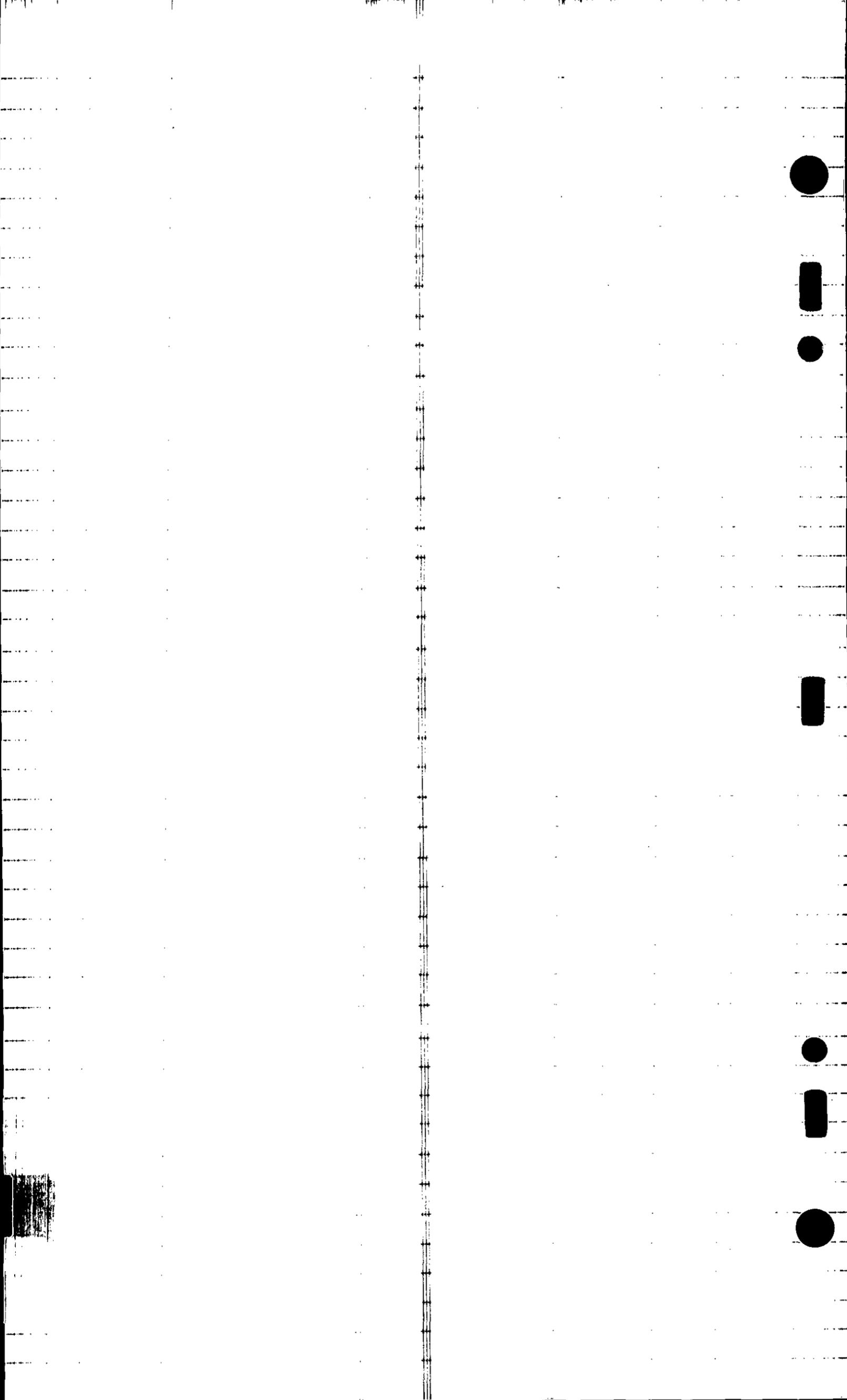
Legal opinion received recommending town not agree to conditions of E.C.W.A.

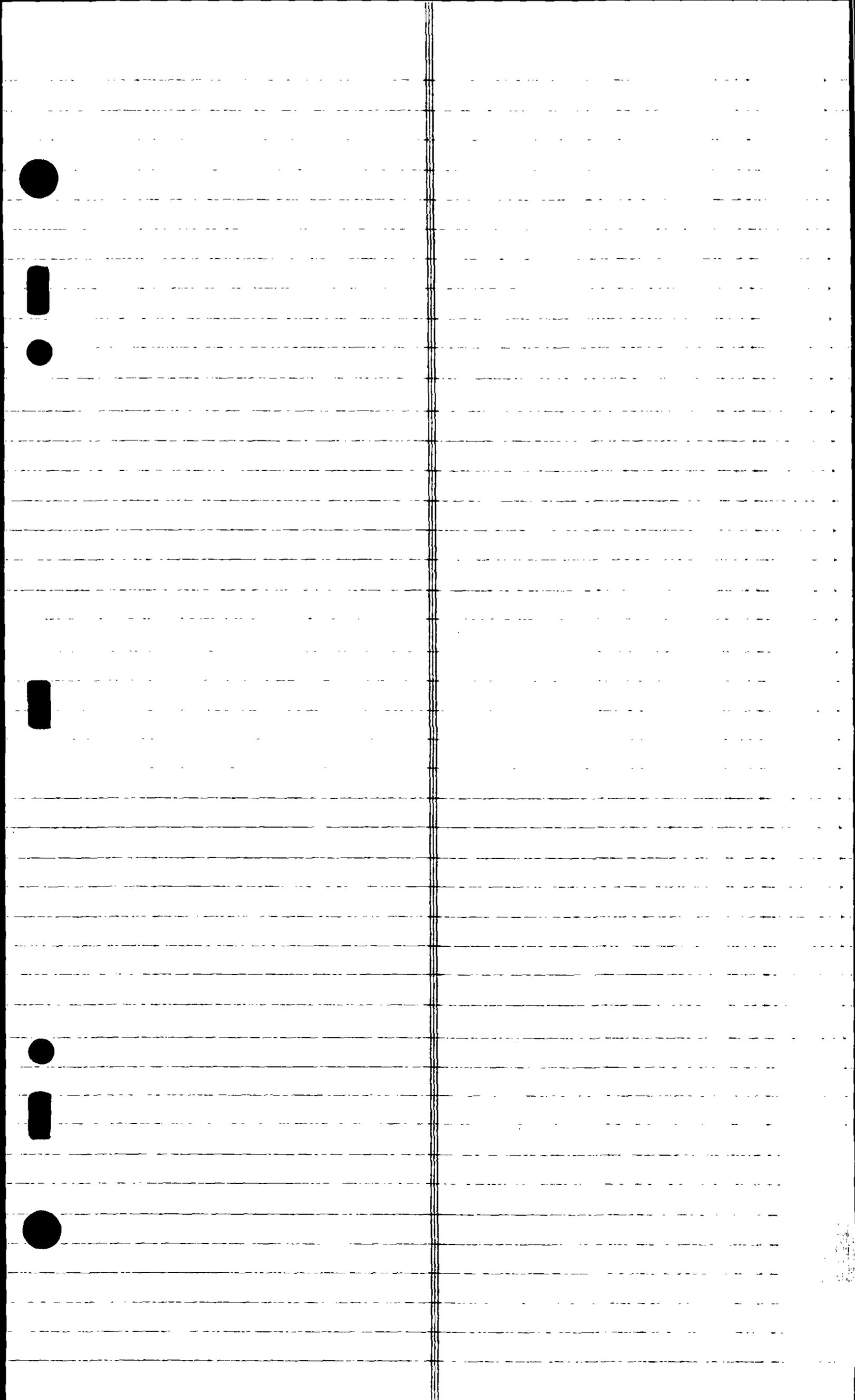
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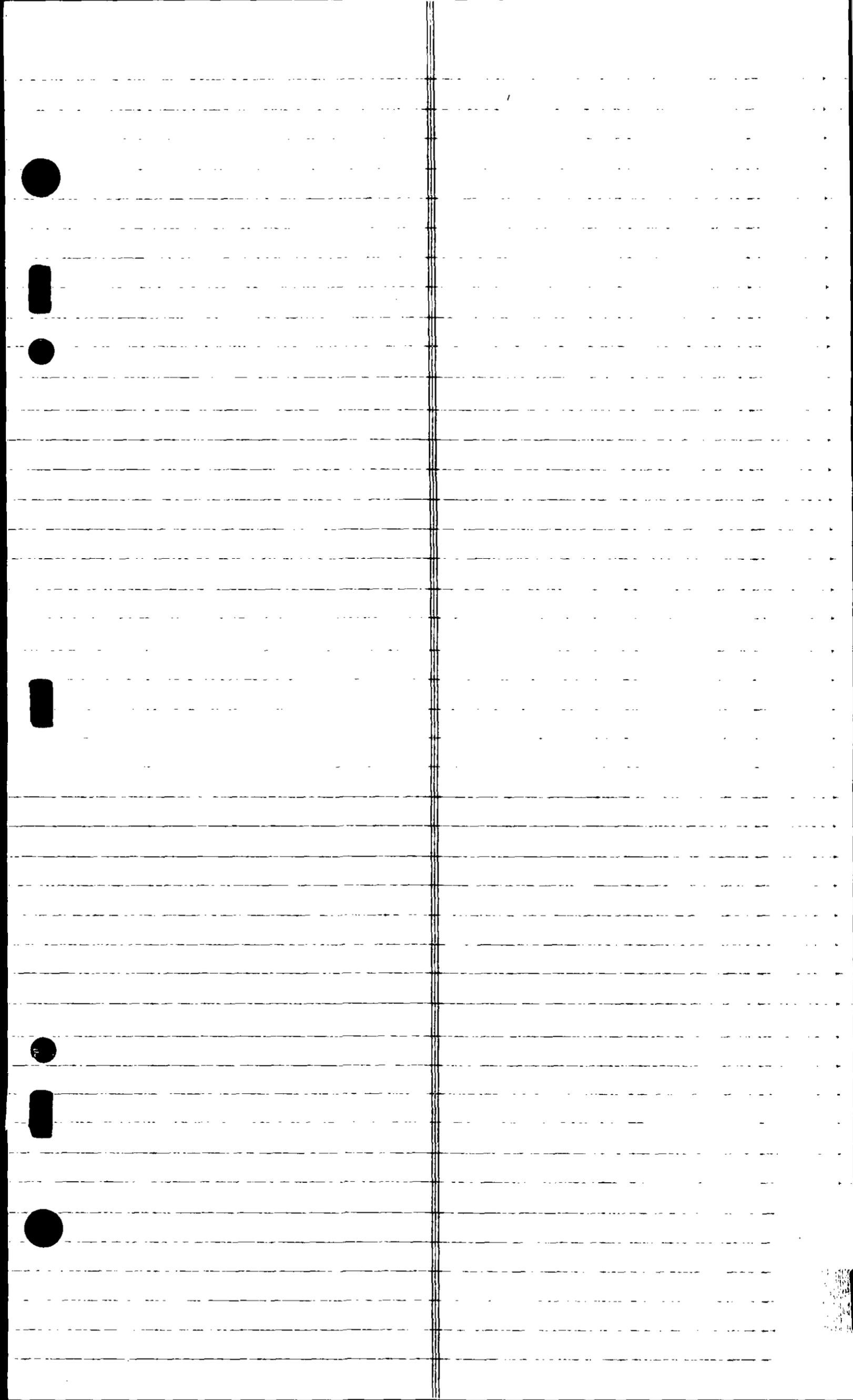
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Youth Aide

Appointment tabled

162



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Amendments to Section 3-Fees & Maximum height requirments Public Hearing set

155

Public Hearing held on Section 3-Fees and on Maximum Height Requirements
Department of State receives and files Local Law No. 2 of 1985

158

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ZONING BOARD OF APPEALS

Appointment tabled

162

Regular Meeting
January 2, 1985

Town Hall
7:30 P.M.

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

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter that the Minutes of the Special Meeting of December 27, 1984 be approved.

five (5) ayes

Carried

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

five (5) ayes

Carried

A motion was made by Councilman Faulring and seconded by Councilman Zimmerman that the General Fund and Special District Bills on Abstract #1, January 2, 1985, in the amount of \$808.09 be paid.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman that the Highway Bills on Abstract #1, January 2, 1985, in the amount of \$1437.00 be paid.

five (5) ayes

Carried

A letter was read from the Erie County Health Department relative to the Boston Hills Mobile Home Park's request to utilize three lots where the present septic system sand filters presently exist. Supervisor Kennedy directed the Town Clerk to forward a copy of this letter to Mr. John Falkides, owner of the Mobile Home Park and to also recommend to Mr. Falkides that a meeting be arranged between the Town Board, the Health Department and Mr. Falkides in order to discuss this matter.

Paul R. Ballachino, Sr., 6707 Pinehurst Drive, spoke of the many problems he has had with the reconstruction work by Caldwell Construction Co. at his residence.

LETTER ATTACHED IS HERETOFOR MADE A PART OF THESE MINUTES

Paul Duffett, 4861 Eckhardt Road, stated he felt that everyone was concerned about the Caldwell reconstruction work and not concerned enough about that portion done by Cimato Construction, which was also unsatisfactory. Supervisor Kennedy stated that reconstruction work has been an ongoing problem, one that was trying to be worked out between the County, the sewer contractors, and the town. He reported on the meeting held December 18, 1984 with Mr. Caldwell, who committed himself to restoring the areas by spring, with temporary work to hold it over until then. Supervisor Kennedy also stated that the Town Board is doing all they can to rectify the many problems caused by the construction.

James Carr, 7231 Boston State Road, stated that there has been an abandoned junk car and piece of equipment on the vacant property across from Miller's Deli in North Boston for some time and that it looks like a junkyard. Supervisor Kennedy said appropriate action will be taken against the owner of the vacant property.

RESOLUTION - ORCHARD PARK WATER DISTRICT #17

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to appoint James Jehle as Historian. Term to expire December 31, 1985.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring to appoint Charles R. Pettit as Town Engineer. Term to expire December 31, 1985.

five (5) ayes

Carried

A motion was made by Councilman Faulring and seconded by Supervisor Kennedy to appoint Eugene Ruchalski as Highway Department General Foreman. Term to expire December 31, 1985.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring to appoint Doris Follman and Kenneth Frantz as Cleaners, PT. Terms to expire December 31, 1985.

five (5) ayes Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to appoint Charles Germain as Bingo Inspector. Term to expire December 31, 1985.

five (5) ayes Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to appoint Phyllis Barrett as Chairman, Florence Coyle and Leita Brown as Emergency Squad Dispatchers. Terms to expire December 31, 1985.

five (5) ayes Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter to appoint the following as Fire Police, terms to expire December 31, 1985:

BOSTON:

Joe Lowry, Captain	Lee Pfarner
Gordon Stephens, Lieutenant	Tom Stanley
Jim Cunningham	Lyle Zahler
Cliff Johnson	Dick Zwack

NORTH BOSTON:

Randy Seufert	John L. Klaybor	Paul W. Duffett
---------------	-----------------	-----------------

PATCHIN:

Livingston Lasso	Bernard Liebler	William Ferguson
------------------	-----------------	------------------

five (5) ayes Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman to appoint Dennis Kramer as Building Inspector PT. Term to expire December 31, 1985.

five (5) ayes Carried

A motion was made by Councilman Wittmeyer and seconded by Supervisor Kennedy to appoint Robert Randall as Deputy Building Inspector PT. Term to expire December 31, 1985.

five (5) ayes Carried

A motion was made by Councilman Faulring and seconded by Councilman Wohlhueter to appoint Remy C. Orffeo as Recreation Director PT. Term to expire December 31, 1985.

five (5) ayes Carried

A motion was made by Councilman Zimmerman and seconded by Supervisor Kennedy to appoint Gerald O'Brien and Raymond Worth as Recreation Supervisors PT. Terms to expire December 31, 1985.

five (5) ayes Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring to appoint Ann Schunk (Friday Youth Center) and Elisabeth Cary (Tuesday Youth Center) as Recreation Youth Leaders PT. Terms to expire December 31, 1985.

five (5) ayes Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to appoint Richard Michaels as Recreation Youth Counselor. Term to expire December 31, 1985.

five (5) ayes Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring that Robert Steiner be appointed Dog Control Officer and Constable PT. Term to expire December 31, 1985.

five (5) ayes

Carried

A motion was made by Councilman Faulring and seconded by Councilman Wittmeyer that Marjorie Steiner be appointed Deputy Dog Control Officer PT. Term to expire December 31, 1985.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Supervisor Kennedy to appoint Claude Fagnan as Deputy Dog Control Office and Constable PT. Term to expire December 31, 1985.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring to appoint Ruth Garrison as Senior Citizens Group Leader PT. Term to expire December 31, 1985.

five (5) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to appoint the following as Constables for the Year 1985:

Harry Strack, Chief Constable
Robert Lorek, Patrolman
Gregory Stromecki, Patrolman
Paul Astridge, Constable

Terms to expire December 31, 1985.

five (5) ayes

Carried

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

five (5) ayes

Carried

Town Attorney Maxwell administered the Oath of Office to all appointees for the Year 1985.

Supervisor Kennedy appointed the following as Liaisons:

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

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

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring setting the date and time of the Town Board Meetings on the first and third Wednesday of the month at 7:30 P.M. and the date and time of Work Sessions on Monday prior to the first Wednesday at 7:00 P.M. and if this is a holiday, the session will be held on the following day at 7:00 P.M. and on the third Wednesday at 6:15 P.M.

five (5) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer that an official newspaper not be designated, noting that this will give the Town Clerk more latitude in deadlines for Legal Notices.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring to set the following Salaries for 1985:

1985 TOWN OF BOSTON SALARIES

Supervisor	Richard L. Kennedy	14,200.00 *
Dep. Supervisor	Milton I. Wittmeyer	500.00
Councilman	Milton I. Wittmeyer	3,860.00
	David G. Zimmerman	3,860.00
	Don A. Wohlhueter	3,860.00
	Esther M. Faulring	3,860.00
Town Justice	Robert W. Tills	9,150.00
Town Clerk	Joyce Carr	21,000.00
Highway Superintendent	Clarence S. Kreitzbender	23,800.00
Assessor	William H. Kleis, Jr.	14,700.00
Town Attorney	Charles P. Maxwell	10,500.00
Dep. Town Attorney	Michael F. Perley	4,500.00
Town Engineer	Charles R. Pettit	900.00
Bookkeeper to the Sup'r	Jean Kleis	6.35 per hr
Clerk to Town Justice	Joyce Thurber	5.50 per hr
Dep. Town Clerk	Lucille Genzel	5.40 per hr
Election Inspectors	Registration	30.00 per day
	Primary	60.00 per day
	Chairman, District	5.00 per day
	Election	60.00 per day
	School	10.00 per day
Cleaners PT	Doris Follman	5.00 per hr
	Kenneth Frantz	5.00 per hr
Emergency Squad Dispatchers	Phyllis Barrett, Chairman	2,950.00
PT	Florence Coyle	2,750.00
	Leita Brown	2,750.00
Historian	James Jehle	350.00
Dog Control Officer PT	Robert Steiner	3,780.00
Dep. Dog Control Officer PT	Claude Fagnan	1,900.00
Building Inspector PT	Dennis Kramer	4,000.00
Dep. Building Inspector PT	Robert Randall	2,800.00
Bingo Inspector PT	Charles Germain	15.00 per inspec.
Highway Dept.		
Working Forman	Eugene Ruchalski	8.91 per hr
MEO's (5)		8.41 per hr
MEO PT	Robert Smolinski	7.64 per hr
MEO PT	Richard Hayden	6.34 per hr
Laborers Temp PT	(for snow removal)	3.35 to 5.46 per hr
MEO	Lee Pfarner	7.96 per hr

Recreation Dept.

Recreation Director PT	Remy C. Orffeo	3,860.00
Recreation Supervisor PT	Gerald O'Brien	1,750.00
Recreation Supervisor PT	Raymond Worth	1,475.00
Recreation Youth Leader PT	Ann Schunk (Fri Youth Center)	1,655.00
Recreation Youth Leader PT	Elisabeth Cary (Tues Youth Center)	28.00 per night
Recreation Youth Counselor PT	Richard Michaels	1,445.00
Senior Citizens Group Leader PT	Ruth Garrison	30 ⁰⁰ per month

five (5) ays

Carried

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

five (5) ayes

Carried

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

five (5) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman setting the rate paid by the town for mileage at \$.205.

five (5) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman setting January 16, 1985 at 7:30 P.M. for the Annual Audit Meeting.

five (5) ayes

Carried

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

five (5) ayes

Carried

Supervisor Kennedy noted that this notice should also include the fact that the inspections have been made of the parks and found in order.

A motion was made by Councilman Wittmeyer and seconded by Supervisor Kennedy to set Petty Cash funds as follows:

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

five (5) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman appointing Councilman Don Wohlhueter as Delegate and Deputy Town Attorney Michael Perley as Alternate to the Association of Towns Meeting in New York City on February 17-20, 1985.

five (5) ayes

Carried

Supervisor Kennedy asked that the Agreement for Expenditure of Highway Item #1 Monies be deferred until Highway Superintendent Clarence Kreitzbender has more information on this subject, which will probably be at the February meeting.

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

five (5) ayes

Carried

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

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

five (5) ayes

Carried

Supervisor Kennedy welcomed Erie County Legislator Karl Henry, who was in attendance. Mr. Henry stated he wished to convey good wishes to all for a happy and healthy 1985. He stated he realizes there are many, many problems with the sewer restoration work, as there has been in other towns. He said he would be willing to do all he can to help alleviate the problems and should be considered as a liaison for this purpose. He also stated that there will be a food and cheese distribution at the Town Hall on Friday, January 11.

Town Clerk Carr announced a change in the Town Clerk's Office Friday hours. Effective January 11, 1985, the Town Clerk's Office will be open from 9:00 A.M. to 6:30 P.M. on Fridays. All other days will remain the same.

The Town Justice Monthly Financial Report was received.

Town Attorney Charles Maxwell advised that Town Building Inspector Kramer and Deputy Building Inspector Randall be appointed as Enforcement Officers. A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to appoint Building Inspector Dennis Kramer and Deputy Building Inspector Robert Randall as Enforcement Officers.

five (5) ayes

Carried

Councilman Wittmeyer reported on the traffic signal problem at Routes 391 and 219. Police Chief Harry Strack stated it has been checked several times and the problem seems to have been corrected. Councilman Wittmeyer asked Chief Strack to check it again at intervals to make sure it doesn't malfunction on timing.

Councilman Zimmerman said the Emergency Squad is considering a fourth dispatcher, but will decide on this matter at a later date. He also said that the Emergency Squad does not wish to cover the area of the Town of Concord that Concord would like them to, but may consider a smaller area.

A motion was made by Supervisor Kennedy and seconded by Councilman Faulring granting permission for Councilman Zimmerman to attend the Supervisors and Legislators meeting on January 27-30, 1985 at Hidden Valley, Lake Luzerne, New York.

five (5) ayes

Carried

Police Department Monthly Report was received.

No Building Inspector Report was received.

Dog Control Officer's Monthly Reports for October, November, and December received.

A motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter to adjourn at 8:25 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 2nd day of January, 1985 at 7:30 P. M., Eastern Standard Time, there were present:

Richard Kennedy	Supervisor
Milton Wittmeyer	Councilman
David Zimmerman	Councilman
Esther Faulring	Councilman
Don A. Wohlhueter	Councilman

The following resolution was offered by Councilman Wittmeyer, who moved its adoption, seconded by Councilman Faulring and unanimously carried.

WHEREAS, Section 198 of the Town Law provides that unpaid water charges shall be a lien upon real property upon which or in connection with which the water was used, and

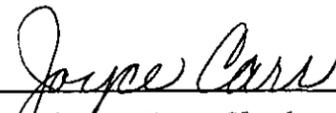
WHEREAS, the Town Board of the Town of Boston adopted resolutions consenting and approving the furnishing of public water service by the Town of Orchard Park to 6159 Ward Road, and

WHEREAS, the resolutions provide that in the event that a customer defaults in payment for said water service the Town of Boston agrees to place upon the tax rolls of the Town of Boston for collection thereof the sum or sums unpaid, and

WHEREAS, the Town Board of the Town of Orchard Park adopted a resolution on December 5, 1984 requesting the Town of Boston to place upon the 1985 Tax Rolls for collection and upon collection to pay to Orchard Park Water District #17 the amounts shown on Schedule "A", annexed for said unpaid water charge, and said charge is now outstanding.

NOW, THEREFORE, BE IT RESOLVED, that the unpaid water charge as itemized on attached Schedule "A" be made a part of these minutes and they be assessed against the property as shown thereon and that the amount be levied and collected with the 1985 taxes upon the parcel of real property in the Town of Boston and when collected the said sum shall be paid to said Water District Number 17, Town of Orchard Park,

FURTHER RESOLVED that a copy of this resolution be forwarded to the County of Erie, Department of Finance.


Joyce Carr, Town Clerk

SEAL

SCHEDULE "A"

<u>Name</u>	<u>Address</u>	<u>Amount of Levy</u>	<u>Account</u>
Patrick Kaefe	6159 Ward Road Orchard Park, NY	\$ 71.79	211.00-3-4

Jan 2, 1985

Boston Town Board
8500 Boston State Rd.
Boston, N.Y. 14025

Dear Town Board:

I, James R. Balenichio SR, residing at 6707 Birchhurst Rd., Boston, N.Y. am formally notifying the following parties of Notice of Defect and a class action against the Caldwell Construction Co. and all sub contractors involved in the construction of Sewer District 6 of the Southtown regarding Rollin Dr., ~~Greenbriar~~ ^{Greenbriar}, Hillcroft, Redwing Dr., Pinehurst Dr., Holiday Dr., Maple Lawn, Mendoc Brook, Lubbo, Fairlane, Valley View Lane Rte 391 & Patchin Rd.,

I, as spokesman for residents involved in this Sewer District am proposing the following resolutions to this problem of ineffective road repairs.

We are holding Mr Caldwell responsible for negligence in the cut and ~~fill~~ ^{power} procedure of all roads and approaches

Regular Meeting
January 16, 1985

Town Hall
7:30 P.M.

105

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

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer that the Minutes of the Regular Meeting of January 2, 1985 be approved.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring that the General Fund and Special District Bills on Abstract #1A, January 16, 1985, in the amount of \$22,954.18 be paid.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman that the Highway Bills on Abstract #1A, January 16, 1985, in the amount of \$7,923.31 be paid.

five (5) ayes

Carried

A letter was received from Assemblyman L. William Paxon regarding preparation of legislation mandating the placement of phone numbers on signs at gas and oil well locations. Councilman Wittmeyer requested that the fire companies be kept posted on any action on this matter.

Reports received and filed from County Legislator Karl Henry on the general sessions of the County Legislature of December 20, 1984 and January 3, 1985.

Notification of drilling on the Edwin C. Zittle property, with an approximate starting date of January 5, 1985, received from Empire Energies. Supervisor Kennedy noted that a complaint was received regarding the drilling of this well during the night, however, that is their option and there are no regulations prohibiting this. The fire companies will be notified of this drilling.

Final draft of Mutual Aid Agreement for assistance to other municipalities in time of abnormal snow and work conditions received from Richard A. Smith, President, Erie County Association of Towns Superintendents of Highways. Supervisor Kennedy requested a copy of this proposal be sent to Insurance Consultant Ernest Holfoth to ascertain our coverage under this agreement. Town Attorney Maxwell will review this agreement and report at the March meeting his findings. Highway Superintendent Kreitzbender will attend a meeting on January 17, 1985 of the Association and will report on this subject and its discussion at the next Town Board meeting.

Letter received from County of Erie, Division of Highways, setting the rate of reimbursement per lane mile for the 1984-85 winter season at \$900 per lane mile. Letter received and filed.

Letter received from International Cable stating Tillen Road, West Hill Road and Pfarner Road costs for installation of cable service. Supervisor Kennedy requested the Town Clerk to review International Cable's communication of last year regarding costs for these areas and if the letter gives new rates to then forward a copy to the residents in this area.

Communication received from North Boston Fire Company, listing officers and committees for the Year 1985. Supervisor Kennedy stated that, if this is a part of the contractual agreement with the companies, would Councilman Wittmeyer contact Boston and Patchin Fire Companies for this same information from their companies.

Nandor Desci, Back Creek Road, asked the Town Board to look into the possibility of having some type of signage at the corner of Back Creek and Hillcroft. He said there is presently a right-of-way both ways and it is a dangerous corner. Councilman Wittmeyer stated that a request had been made a year ago of the County for a sign, but they said it wasn't necessary. He said there should be

a "Yield" sign placed at the south side of Back Creek Road. Supervisor Kennedy requested that Councilman Wittmeyer and Highway Superintendent Kreitzbender, as members of the Traffic Safety Committee, make suggestions and draft a letter to the County on this matter.

A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter that Town Clerk Joyce Carr be appointed Affirmative Action Officer.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring that Voucher #7, Highway Abstract #1, January 2, 1985, be corrected from \$97.55 to \$114.05.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman to appoint the following Recreation Staff and set Salaries for the Tuesday Youth Program:

Jeffrey Loftus	\$17.35 per night
Jacqueline Meahl	\$17.35 per night
Michael O'Halloran	\$ 3.35 per hour

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter to appoint the following Recreation Staff and set Salaries for the Friday Youth Program:

David Benzinger	\$21.00 per night
Jackie Meahl	\$22.00 per night
Theresa Hartman	\$23.50 per night
Roberta Vanderhoff	\$22.00 per night

five (5) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman to accept the 1984 Annual Audit Report of Town Justice Robert W. Tills.

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Supervisor Kennedy to accept the Town Clerk's Annual Audit Report for 1984.

five (5) ayes

Carried

RESOLUTION - REVENUE SHARING

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman to amend the resolution of January 2, 1985, appointing the firm of Nussbaumer & Clarke, Inc. as Town Engineer.

five (5) ayes

Carried

At 8:00 P.M. a Public Hearing was held on the rezoning application of Vincent P. and Arlene J. Weiss, 7098 Boston State Road, from Residence Restricted Business RRB to Business B-1, for the purpose of opening and operating an antique shop on the property. The Legal Notice and deed description was read by the Town Clerk. She also stated that letters had been sent to various persons under the SEQR Review process and that the County had made no recommendation in their reply. Letter from the Planning Board was read, whereby they feel this rezoning could be construed as "spot zoning", due to the frontage on both sides of the Weiss

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 16th day of January, 1985, at 8:00 P.M. Eastern Standard

PUBLIC NOTICE

Time in the Boston Town Hall, 8500 Boston State Road, Boston, New York, on the petition and request of Vincent P. and Arlene J. Weiss to rezone the following described property, which is presently zoned Residence Restricted Business RRB to Business B-1 under the Zoning Ordinance of the Town of Boston, said property being described as follows:

ALL THAT PLOT OF LAND, situated in the Town of Boston, County of Erie and State of New York, being part of Lot Number thirty (30), Township eight (8), Range seven (7) of the Holland Land Company's Survey, bounded and described as follows: -

property is zoned Residence Restricted Business RRB. Supervisor Kennedy stated that the Weisses redefined the area to be rezoned, eliminating their land in the lower area, reducing the size of the rezoning area, which may have bordered on the flood plain. He also stated that, while it is true the property adjoins property on both sides that is zoned Residence Restricted Business RRB, it would be contiguous to the rear of the property with Business B-1 zoning. There were no questions from the floor.

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman to close the public hearing.

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to grant the rezoning request of Vincent P. and Arlene J. Weiss, 7098 Boston State Road, from Residence Restricted Business RRB to Business B-1.

five (5) ayes

Carried

Supervisor's Monthly Financial Report was received.

BEGINNING at an iron in the southwesterly line of the State Road at its intersection with the southerly line of land formerly owned and occupied by William Klein; running thence southeasterly along the said southwesterly line of the State Road one hundred seventy-three and sixty-nine hundredths (173.69) feet to a point; running thence westerly at an angle of 64° 25' with the said southwest line of said State Road five hundred (500) feet to a point; running thence northwesterly parallel to the State Road about one hundred seventy-three and sixty-nine hundredths (173.69) feet to the south line of land formerly owned and occupied by William Klein; running thence easterly along the said south line of land formerly owned and occupied by William Klein about five hundred (500) feet to the point of beginning on said State Road.

Joyce Carr

Town Clerk
Town of Boston

Dated: January 2, 1985

Supervisor Kennedy appointed the following to the Senior Citizens Council:

Joseph Mertzluft	H. Eglantine Berger
Henry Seufert	Ruth Garrison
Mildred Seufert	Harold Rockwood
John Walters	Mary Yoder
Michael Czechowski	Irving Overhoff
Dorothy Overhoff	

Supervisor Kennedy appointed the Traffic Safety Committee for 1985, as follows:

Milton Wittmeyer	Clarence Kreitzbender
James Carr	Harry Strack
Herman Feldman	Paul Hennigan

Supervisor Kennedy named the Codification Committee members for 1985:

Herbert Klein	Charles Maxwell
Michael Perley	Richard Kennedy
William Kleis	Charles Decker
Charles Pettit	Milton Wittmeyer
Dennis Kramer	Robert Randall

Supervisor Kennedy appointed the following as Insurance Committee for 1985:

William Hubert	Milton Wittmeyer
Joyce Carr	Don Wohlhueter
Richard Kennedy	

Town Clerk Carr read a reply received from John Falkides relative to his request for additional lots in the Boston Hills Mobile Home Park in the area where the septic system and sand filters presently exist, whereby he would be happy to attend a meeting with the Erie County Health Department, the Town Board and himself to discuss this matter. Supervisor Kennedy directed the Town Clerk to reply to Mr. Falkides and have him arrange the meeting with the Health Department and inform the Town Board of the date and time.

Highway Superintendent Kreitzbender reported that the ice rink at the Lion's Shelter is ready for skating, as of this date.

Councilman Wohlhueter asked the Traffic Safety Committee to check a problem at the corner of Morningside Drive and East Lane. There is a stop sign present, however, trees are causing a sight problem.

Supervisor Kennedy read a resignation letter of Planning Board member Dennis Kramer, effective January 9, 1985, due to his appointment as Building Inspector. A second resignation letter was received from Charles R. Pettit, declining reappointment at the expiration of his term on January 31, 1985. Supervisor

Kennedy directed Town Clerk Carr to send letters to both these members, commending them for their service to the community.

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer appointing Herbert H. Klein as a member of the Boston Planning Board, to fill the unexpired term of Dennis Kramer. Term to expire February 1, 1988.

five (5) ayes

Carried

The Conservation Advisory Council's Annual Report was received and will be on file in the Town Clerk's Office.

A motion was made by Councilman Wohlhueter and seconded by Supervisor Kennedy to adjourn at 8:21 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 16th day of January, 1985, at 7:30 P. M. Eastern Standard Time,

The meeting was called to order by Supervisor Kennedy and upon roll being called, there were present:

Richard L. Kennedy	Supervisor
Milton I. Wittmeyer	Councilman
David G. Zimmerman	Councilman
Esther M. Faulring	Councilman
Don A. Wohlhueter	Councilman

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

WHEREAS, the President of the United States has submitted a preliminary spending plan to terminate all Federal Revenue Sharing as of September 30, 1986, and

WHEREAS, the Town Board of the Town of Boston is in full agreement with Lee Verstandig, the President's Assistant for Intergovernmental Affairs, who was recently quoted as stating "We want to continue to return money to you people It's the kind of thing that will continue to strengthen local government", and

WHEREAS, Local Government assuredly is in the best position to assess the current and future needs in their respective communities and to determine the most effective use of their revenues, and

WHEREAS, the President's preliminary spending plan also includes the elimination of all water and sewer grants heretofore a source of vital funding to all local governments in providing these critical needs to their constituency,

BE IT THEREFORE RESOLVED, that the Town Board of the Town of Boston implores the President and the Members of Congress to support the continuation of Federal Revenue Sharing allocations to local governments, and

BE IT FURTHER RESOLVED, that the Congress also review the recent statistical trends that substantiate local governments decreased dependency on the Federal Government for assistance.


Joyce Carr, Town Clerk

SEAL

Regular Meeting
February 6, 1985

Town Hall
7:30 P.M.

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

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman that the Minutes of the Regular Meeting of January 16, 1985 be approved.

five (5) ayes

Carried

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

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter that the General Fund and Special District Bills on Abstract #2, February 6, 1985, in the amount of \$12,568.94 be paid.

five (5) ayes

Carried

A motion was made by Councilman Faulring and seconded by Supervisor Kennedy that the Highway Bills on Abstract #2, February 6, 1985, in the amount of \$15,633.40 be paid.

five (5) ayes

Carried

A letter was read from the Buffalo and Erie County Bicycling Club, Inc., stating dates for the 1985-86 Empire State Games cycling games in Boston on Friday, August 9, with qualifying races on Sunday, June 30, also a Western New York Championship road race for Sunday, June 9. Councilman Wittmeyer asked that a copy of this letter be forwarded to Chief Strack for the Police Department's assistance with safety during the races. Letter received and filed.

Letter read from the Boston Emergency Squad requesting permission to employ a fourth dispatcher to be used when deemed necessary by the chief dispatcher, estimating that said dispatcher would work approximately 25 days (24 hours per day) each year. Supervisor Kennedy referred this letter to Councilman Zimmerman, who will discuss this matter with the Emergency Squad and report back at the next meeting.

Notification received from the State Board of Equalization and Assessment, setting final state equalization rate for the 1984 assessment roll at 8.33. The finalized rate was accepted by the Supervisor.

Letter received and filed from the Planning Board, requesting permission for Herbert H. Klein to attend the Association of Towns meeting in New York City February 17-20, 1985, as their representative.

Letter read from State Senator William Stachowski regarding his agreement that the fee schedule that is reimbursed to the towns for court costs should be increased. Supervisor Kennedy thanked Mr. Stachowski for his support. Letter received and filed.

Letter received from Assemblyman Bill Paxson regarding assistance as a result of the recent blizzard conditions. Supervisor Kennedy said he appreciated this support and also thanked Highway Superintendent Kreitzbender for the Highway Department's outstanding efforts during the blizzard. He also stated that all the Erie County people should be commended for their handling of the snow.

Annual Financial Report and audited Statement of Revenues for the year ended September 30, 1984 received from Prime Cable and filed. Deputy Town Attorney Perley noted this is in accordance with our agreement, as we receive 3% of the gross revenue, according to the franchise agreement.

Notification received from New York State Electric & Gas Corp. of replacement of defective MV Fixtures with HPS on Greenbriar in November, 1984, at an annual decrease of \$15.74.

Legislative Report from Karl Henry received and filed on the January 24, 1985 session. Supervisor Kennedy stated the town's thanks to Mr. Henry for keeping us abreast of County legislative actions.

Motion made by Councilman Wittmeyer and seconded by Councilman Wohlhueter for the Boston Youth Baseball Association to use the Town Park and baseball diamonds on Saturday, August 10, 1985 for their annual family picnic and all-star baseball games.

five (5) ayes Carried

Motion was made by Councilman Zimmerman and seconded by Councilman Faulring to grant the 1985 Trailer Park Licenses to Sprague Mobile Home Park and Boston Hills Mobile Home Park. Payment has been received from Sprague Mobile Homes for forty (40) lots in the amount of \$600.00 and from Boston Hills Mobile Home Park for 65 lots in the amount of \$975.00.

five (5) ayes Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman to correct General Fund and Highway Bills on Abstract #1A, January 16, 1985, as follows:

Voucher #20 From 1670.4 to 1670.2 - General Fund

Voucher #21 From 5130.4 to 5130.2 - Highway Fund

five (5) ayes Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring to approve attendance at the Association of Towns meeting in New York City on February 17-20, 1985 for Councilman Wohlhueter, Town Justice Tills, Deputy Town Attorney Perley and Herbert H. Klein, Planning Board.

five (5) ayes Carried

A motion was made by Councilman Faulring and seconded by Councilman Zimmerman to authorize advance payments of \$200.00 per person to the four officials attending the Association of Towns Seminar.

five (5) ayes Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer authorizing Town Clerk Carr to advertise for bids for the Annual Trash Pickups to be held the first week in May and the first week in October. Bids to be opened at 7:45 P.M. on March 6, 1985 and are to be let on a Spring and Fall pickup and alternate of Spring pickup only.

five (5) ayes Carried

A letter was read from Town Attorney Charles Maxwell to Edward C. Cosgrove, attorney for Gregory Gerwitz on his rezoning request. Supervisor Kennedy commented that the Town Board met with Mr. Gerwitz and Mr. Cosgrove, as there are several concerns that were to be rectified, however, the Town Board has not heard anything yet from the attorney or Mr. Gerwitz. If in fact Mr. Gerwitz continues to utilize this property for business purposes, the Town Board will request Deputy Town Attorney Perley to begin issuing summonses in order to prompt some action on this matter.

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring to change the time of the February 20, 1985 meeting to 8:30 P.M. to allow for Ash Wednesday church attendance.

five (5) ayes Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to create the positions of Code Enforcement Officer (PT) and Assistant Code Enforcement Officer (PT).

five (5) ayes Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman to appoint Dennis Kramer as Code Enforcement Officer (PT).

five (5) ayes Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to appoint Robert Randall as Assistant Code Enforcement Officer (PT).

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to code the salary schedules under these new titles in order to coincide with the two changes.

five (5) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman to set the fee at \$20.00 for a woodburning stove permit.

five (5) ayes

Carried

The Supervisor's Monthly Financial Report was received.

Supervisor Kennedy reported that Highway Superintendant Kreitzbender notified him that all the lights at the ice skating rink have been broken again. He stated that some sort of guards will be put around the light bulbs, however, the cooperation of the parents in this matter will be greatly appreciated.

Supervisor Kennedy welcomed the Boy Scouts that were present at the meeting. Walter Zelasko introduced the guests as Keith and Kevin Krencik. Also present were Mr. and Mrs. Martin Krencik. The Boy Scouts are celebrating their 75th anniversary of the founding of their organization. Mr. Zelasko thanked the Town Board for their cooperation with the Boy Scouts organization.

RESOLUTION - BOY SCOUTS OF AMERICA

Town Clerk Carr reported that Assemblyman L. William Paxon will hold a Budget Hearing on the proposed State Budget at the Boston Town Hall on February 21, 1985 at 7:30 P.M.

Town Justice Monthly Report was received.

Councilman Wittmeyer reported that the agreement between the Town and the Fire Companies does not require that they list their annual activities or officers.

Councilman Wittmeyer also reported that the area of Morningside Drive and East Lane has been checked for visibility problems, however, due to the amount of snow, it will be better to check it again in the Spring, as it is too difficult to tell now whether the trees are causing the sight problem.

Police Department Monthly Report was received.

Letter was read from Gregory L. Stromecki, Constable, requesting a six month leave of absence, due to expanded work responsibilities in his full time employment.

A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter to grant this leave of absence.

five (5) ayes

Carried

Supervisor Kennedy requested that the Town Clerk send a letter to Mr. Stromecki, thanking him for his service and requesting he rejoin the force in six months.

The Building Inspector and Deputy Building Inspector Monthly Reports were received.

No Dog Control Officer Report was received.

A letter was received from David J. Woelfling, requesting appointment to the Planning Board, as a vacancy exists.

A motion was made by Councilman Faulring and seconded by Councilman Wohlhueter that David J. Woelfling be appointed to the Planning Board. Term to expire February 1, 1992.

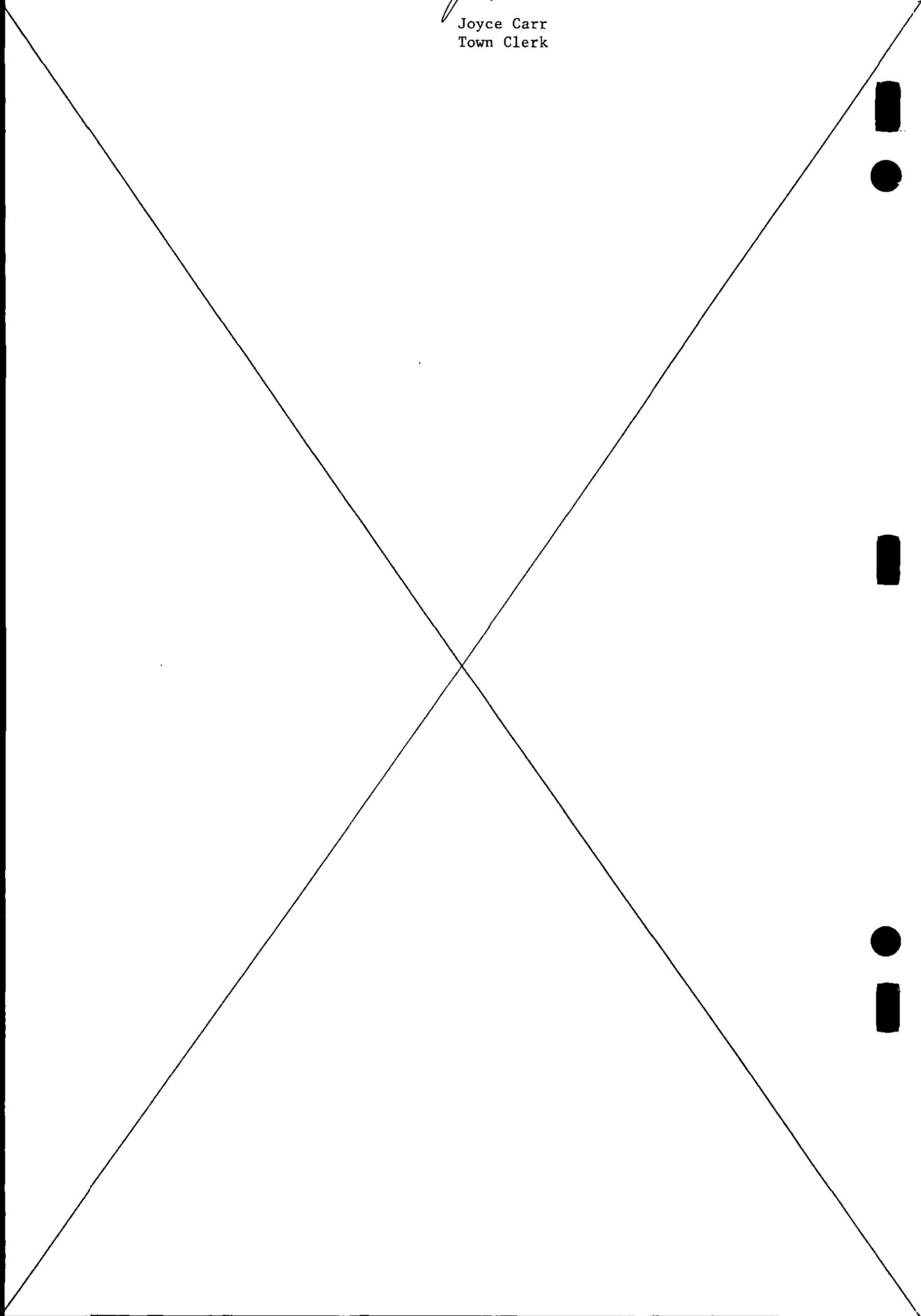
five (5) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Faulring
to adjourn at 8:03 P.M.

Joyce Carr

Joyce Carr
Town Clerk



TOWN OF BOSTON



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

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 6th day of February, 1985, at 7:30 P. M. Eastern Standard Time, there were present:

Richard L. Kennedy	Supervisor
Milton Wittmeyer	Councilman
David Zimmerman	Councilman
Esther Faulring	Councilman
Don A. Wohlhueter	Councilman

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

WHEREAS, the BOY SCOUTS OF AMERICA has served our nation's youth from 1910, and

WHEREAS, more than 70 million youth and adults have benefited from being members of this highly regarded youth movement, and

WHEREAS, Scouting is available for all youth regardless of race, religion, or socio-economic level who are taught character, citizenship, and fitness.

THEREFORE BE IT RESOLVED, that during 1985, on the 75th anniversary of the founding of this organization of high purpose, the Greater Niagara Frontier Council of the BOY SCOUTS OF AMERICA celebrates its chartered membership in the national organization with over 500 units and 20,000 members in Western New York.

BE IT FURTHER RESOLVED, that all citizens of Boston, New York join me, Richard L. Kennedy, Supervisor in extending congratulations to the BOY SCOUTS OF AMERICA on its Diamond Jubilee of service to the United States of America and commend those community groups and institutions that provide volunteer adult leaders and unit support that make it possible for the Scouting program to bring its proven benefits to our young people.

NOW, THEREFORE, I Richard L. Kennedy, Supervisor of the Town of Boston do hereby proclaim February 3-9, 1985 as

SCOUTING ANNIVERSARY WEEK

and February 8, 1985 as

SCOUTING ANNIVERSARY DAY

in the Town of Boston in recognition of the Greater Niagara Frontier Council - BOY SCOUTS OF AMERICA, their leaders and friends and all those who have contributed their time and talents to 75 years of tradition of preparing the youth of our community for a better future.

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

Supervisor Kennedy

Voting _____ aye _____

Councilman Wittmeyer

Voting _____ aye _____

Councilman Zimmerman

Voting _____ aye _____

Councilman Faulring

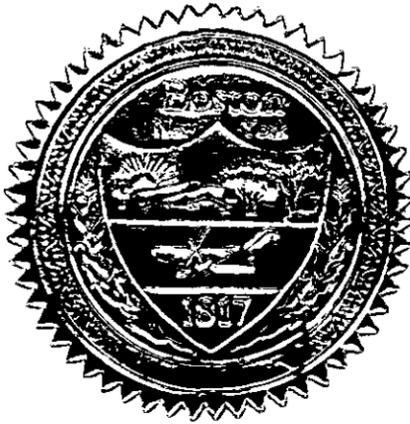
Voting _____ aye _____

Councilman Wohlhueter

Voting _____ aye _____

Joyce Carr

Joyce Carr, Town Clerk



TOWN OF BOSTON



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

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 6th day of March, 1985, at 7:30 P.M. Eastern Standard Time,

there were present:

Richard L. Kennedy	Supervisor
Milton Wittmeyer	Councilman
Esther Faulring	Councilman
Don A. Wohlhueter	Councilman
David G. Zimmerman	Councilman

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

WHEREAS, the national CAMP FIRE organization will be celebrating its 75th birthday on March 17, 1985; and

WHEREAS, CAMP FIRE has chosen to commemorate this significant anniversary in a nationwide celebration of friendship; and

WHEREAS, CAMP FIRE councils offer our young people opportunities to develop important friendships through informal educational programs for youth to age twenty-one; and

WHEREAS, as a friend of the community, CAMP FIRE is concerned with preserving the environment, adapting to social change and the application of democratic standards, as well as a special concern for stimulating and guiding young people; and

WHEREAS, in CAMP FIRE, recognition of accomplishments is combined with the encouragement to use developing skills to carry out the spirit of friendship in service to others in the community; and

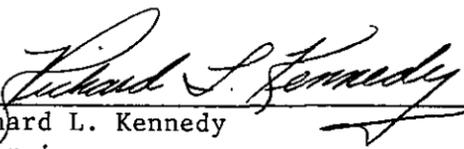
WHEREAS, CAMP FIRE is commended for the opportunities for friendship its programs offer young people in the Town of Boston and throughout the nation, and for the many services these young people perform for their communities as CAMP FIRE members;

NOW, THEREFORE, I, Richard L. Kennedy, Supervisor of the Town of Boston, do hereby proclaim March 17 to March 23, 1985, to be CAMP FIRE BIRTHDAY WEEK and March 23, 1985 to be CAMP FIRE FRIENDSHIP DAY in the Town of Boston.

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 Faulring	Voting	<u>aye</u>
Councilman Wohlhueter	Voting	<u>aye</u>
Councilman Zimmerman	Voting	<u>aye</u>

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of
the Town of Boston to be affixed at the Boston Town Hall this 6th day of March,
in the year of our Lord one thousand nine hundred and eighty-five.


Richard L. Kennedy
Supervisor

SEAL

Regular Meeting
February 20, 1985

Town Hall
8:30 P.M.

Present were Councilman Milton Wittmeyer, Councilman David Zimmerman, Councilman Esther Faulring, Councilman Don Wohlhueter, Deputy Town Attorney Michael Perley and Highway Superintendent Clarence Kreitzbender. Absent were Supervisor Richard Kennedy and Town Attorney Charles Maxwell. Councilman Wittmeyer, in his capacity of Deputy Supervisor, conducted the meeting.

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman that the Minutes of the Regular Meeting of February 6, 1985 be approved.

four (4) ayes

Carried

A motion was made by Councilman Faulring and seconded by Councilman Wohlhueter that the General Fund and Special District Bills on Abstract 2A, February 20, 1985, in the amount of \$25,407.48 be paid.

four (4) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Wittmeyer that the Highway Bills on Abstract 2A, February 20, 1985, in the amount of \$9,348.73 be paid.

four (4) ayes

Carried

A letter from a local resident was read, commending Highway Superintendent Kreitzbender and his department for the fine job they did plowing the roads in town during the last blizzard, many times during zero visibility.

A letter was read from the Boston Emergency Squad, advising of their officers for the 1985 year. Letter received and filed.

Karen Klinczar, 8268 Boston State Road, stated that she has many complaints about the snow removal on Boston State Road since the County has taken over the maintenance. She said that since it is a main thoroughfare which is travelled by thousands daily, it should be a priority-plowed road. Councilman Wittmeyer requested the Town Clerk write a letter to the County regarding this and other complaints that have been received regarding the condition of Boston State Road from Route 277 in North Boston to the Concord line.

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring to correct Abstract #2, February 6, 1985, as follows:

Voucher 56 - From A1910.4 to A 4540.4

four (4) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman to make corrections of Transfers of Appropriations and of Appropriations of Fund Balances, as follows:

Transfers of Appropriations - General Fund

Correct Existing Transfers as follows:

From A 7310.4	To A 7310.1
A 8030.8 dogs	A 9030.8 dogs

Additional Transfers to be added:

From A 1620.4	\$463.40	
	To A 1670.4	23.00
	A 1110.4	29.00
	A 3510.4	211.00
	A 4540.4	114.00
	A 9030.8 dogs	1.40
	A 9060.8	85.00

Additional Transfers to be added, Highway Fund:
From DA 5130.2 \$230.80

To DA 5130.4	28.21
DA 5142.1	50.00
DA 5182.4	139.21
DA 9055.8	13.38

Additional Appropriation of Fund Balance, Sewer District #2

Approp. Fund Balance SS-2 \$298.10

To SS-2-8130.4 298.10

four (4) ayes

Carried

Councilman Wittmeyer noted that Assemblyman L. William Paxon will be at the Town Hall on Thursday, February 21, 1985 at 7:30 P.M. for a hearing on the State Budget. He urged a good attendance at this hearing, especially since Mr. Paxon is in support of a welfare reform bill and residents should make their feelings known on this issue.

Councilman Wittmeyer also noted that the County will hold another Home Energy Assistance Program at the Town Hall on February 27 from 9:00 A.M. to 4:00 P.M. and eligible residents should apply for help with energy costs at this time.

Deputy Town Attorney Michael Perley reported on the Association of Towns meeting, which was held in New York City this week. He feels it is a very worthwhile meeting and will file a report with the Town Clerk and also correspond with the Town Board and Zoning Board of Appeals regarding these sessions.

Councilman Wohlhueter also attended the Association seminar and thanked the town for sending him. He reported that it was a good meeting and highlighted some of the areas covered.

Councilman Wittmeyer stated that the newly appointed Bingo Inspector, Charles Germain, had a serious automobile accident this past week and that it may become necessary to appoint someone to fill this capacity until Mr. Germain recovers.

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

Joyce Carr

Joyce Carr
Town Clerk

Regular Meeting
March 6, 1985

Town Hall
7:30 P.M.

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

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman that the Minutes of the Regular Meeting of February 20, 1985 be approved.

five (5) ayes

Carried

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

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring that the General Fund and Special District Bills on Abstract #3, March 6, 1985, in the amount of \$5,619.17 be paid.

five (5) ayes

Carried

A motion was made by Councilman Faulring and seconded by Councilman Wohlhueter that the Highway Bills on Abstract #3, March 6, 1985, in the amount of \$10,305.17 be paid.

five (5) ayes

Carried

Supervisor Kennedy welcomed the North Boston Bluebird Group of the Camp Fire Organization, along with Co-Leader Marcia Frydrych that were present, including parents Mary Lamm and Mary Ann Krajcer and children Rene Frydrych, Lexy McKinnon, Shannon Loughrey, and Paul, Mike and Christine Rooney. The Camp Fire Organization is celebrating its 75th birthday this year.

RESOLUTION - CAMP FIRE ORGANIZATION

Reports on the February 7 and February 21 sessions of the Erie County Legislature from Legislator Karl Henry received and filed.

Letter received from State Senator William Stachowski reporting on projected State Revenue Sharing Funds. Supervisor Kennedy reported he drafted a letter to Senator Stachowski requesting his assistance in prompting the State Legislature to properly reflect the population trends, as the aid was calculated utilizing the 1970 census figures, rather than 1980. Supervisor Kennedy also requested the Town Clerk to draft a letter to Assemblyman Paxon regarding this matter.

Motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter to authorize Supervisor Kennedy to apply for Approved Assessing Unit status, as Chief Fiscal Officer of the town, thereby giving the Town of Boston the option to pass a local law adopting the Homestead provisions of the Real Property Tax Law.

five (5) ayes

Carried

Letter of commendation of Highway Department received from Melvin Schmidt, 7730 Wohlhueter Road, giving credit and praise to the highway crew for the excellent condition of the roads during the Blizzard of 1985.

A letter was received from Richard Borton, 4708 Edgewood Terrace, commending the Highway Department for the fast repair of a large number of potholes in the area of Eckhardt Road, just hours after he mentioned it to the Town Clerk. He also praised the department for the general care and snowplowing of the town roads.

At 7:45 P.M. bids were opened for the 1985 Trash Pickup, after the Legal Notice was read by Town Clerk Carr. Bids are as follows:

CID Refuse	Non Collusive Bidding Certificate enclosed
13029 Hand Road	Spring and Fall \$17,212.00
Chaffee, New York 14030	Spring only 11,187.00

BFI-Joe Ball Sanitation Service, Inc. Non Collusive Bidding Certificate enclosed
 4053 Milestrip Road Spring and Fall \$10,795.00
 Blasdell, New York 14219 Spring only 5,795.00

Supervisor Kennedy stated the Board will review the bids and table the matter until the March 20, 1985 meeting.

Letter received from Cathleen M. Wilson of the Boston Welcome Wagon, requesting use of the Lion's Shelter on May 18, 1985 for a Plant Sale, which would benefit a community organization.

Prior to acting on this request, Supervisor Kennedy read a letter dated February 27, 1985 from Richard Gorecki, Boston Democratic Chairman, regarding a Certificate of Insurance being waived for some organizations requesting use of the Lion's Shelter, while others have to provide this certificate.

Supervisor Kennedy then read a letter he sent to Mr. Gorecki on March 6, 1985, outlining the factors involved in waiving the Welcome Wagon's Certificate of Insurance for a similar fundraiser in 1984, whereby the benefits were turned over to the Emergency Squad, who currently have a contractual obligation to the town to provide ambulance service. Our insurance consultant has advised us the Board should use its own discretion in granting permission without the required insurance certification. Most organizations and churches have blanket coverage adequate to cover town requirements without imposing undue financial burdens, and at the same time protecting the interests of the town against suits arising from any incident while utilizing Town Park facilities. In the past, the town has waived, and will continue to do so, the insurance requirement for family gatherings or reunions, assuming that, by and large, town residents are using the facilities, as the insurance consultant has advised that this is proper policy.

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring to permit the Welcome Wagon to use the Lion's Shelter on May 18, 1985 from 9:00 A.M. to 2:00 P.M. for their Plant Sale and the Town Clerk is to respond to them in this regard and state that the insurance certificate requirements will be waived and the Town Clerk is to advise that the Certificate of Insurance is for their protection in case of a lawsuit and that, should a lawsuit arise, the town will not be responsible for their counsel.

five (5) ayes

Carried

Letter was read from Lyle and Ethel Zahler, requesting use of the Lion's Shelter for a family reunion on Sunday, June 30, 1985 from 11:00 A.M. until 4:00 P.M. Motion made by Councilman Wohlhueter and seconded by Councilman Wittmeyer, to grant this request and waive the insurance requirements.

five (5) ayes

Carried

Letter was read from the Lions Club, requesting use of the shelter from July 22 through July 29, 1985 for the setting up, staging, and dismantling of their 1985 Oktoberfest. Motion made by Councilman Wittmeyer and seconded by Councilman Faulring to grant the Boston Lion's Club the use of the Lions Shelter from July 22 to July 29, 1985 for their Oktoberfest, pending receipt of a Certificate of Insurance by the Town Clerk.

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter to grant the request of the Boston Democratic Club to use the town property, including the Community Room if the weather is inclement, for their Easter Egg Hunt on April 6, 1985. Insurance requirements to be waived and the Town Clerk is to advise that the Certificate of Insurance is for their protection in case of a lawsuit and that, should a lawsuit arise, the town will not be responsible for their counsel.

five (5) ayes

Carried

PUBLIC 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 6, 1985 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 formalities 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 7, 1985

Joyce Carr,
Town Clerk
Town of Boston

A motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman to correct Abstract #2A, February 20, 1985, as follows:

Voucher 124	From SW-1-8340.2	\$335.69
	To	411.14
	From SW-1-8340.2	907.60
	To	152.07

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman to appoint Donald Haley and Kenneth Hendrix as Fire Police, per request of the North Boston Volunteer Fire Co.

five (5) ayes

Carried

Town Attorney Maxwell administered the oath of office to Mr. Hendrix. Mr. Haley will be sworn in by Town Clerk Carr at a later date.

A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter to authorize Supervisor Kennedy to enter into a contract with Nussbaumer and Clarke for design and prepare bid specifications for the Meadow Drive drainage project.

five (5) ayes

Carried

The Supervisor's Monthly Financial Report was received.

The Supervisor's Annual Financial Report was received, copies of which are on file in the Town Clerk's Office.

Supervisor Kennedy stated he received an anonymous letter from someone questioning the hiring practices of the town and as the Board has a policy of not responding to anonymous letters, he requested that all correspondence be signed if the person writing would like an explanation or answer.

The Supervisor also reported receiving complaints from Dean Watkins, Back Creek Road, Ann Larson, 6784 Redwing and Kenneth Hodgson, 6331 Patchin Road regarding sewer reconstruction work. The Town Clerk was directed to write to Caldwell Construction, outlining these complaints and requesting action as soon as possible on these problems.

Supervisor Kennedy appointed the following to serve on the Youth Service Advisory Board for 1985:

Remy Orffeo	Gerald O'Brien
Randy Burgwardt	Ann Schunk
Ann Ferguson	Richard Michaels
Nancy Boltz	Veronica Schultz
	Nancy Ryan

Town Clerk Carr reported that there will be a food distribution on Wednesday, March 13, 1985 from 9:00 A.M. to 12:00 Noon

Town Justice Monthly Financial Report was received.

Highway Superintendent Kreitzbender stated that Caldwell Construction should be reminded that at the meeting held with them they stated they would monitor the streets in town to check where a problem has arisen with the sewer reconstruction work. Supervisor Kennedy said that he expects cooperation from them and that they should be reminded in the letter that is forwarded to them of this promise to monitor for problem areas.

Highway Superintendent Kreitzbender stated he has to designate certain highways for repair under the CHIPS funding, but as the bids for cost of asphalt and blacktop are not yet in, he is not certain how much he will be able to do, so it is hard to designate those roads that are in the greatest need for repair. Supervisor Kennedy agreed it would be better to wait until the county bids are received, which should be within two weeks.

Town Attorney Maxwell stated he had talked to an attorney in Attorney Cosgrove's office and had advised them to submit their plans for land restrictions at the North Boston Garage. Supervisor Kennedy stated that the rezoning request for the North Boston Garage has been hanging since November, 1984 and following discussion, the Board agreed that final action would be taken at the first meeting in April.

The Town Engineer's Monthly Report was received.

Councilman Wohlhueter reported that the directors of the Boys Baseball and Girls Softball Leagues asked him to announce that they are having sign-ups, one was on March 2 and the second is this Saturday, March 9 and that if there is a hardship in any family for the fees, they would be willing to consider a reduction or elimination of the fee, which is \$15 per player for baseball, \$20 if baseball pants and socks are needed, \$30 maximum per family and for softball, the fee is \$10 per player, \$20 per family.

Councilman Wittmeyer reported that Bingo Inspector Charles Germain has made great improvement over the last few days from his automobile accident, and may be home in a week or so. Councilman Wittmeyer will know soon whether an interim Bingo Inspector should be appointed.

Councilman Wittmeyer reported also that two telephone calls were received by Town Clerk Carr in answer to the letter sent to the County regarding the condition of Boston State Road after the recent snows, and that it might be a good idea to let them know of our complaints more often.

Councilman Zimmerman stated that he read an article in this evening's edition of the Buffalo News that the Town Board is in favor of a Mutual Aid Agreement between other towns in the county for highway work and wanted to go on record as saying he was not in favor of it. As no action has been taken by the Board, the newspaper is in error and as we are still considering it, the newspaper should be advised of the error. Supervisor Kennedy asked Karen Klinczar, who reports the Town Board meetings to the Buffalo News, to correct this. Town Clerk Carr will follow up the letter sent to Insurance Consultant Ernest Holfoth, requesting information on liability aspects, which has not yet been answered.

Police Department Monthly Report was received.

Code Enforcement Officers Monthly Reports were received.

Dog Control Officer's Monthly Reports for January and February were received.

A letter was received from Larry Clerc, resigning from the Planning Board, effective immediately, due to personal time considerations. Supervisor Kennedy directed Town Clerk Carr to write Mr. Clerc, thanking him for his service to the Planning Board, congratulating him on his new position as Superintendent of Emery Park, and wishing him well in the future.

A letter was received from the Conservation Advisory Council, advising the Town Board of the election of Reed Garver as Chairman and Nancy Aldridge as Secretary for 1985 and their decision to hold their meetings on the fourth Monday of each month.

Motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman to adjourn at 8:36 P.M.

Joyce Carr

Joyce Carr
Town Clerk

Regular Meeting
March 20, 1985

Town Hall
7:30 P.M.

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

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman that the Minutes of the Regular Meeting of March 6, 1985 be approved.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring that the General Fund and Special District Bills on Abstract #3A, March 20, 1985, in the amount of \$10,494.55 be paid.

five (5) ayes

Carried

A motion was made by Councilman Faulring and seconded by Councilman Zimmerman that the Highway Bills on Abstract #3A, March 20, 1985, in the amount of \$14,879.18 be paid.

five (5) ayes

Carried

A letter was read from Robert T. Dombrowski, Commissioner of Finance, asking for a return of the tax roll and balance due by May 1, 1985, rather than requesting an extension for the tax warrant deadline. A copy of a letter written in reply to Mr. Dombrowski's letter from John R. Sharpe, Supervisor, Town of Amherst was also read by the Town Clerk, informing Mr. Dombrowski that the Association of Erie County Governments unanimously approved a resolution in opposition to the decision not to extend the tax warrants, as has been the practice for many years.

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman in support of the Association of Erie County Government's resolution in opposition to the decision not to extend the tax warrants. The reasons given are that the taxes are remitted by the fifth day of each month to the county; the late penalty payments are part of the anticipated revenue in our already adopted budget; that we question the ability of the county to administer these late payments in an orderly speedy way, as transfers of ownership are three months behind now; and it would be a hardship on the local taxpayers to have to go to the county offices to make their payments. The Town of Boston asks the decision of the Commissioner of Finance to be reversed, and failing that, that all late payment penalties be apportioned back to us. Supervisor Kennedy also asked that a copy of this resolution be sent to County Executive Edward Rutkowski.

five (5) ayes

Carried

A letter was read from Rodney J. Carr, First Assistant Chief of the North Boston Volunteer Fire Company, asking the Town Board to approve of cross-banding of radio communication between the North Boston Fire Company and the Boston Emergency Squad, as approved by the Erie County Fire Advisory Board. Supervisor Kennedy requested Councilman Zimmerman to consult with the Emergency Squad and Councilman Wittmeyer to contact the fire company on this matter, which will be tabled until the next meeting.

A motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter in support of the Town of Evans resolution in favor of proposed legislation that would give tax credits to veterans on their New York State Tax and/or New York State funding to communities that adopted the new Veterans Tax Exemption Law and that a copy be sent to Senator Stachowski and Assemblyman Paxon.

five (5) ayes

Carried

A letter was read from Assemblyman Paxon, acknowledging our letter regarding the Governor's program bill relating to taxation and equalization matters. Supervisor Kennedy thanked Assemblyman Paxon for his efforts on our behalf. Letter received and filed.

Erie County Legislature report of session held March 7, 1985 from Legislator Karl Henry received and filed.

A letter was read from Robert Caldwell Trenching & Excavating, Inc., acknowledging the Town of Boston's letter of March 8 and reported all three of the complaints have been resolved and all road crossings fixed. Supervisor Kennedy

thanked Mr. Caldwell for his prompt response on these matters.

A letter was read from Ernest Holfoth, Insurance Consultant, responding to our inquiry regarding insurance coverage for a Mutual Aid Agreement for highway assistance during abnormal snow and work conditions. A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter that we are not in favor of this Mutual Aid Agreement, citing reasons given in Mr. Holfoth's letter of limitations in insurance coverage, and that a copy of Mr. Holfoth's letter be sent to Richard A. Smith, President of the Erie County Association of Towns, Superintendents of Highways, as our reason for being opposed to this agreement.

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Faulring to make the following Transfers of Appropriations:

From A 1410.1	\$ 200.00
To A 3620.1	\$ 200.00
From A 1670.4	\$4000.00
To A 1670.2	4000.00
From A 1990.4	3100.00
To A 9050.8	3100.00
From CF 1620.2	8500.00
To CF 1620.4	8500.00

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring to accept the bid made by BFI-Joe Ball Sanitation Service, Inc., as tabled from the March 6, 1985 meeting, for the Spring and Fall Pickup in the amount of \$10,795.00.

five (5) ayes

Carried

RESOLUTION - STIPULATION FOR SETTLEMENT OF INLAND STEEL vs. TOWN OF BOSTON ASSESSMENT CASE

Supervisor Kennedy read a letter received this date from Peter and Angela Zebrowski, 7432 Boston State Road, outlining numerous complaints about the adjacent North Boston Garage. Supervisor Kennedy also stated he has received many telephone complaints regarding the use of this property and said the Code Enforcement Officer has been to the property to take pictures and that papers will be served for violations that are already occurring, regardless of the outcome of the rezoning request that has been tabled until the April 3, 1985 meeting.

Supervisor Kennedy said Mr. Czechowski called his attention to the fact that other nearby towns are receiving low interest loans for rehabilitation of housing for residents who qualify. Information has been received that Community Development funds are available for a portion of Chestnut Ridge Road between Chestnut Lane and Hillside Drive and a portion of the hamlet of Boston. This area can expand if there is not enough interest in these targeted areas.

Supervisor Kennedy reported that plans for the Commuter Parking Lot have been signed and forwarded to the State Department of Transportation; that Nussbaumer and Clarke have signed contracts with the Supervisor to prepare bid specifications for the Meadow Drive drainage project; and reported he has directed a letter to Leonard Saniewski regarding the erosion of Back Creek and Zimmerman Roads and also brought this to the attention of the County Legislator, but has not yet had a reply.

Supervisor Kennedy directed Town Clerk Carr to direct a letter to Leonard Saniewski, inquiring what has been done on the Eckhardt Road restoration project between the Eden town line and Route 391 and asking if this is contingent on the \$60 million bond sale that is anticipated for March 21. On a related matter, Mr. Saniewski indicated to Mr. Kennedy by telephone that a meeting has been arranged with Philip Frandina, Erie County Commissioner of Public Works, Division of Highways, relative to developing bid specifications for the Zimmerman Road bridge reconstruction. Mr. Frandina assured Supervisor Kennedy that, if funding were available, there would be adequate time to complete this project in one construction season. Supervisor Kennedy directed the Town Clerk to include the question of when the bridge project will begin in her

letter to Mr. Saniewski.

Town Clerk Carr reported that the television program, "PM Magazine", filmed a segment at the Town Hall this date on the Senior Citizens' Kazoo Band, which will be aired in approximately four weeks. Mrs. Carr also reported she received a telephone call from an advertising agency in New York City, requesting permission to film a commercial in the Town of Boston and that she asked the representative to also contact the State Police before beginning filming.

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

five (5) ayes

Carried

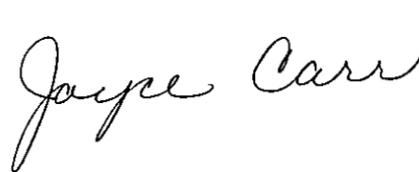
Councilman Wittmeyer reported that Ernest Faihst, who was in attendance, requested a ruling on whether a building permit was necessary to install a metal tube in his chimney for a separate furnace outlet. No permit is necessary for this work.

Councilman Zimmerman thanked the town officials for the flowers and cards he received during his hospital stay this past week.

A letter was read from Thomas Finger, Chairman, Planning Board, that due to significant changes in both his personal and business life, he is resigning from the Board, effective April 1, 1985. Supervisor Kennedy directed Town Clerk Carr to express the Town Board's appreciation to Mr. Finger for his contributions to the town and hoping someday he will again be able to be a member of the Board.

Supervisor Kennedy noted that there are vacancies on some Boards and Committees in town, but no action has been taken yet on filling them.

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter 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, in said town on the 20th day of March, 1985 at 7:30 P.M. Eastern Standard Time, there were present:

Richard Kennedy	Supervisor
Milton Wittmeyer	Councilman
David Zimmerman	Councilman
Don Wohlhueter	Councilman
Esther Faulring	Councilman

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

WHEREAS, INLAND STEEL URBAN DEVELOPMENT CORP. and SCHOLTZ HOMES, INC., as Petitioners, commencing in 1973 and each successive year thereafter to and inclusive of 1983, initiated an Article 7 Proceedings under the Real Property Tax Law requesting a reduction in assessed valuation of real property owned by said Petitioners in the Town of Boston, against the Town of Boston, Erie County, New York, the Town Assessor and the Town of Boston Assessment Board of Review, and

WHEREAS, a certain stipulation and agreement of settlement of said proceedings has been tentatively agreed to by the Counsel to the Town of Boston, the Town Attorney of the Town of Boston, and the Attorneys for the Petitioners in accordance with said proposed stipulation and agreement, which is attached hereto and made a part hereof, and

WHEREAS, recent sale of said premises owned by the Petitioners was sold, and indicated fair market value of said premises of approximately \$525,000.00, and

WHEREAS, it would appear that during the periods from 1973 through and inclusive of 1983, said premises owned by Petitioners was overassessed based upon said sale price and other factors, including the equalization rates of the Town of Boston, and

WHEREAS, based on the stipulation and agreement annexed hereto, Petitioners, above named, would be entitled to a total refund of \$57,500.00 by reason of said overassessment, without the payment of any interest on said principal sum.

NOW, THEREFORE, it is resolved, as follows:

RESOLVED, that proposed stipulation and agreement of settlement in these proceedings and Schedules A and B thereto be incorporated in, and made a part of by reference to this resolution, and

IT IS FURTHER RESOLVED, that the assessment of Petitioners' property be accordingly reduced for the periods 1973-1974 through and inclusive of 1983-1984 to reflect a total payment to Petitioners, by reason of overassessment, in the principal sum of \$57,500.00 and that said payment shall be in full settlement of any and all claims arising from each and every proceeding by Petitioners and that no interest or costs on said sum shall be paid and that said sum shall be in full settlement of any and all such claims and proceedings made by Petitioners, and

IT IS FURTHER RESOLVED, that the Town Assessor shall make such corrections on the rolls and the Supervisor of the Town of Boston, upon the adoption of this resolution, be empowered and directed to execute and deliver said stipulation and agreement of settlement as annexed hereto and take such other action as is necessary in accordance with the terms of this resolution.

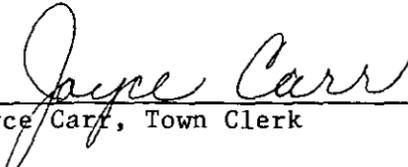
Seconded by Councilman Wohlhueter and put to a vote, which resulted as follows:

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 Faulring	Voting <u>aye</u>

AYES: 5

NOES: 0

ABSENT: 0



Joyce Carr, Town Clerk

STIPULATION AND AGREEMENT
OF SETTLEMENT OF
PROCEEDINGS INSTITUTED UNDER
ARTICLE 7 OF THE REAL
PROPERTY TAX LAW

Dated this _____ day of March, 1985, by and between Scholtz Homes, Inc., and Inland Steel Urban Development Corp. herein called "Inland" and the Town of Boston, a municipal corporation existing under the Laws of the State of New York maintaining its principal office at 8500 Boston State Road, Boston, New York 14025, herein called "Town".

WHEREAS, Inland has instituted various proceedings against the Town under Article 7 of the Real Property Tax Law, requesting a reduction in assessed value on a property owned by Inland in the Town of Boston, and reciting its claimed value, which proceedings are itemized on Schedule A, attached hereto and made a part hereof, which proceedings were opposed by the Town, and

WHEREAS, said proceedings were referred to a Referee duly appointed by Order of Honorable James B. Kane, Justice of the Supreme Court on September 17, 1979 to hear and report, and

WHEREAS, thereafter and on or about October 28, 1981, a hearing was commenced before William R. Brennan, Esq., the Referee appointed by said Order, he having duly filed the Oath to act as such Referee, and

WHEREAS, said hearing commenced and proof was duly submitted thereat on behalf of Inland, and said hearing was adjourned for production of documents and amplification of an appraiser's report, and

WHEREAS, before said proceedings were resumed, the said Referee resigned for personal reasons and

WHEREAS, thereafter a successor Referee was duly appointed by Order of Honorable Joseph P. Kuszynski, Justice of the Supreme Court, entered on July 26, 1982, and

WHEREAS, for much of the period of the pendency of the various proceedings, the attorneys for the respective parties have from time to time discussed the possibility of compromise and settlement of the proceedings, and have submitted various alternative proposals for such purposes, and have discussed and submitted to the respective parties the said proposals, and

WHEREAS, the attorneys for said parties agreed upon terms of settlement, and submitted said proposal to their respective clients, who thereafter indicated their approval of said proposal, now it is hereby

AGREED and STIPULATED, by and between Inland and the Town and their respective counsel, as follows:

1. That Inland, over the period of the proceedings described in Schedule A has paid the taxes columnized in Schedule B, attached hereto and made a part hereof.

2. That the parties agree that Inland, based on its claims of over-assessment, has in fact over-paid its taxes and assessments.

3. That the total amount of said over-payment, over the period of the various proceedings instituted by Inland, is Fifty-Seven Thousand Five Hundred Dollars (\$57,500.00).

4. That Inland is entitled to a refund in said sum of Fifty-Seven Thousand Five Hundred Dollars (\$57,500.00) by reason said overpayment of taxes and assessment resulting from said over-assessment.

5. That the parties hereto agree that Inland will receive no interest on account of said overpayment, but will receive only said sum of Fifty-Seven Thousand Five Hundred Dollars (\$57,500.00) in full settlement of any and all claims arising from each and every proceedings set forth in Schedule A.

6. That the apportionment of the payment of said reimbursement shall be at the percentages set forth in Schedule B, attached hereto, to wit: County of Erie-35.23%, Town of Boston-11.92% and Hamburg Central School District-52.85%

7. That the Agreement and Stipulation shall become effective when signed and acknowledged by the Supervisor of the Town of Boston and by an appropriate officer of Inland, and likewise signed by the respective counsel for the parties hereto.

8. That either party hereto may prepare and submit, without notice to the other, an Order confirming this settlement, terminating the individual proceedings and directing and authorizing the Commissioner of Finance of the County of Erie to make the refunds required by Article 7 of the Real Property Tax Law.

IN WITNESS WHEREOF, the parties hereto have executed and acknowledged this agreement and stipulation, and their respective counsel have likewise signed said agreement and stipulation.

DATED: *March 25, 1985*

Town of Boston

By *Richard J. Fournier*
Supervisor

DATED:

Inland Steel Urban
Development Corp.

By _____

DATED:

Blair, Martin & Messina
Attorneys for Respondent

By _____

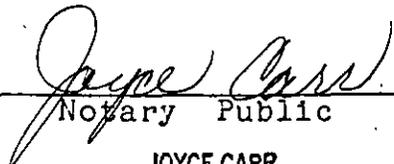
DATED:

Moot and Sprague
Attorneys for Petitioner

By _____

STATE OF NEW YORK)
COUNTY OF ERIE)SS:

On this 25th day of March, before me, the subscriber, personally appeared Richard L. Kennedy, to me personally known, who, being by me duly sworn, did depose and say: that he resides in Boston, New York; that he is the Supervisor of the Town of Boston, the corporation described in, and which executed, the within Instrument, that he knows the seal of said corporation; that the seal affixed to said Instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation; and that he signed his name thereto by like order.


Notary Public

JOYCE CARR
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1986

STATE OF)
COUNTY)SS:

On this _____ day of March, before me, the subscriber, personally appeared _____, to me personally known, who, being by me duly sworn, did depose and say: that he resides in _____, that he is the _____ of Inland Steel Urban Development Corp. the corporation described in, and which executed the within Instrument, that he knows the seal of said corporation; that the seal affixed to said Instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation; and that he signed his name thereto by like order.

Notary Public

SCHEDULE A

<u>Year</u>	<u>Petitioner (as titled)</u>	<u>Assessed Value</u>	<u>Value claimed by Petitioner</u>
1973-1974	Scholtz Homes, Inc.	\$78,000.00	\$58,500.00
1974-1975	Inland Steel Urban Development Corp. and Scholtz Homes, Inc.	78,000.00	55,000.00
1975-76	Same as 1974-1975	78,000.00	55,000.00
1976-1977	Same as 1974-1975	78,000.00	55,000.00
1977-1978	Same as 1974-1975	78,000.00	31,200.00
1978-1979	Same as 1974-1975	78,000.00	27,900.00
1979-1980	Same as 1974-1975	78,000.00	24,000.00
1980-1981	Same as 1974-1975	78,000.00	21,500.00
1981-1982	Same as 1974-1975	78,000.00	22,100.00
1982-1983	Same as 1974-1975	78,000.00	22,400.00
1983-1984	Same as 1974-1975	55,000.00	48,260.00

SCHEDULE B

-1-	-2-	-3-	-4-	-5-	-6-	-7-
Period	Assessed Value on Roll	Value Claimed (Schedule A)	County Tax Paid (Excl. Sewer)	Town Tax Pd. (excl. Sewer)	Net Co. tax pd.	School tax pd.
1973/74	78,000	58,500	7,615.46	1,948.10	5,667.36	7,818.85
1974/75	78,000	55,000	7,358.83	1,825.60	5,533.23	8,349.82
1975/76	78,000	55,000	7,453.51	2,110.00	5,342.51	10,190.97
1976/77	78,000	55,000	7,985.33	2,018.31	5,967.02	11,251.24
1977/78	78,000	31,200	10,235.42	2,240.50	7,994.92	11,747.03
1978/79	78,000	27,900	10,901.57	2,499.74	8,401.83	11,863.31
1979/80	78,000	24,000	10,756.98	2,521.10	8,235.88	12,140.48
1980/81	78,000	21,500	10,780.76	2,623.80	8,156.96	12,642.12
1981/82	78,000	22,100	12,211.09	2,824.55	8,675.00	12,494.11
1982/83	78,000	22,400	11,743.98	3,029.39	8,714.59	12,831.67
1983/84	55,000	48,260	12,065.95 (See 5 & 6)	<u>3,754.93</u>	<u>8,311.02</u>	<u>10,193.62</u>
		Taxes paid		27,396.02	81,000.32	121,523.22
		% of Total		.1192	.3523	.5285
		% of Refund		.1192	.3523	.5285
		Dollar Refund		6,854.00	20,257.25	30,388.75

County of Erie-35.23%; Town of Boston-11.92% and Hamburg Central School District-52.85%

Regular Meeting
April 3, 1985

Town Hall
7:30 P.M.

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

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer that the Minutes of the Regular Meeting of March 20, 1985 be approved.

four (4) ayes Carried

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

four (4) ayes Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman that the General Fund and Special District Bills on Abstract #4, April 3, 1985, in the amount of \$5,965.52 be paid, after correction of Voucher #240, \$909.07, From A7110.4 to CF7110.4.

four (4) ayes Carried

A motion was made by Councilman Faulring and seconded by Councilman Wittmeyer that the Highway Bills on Abstract #4, April 3, 1985, in the amount of \$3,639.00 be paid.

four (4) ayes Carried

Report on County Legislature session of March 21, 1985 from Legislator Karl Henry received and filed.

Letter received from D. H. Ketchum, Regional Director, New York State Department of Transportation, stating the Commuter Parking Lot project is withdrawn from the proposed April bid letting due to the fact that the Mobil Oil Company indicated they have plans to completely redevelop this property in the near future. Mr. Ketchum is hoping to devise a plan using the P. J. Schmitt property and will keep us informed in this matter.

Copy of Federal Register notice designating Erie and Niagara Counties as being eligible for low interest small business loans for economic injury due to the Blizzard of 1985 received and filed.

Letter received from State Senator William Stachowski, supporting reimbursement for Erie County's revaluation program. Supervisor Kennedy thanked Mr. Stachowski for his support, letter received and filed.

Letter received from Leonard Saniewski, Deputy Commissioner, County Highways, in response to our inquiry regarding bank erosion along Eighteen Mile Creek in the vicinity of the Agway store. They are initiating an investigative survey to determine the extent of erosion and will keep us informed. Supervisor Kennedy stated also that the County has requested we contact them in the future with the problems of road clearing on Boston State Road during times of snow.

A letter was received from Ann Schunk, Youth Director, requesting use of the Lions Shelter for a dance on Friday, June 14, 1985 from 7:00 P.M. to 11:00 P.M. A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring to permit the use of the shelter for this fundraising dance on this date.

four (4) ayes Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to correct Abstract #3A, March 20, 1985, Voucher #199 Herman Office Furniture, from A5132.4 to A5132.2.

four (4) ayes Carried

A motion was made by Councilman Faulring and seconded by Supervisor Kennedy to make the following Transfer of Appropriations:

From A 9950.9, transfer to Capital Fund	\$3255.00
To A 9010.8 State Retirement	\$3255.00

four (4) ayes Carried

A letter was read from Christopher A. Spence, Attorney from the office of Edward C. Cosgrove, enclosing a covenant signed by Gregory and Ann Gerwitz incorporating the Boston Town Junk Ordinance, relative to their rezoning request and Public Hearing held on November 7, 1984. Neither Mr. or Mrs. Gerwitz were present at the meeting. Supervisor Kennedy stated he is responsive to the Town Board's concerns regarding this rezoning request, as there have been reoccurring problems with this garage for the past several years. When the Town Board registers numerous complaints with Mr. Gerwitz, he seems to make an effort to clean the area up, only to have the same problems again in a short time. The Code Enforcement Officer has many pictures he has taken of the violations and said that there are many piles of junked parts in the back of the building. He also stated that he noted only two junked cars that appeared to be legitimately currently registered. Supervisor Kennedy said his personal opinion was that if this rezoning is granted, there will continue to be reoccurring problems with non-compliance of the zoning regulations. If this situation would change in the future, with the area cleaned up, Mr. Gerwitz could then reapply for rezoning. Councilman Zimmerman said he agreed with Supervisor Kennedy 100 percent on his assessment of the situation. Councilman Wittmeyer said he was at the garage this afternoon and Mr. Gerwitz was attempting to haul out a load of junked autos and parts, but he was stopped by the State Police for alleged violations of the manner in which he was transporting this load. Town Attorney Maxwell said that this letter and covenant agreement were delivered to him at noon today, therefore he did not have time to confer with Mr. and Mrs. Gerwitz's attorney on the terms of the covenant agreement. Mr. Maxwell said that he believes Mr. Gerwitz will be able to park employees and customers cars on the property next door that was requested to be rezoned, even without rezoning. Code Enforcement Officer Randall said there is a large pile of sewer tiles also on the property that were drawn there after being on a truck that tipped over on the expressway. Mrs. Angela Zebrowski, 7432 Boston State Road, said there are two piles on tiles, one behind the station. She said they have two main concerns with the property: 1) the parking lot requested is 100 X 200 feet, however, how can it be contained so that it does not infringe on other property by spreading; 2) it is difficult to determine what is salvage and what is being worked on. Councilman Wittmeyer asked if it were possible to determine how long Mr. Gerwitz has to keep cars involved in accidents before the insurance company releases them. Mrs. Zebrowski said it was her understanding that thirty days is sufficient time. Supervisor Kennedy said that if this area is to be used as a junkyard, then Mr. Gerwitz should apply for a Junkyard Permit, which would be judged on its own merits and has nothing to do with this Business zoning request. There were no further questions or comments.

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman that, in view of past practices and problems that have been initiated in both the Public Hearing and as a part of the Town Board record over the past few years, Gregory and Ann Gerwitz's application for rezoning of their property to Business B-1, with the covenant restrictions that they have submitted to the Town Board, be denied.

four (4) ayes

Carried

A letter was read from Florence L. Coyle, Dispatcher for the Emergency Squad, resigning from that position, effective April 30, 1985. Supervisor Kennedy directed the Town Clerk to express the Town Board's appreciation for the hours of dedicated service Mrs. Coyle has given to the Emergency Squad. Councilman Zimmerman will consult with the Emergency Squad regarding any response to the advertisement they placed in the Hamburg and Springville Pennysavers for a new dispatcher. If there is anyone interested, they can also contact either Councilman Zimmerman or the Town Hall. The Town Board will accept the recommendation of the Emergency Squad on this appointment.

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman to set a Public Hearing for the use of Community Development Funds for the Year 1985-86, in the amount of \$22,746.00, on April 17, 1985 at 7:45 P.M.

four (4) ayes

Carried

Supervisor Kennedy directed Town Clerk Carr to write a letter to Insurance Consultant Ernest Holfoth regarding the question of the Town of Boston's possible liability for unfenced inground swimming pools of town residents. As the town has adopted the State Building Code, this code states there must be fences around these pools of at least four feet. The Supervisor also directed the Town Clerk to review past applications for swimming pools and direct letters to the owners, citing the provisions of the State Building Code and incorporating Mr. Holfoth's reply in these letters.

The Supervisor's Monthly Financial Report was received.

Supervisor Kennedy showed a streetlight that had been shot out with pellets at Homestead and Endress Roads. He urged all residents to report any destruction of public property so that vandals may be apprehended.

Town Clerk Carr read a letter received this date from E. P. Lesswing, State Department of Transportation, stating they have completed their study of traffic conditions on Route 391 between the Southern Expressway and Eckhardt Road and will add cross hatch lines to the north shoulder area in the vicinity of Eckhardt Road.

The Town Justice Monthly Financial Report was received.

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman to authorize Highway Superintendent Kreitzbender to prepare bid specifications on a 1985 Four-wheel drive pickup truck, with plow; bids to be opened at 10:00 A.M., Thursday, April 25, 1985 in the Supervisor's office. The Town Board will make their recommendation at the May 1, 1985 meeting.

four (4) ayes

Carried

Councilman Zimmerman said he talked with the Emergency Squad regarding the cross-banding of radio communication with the North Boston Fire Company, and they are in agreement. Councilman Wittmeyer said the fire company is also in agreement.

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to grant approval to all three fire companies to allow radio cross banding with the Emergency Squad.

four (4) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Supervisor Kennedy to authorize the Emergency Squad to look for a fourth person to serve as Part-time Dispatcher, time not to exceed 25 days per year, at \$20.00 per day.

four (4) ayes

Carried

Police Department Monthly Report was received.

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

No Dog Control Officer's Report was received. The Supervisor requested Town Clerk Carr to encourage the Dog Control Officer to make monthly reports.

Annual Report of the Planning Board was received.

A letter was read from Ken W. Kloeber, requesting appointment to the Planning Board.

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring appointing Ken W. Kloeber to the Planning Board to fill the unexpired term of Larry Clerc. Term to expire February 1, 1987.

four (4) ayes

Carried

A letter was read from Karen Klinczar, resigning for personal reasons from the Conservation Advisory Council and also as representative to the Southtowns Planning & Development Group. Supervisor Kennedy thanked Karen for her years of service to both committees and said she will be missed.

A letter was read from Judith A. Scheetz, 4726 Eckhardt Road, expressing interest in joining the Conservation Advisory Council. Mrs. Scheetz has also been recommended by Councilman Wohlhueter, Conservation Advisory Council liaison.

A motion was made by Supervisor Kennedy and seconded by Councilman Faulring to appoint Judith A. Scheetz to a full term on the Conservation Advisory Council. Term to expire December 15, 1987.

four (4) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman to adjourn at 8:27 P.M.

Joyce Carr

Joyce Carr
Town Clerk

Regular Meeting
April 17, 1985

Town Hall
7:30 P.M.

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

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer that the Minutes of the Regular Meeting of April 3, 1985 be approved.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring that the General Fund and Special District Bills on Abstract #4A, April 17, 1985, in the amount of \$11,051.62 be paid.

five (5) ayes

Carried

A motion was made by Councilman Faulring and seconded by Supervisor Kennedy that the Highway Bills on Abstract #4A, April 17, 1985, in the amount of \$2,986.55 be paid.

five (5) ayes

Carried

A letter was read from Melvin W. Kase, Coordinator, Local Roads, County of Erie, approving by the Deputy Commissioner of Highways the Expenditure of Highway Monies made between Highway Superintendent Clarence Kreitzbender and the Town Board. Agreement received and filed.

A letter was read from Cathleen M. Wilson, Chairperson-1985 Fund Raiser for the Boston Welcome Wagon, withdrawing their request for the use of the Lions Shelter on May 18, 1985, due to the fact they are unable to secure a Certificate of Insurance for the occasion. Councilman Wittmeyer stated he feels there was a misinterpretation of the letter sent to Mrs. Wilson, as the Town Board did in fact waive the insurance requirement, but also pointed out to them that if a liable action were to occur, the Welcome Wagon would have to retain their own counsel to represent them. Supervisor Kennedy agreed with Councilman Wittmeyer and asked that a letter be written to the Mrs. Wilson of the Welcome Wagon explaining the misunderstanding and saying the date of May 18, 1985 will main open for them.

A letter was read from Assemblyman L. William Paxon concerning projected State Revenue Sharing Funds for 1985-86. Supervisor Kennedy explained that since this letter was written, the budget has been adopted and we received notification from Assemblyman Paxon as to what we can be expected to received from these funds over the next two years, approximately \$250,000. Supervisor Kennedy added that this amount is based on 1970 census figures and that he hopes the Legislature will continue to address this issue, as it discriminates against the areas that have gained in population since that time. Letter received and filed.

Legislative Report received and filed from Legislator Karl Henry on the April 4, 1985 session of the Erie County Legislature.

A letter was read from Leonard V. Saniewski, Deputy Commissioner-Highways, regarding the rehabilitation of Eckhardt Road and stating work is anticipated to start in May, or as soon as funding becomes available. The letter also addressed the Zimmerman Road bridge reconstruction project, which is now scheduled for the 1986 construction season.

Supervisor Kennedy reported on the tour the Traffic Safety Committee made of the town and that a number of items were found that should be brought to the attention of the County Highway Department. Supervisor Kennedy said the tour pointed out that guardrails are missing on bridge approachments and on Back Creek Road, sections of Back Creek Road are in danger of collapsing, etc. and that after a list is made of these conditions, a meeting should be arranged with representatives from the County to see if action may be expected on these problem areas during the construction season, as suggested by Legislator Henry.

At 7:45 P.M. a Public Hearing was held on the Federal Community Development Grant Program. The Legal Notice was read by the Deputy Town Clerk, who also noted that letters had been sent to all churches in town and also to the Senior Citizens, regarding their participation on the selection of projects to be funded by this program. Supervisor Kennedy stated there is available

funds in the amount of \$22,746 and noted that in the past approximately \$1750 of this money was used to participate in the Southtowns Planning and Development Group. He then asked for suggestions or comments as to how the remainder, or the entire amount should be expended this year. Councilman Wohlhueter asked that some of these funds be applied to the Meadow Drive drainage project. Councilman Wittmeyer inquired if the Historical Society was eligible to receive funds, Supervisor Kennedy replied that they were not eligible under the guidelines for new siding, roof or windows. There were no further comments or questions.

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman to close the public hearing at 8:51 P.M.

five (5) ayes

Carried

Councilman Wittmeyer made a request from Edward Schramm, 9000 Back Creek Road, regarding rehabilitation loans for home improvements. Councilman Wittmeyer gave Mr. Schramm the telephone number of Diane Cadle, Department of Environment & Planning, to call for more information. Supervisor Kennedy explained that the entire Town of Boston is eligible for loans under the framework of guidelines provided him, not only isolated sections of town.

Edith Schramm, 9000 Back Creek Road, asked if the Town Board felt they should continue to appropriate funds for the plantings at the Boston Commons, due to the fact that they are ruined by youth sitting on the edges of the planters. Supervisor Kennedy stated he felt the plantings should continue, perhaps using more geraniums, as they seem to be hardier. Councilman Faulring asked if that area could be patrolled more late at night and Chief Harry Strack said they have been there more lately, as there have been some complaints. Councilman Faulring will contact the League for the Handicapped to ask if they monitor the driveway between there and Boston Cross Road at all, perhaps they don't realize that the area is being used and will restrict it in some way, so the problems could be lessened.

Upon the request of Elisabeth A. Cary, Teacher, Churchill Child Center, a motion was made by Councilman Wittmeyer and seconded by Councilman Faulring to grant permission to the pre-kindergarten program to use the Boston Town Park and the Town Hall Community Room on Monday and Tuesday, June 3 and 4, 1985 from 10:00 A.M. to Noon for their end-of-the year picnics.

five (5) ayes

Carried

Application for Soil Removal permit by Martin and Mildred Logel, 7784 Boston State Road, was reviewed and tabled until the May 1, 1985 meeting so that the Town Board can obtain a drawing of the area from Contractor Robert Smolinski, showing what will be removed and what has been removed in the past.

A letter was received from Harry Strack, Chairman, Traffic Safety Committee, enclosing a list of town roads where "No Parking" and "No Standing" signs will be posted, following review by the Town Attorney. These roads are: Creekside Court, Eiss Hill, George Drive, Heinrich Road-Eckhardt Road side, Pfarner Road, Serpentine Drive, Zimmerman Road - 7630 and 7830. Also the Stop sign is to be moved from Hillcroft to Back Creek Road, south of Hillcroft. Chief Strack will tour these areas with Town Attorney Maxwell and an ordinance will be drafted for the Town Board's consideration of these changes.

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer that, pursuant to Section 1660, Subdivision 1, of the Vehicle and Traffic Law and by order of the Town Board, Hillcroft Drive shall be designated as a through street, allowing the town, in conformance with the aforementioned law, to erect a Stop sign at the northeast corner of Back Creek Road.

five (5) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter that the Town Board of the Town of Boston does hereby elect to provide the additional pension benefits of Section 75-e, as presently or hereafter amended, and entitled "guaranteed retirement benefits for employees of participating

PUBLIC NOTICE
NOTICE OF PUBLIC HEARING
ON FEDERAL COMMUNITY
DEVELOPMENT GRANT PROGRAM
PLEASE TAKE NOTICE that the Boston Town Board will hold a public hearing on Wednesday, April 4, 1985 at 7:45 P.M. (Eastern Standard Time) at the Boston Town Hall, 1000 Boston State Road, Boston, Massachusetts, regarding the use of Federal Community Development Funds in the Town of Boston.

The Town of Boston is eligible for a \$22,746 Federal grant under Title 1 of the Housing and Community Development Act of 1974, as amended. The purpose of the hearing is to provide an opportunity for citizens to express community development and housing needs and to discuss possible projects or programs to meet those needs, particularly projects which would benefit low and moderate income persons in the Town of Boston.

All citizens are urged to attend this meeting to make known their views and/or written proposals on the Town of Boston's selection of projects to be funded by the Federal Community Development Grant Program.

Dated: April 4, 1985

Richard L. Kennedy
 Supervisor
 Town of Boston

4-11

employers" and this election shall become effective on the 1st day of October, 1985.

five (5) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman that the Town Board of the Town of Boston does hereby elect to provide the Career Retirement Plan of Section 75-g of the Retirement and Social Security Law as presently or hereafter amended, for employees of participating employers and that this election shall become effective on the 1st day of October, 1985.

five (5) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer that the Town Board of the Town of Boston does hereby elect to provide the benefits of Section 75-i of the Retirement and Social Security Law as presently or hereafter amended and that this election shall become effective on the 1st day of October, 1985.

five (5) ayes

Carried

A letter was read from Gregory and Ann Gerwitz, 7440 Boston State Road, requesting written notification of the Town Board's decision on their requested zoning change and a list of reasons for the decision and requesting the \$75.00 fee be returned. The Supervisor directed the Deputy Town Clerk to forward a transcript of the Public Hearing that was held on November 8, 1984 on this rezoning request and a copy of that portion of the Minutes of the April 3, 1985 meeting regarding this request. Supervisor Kennedy reported he wrote Mr. and Mrs. Gerwitz on April 8, 1985, detailing the reasons for the Town Board's denial of his rezoning application, but apparently the letter crossed in the mail with the one Mr. Gerwitz wrote on April 10.

RESOLUTION - GOOD SHEPHERD LUTHERN CHURCH 25th ANNIVERSARY

Supervisor Kennedy reported he received a letter from Elisabeth A. Cary, Director of the Tuesday Youth Program, resigning her position effective June 1, 1985, because she will be attending Graduate School in the evenings. The Deputy Town Clerk was directed to send a letter to Miss Cary, expressing the Board's appreciation for her services as director of the Tuesday Youth Program.

Supervisor Kennedy reported that after extensive negotiations with the attorney for Mr. and Mrs. Dennis McKillen, 7336 Heinrich Road, signed documents have been received that their house will be constructed by November 1, 1985, at which time they will vacate the travel trailer they are presently living in. A motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter that, based on the written representations they have received from the legal counsel representing the McKillens, they extend until November 1, 1985 the permit to live in the trailer. Letter attached to and heretofore made a part of these minutes.

five (5) ayes

Carried

Supervisor Kennedy reported he received word from William McGee, resigning his appointments to the Planning Board and Drainage Committee, effective immediately, because of ill health. The Deputy Town Clerk was directed to draft a letter to Mr. McGee, accepting his resignations with regret.

To update the Commuter Parking Lot, Supervisor Kennedy reported that it has now been decided by the Department of Transportation that on the property off Herman Hill Road, between property owned by Herbert Klein and Mobil Oil, there will be an accessibility road to the lot.

Councilman Wittmeyer reported that the North Boston Fire Hall will host a meeting on May 9, 1985, with attorney Paul Rudnicki who is an expert on fire law. The meeting will be held at 7:00 P.M. and Mr. Rudnicki would like members of the Town Board to be present.

Councilman Zimmerman reported that the Emergency Squad is still looking for candidates for the dispatcher position.

A letter was read from the Planning Board, naming the officers for the Year 1985, as follows: Chairman: Herbert H. Klein, Vice Chairman: William Boltz and Secretary: Charles G. Decker. A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter to accept these officers.

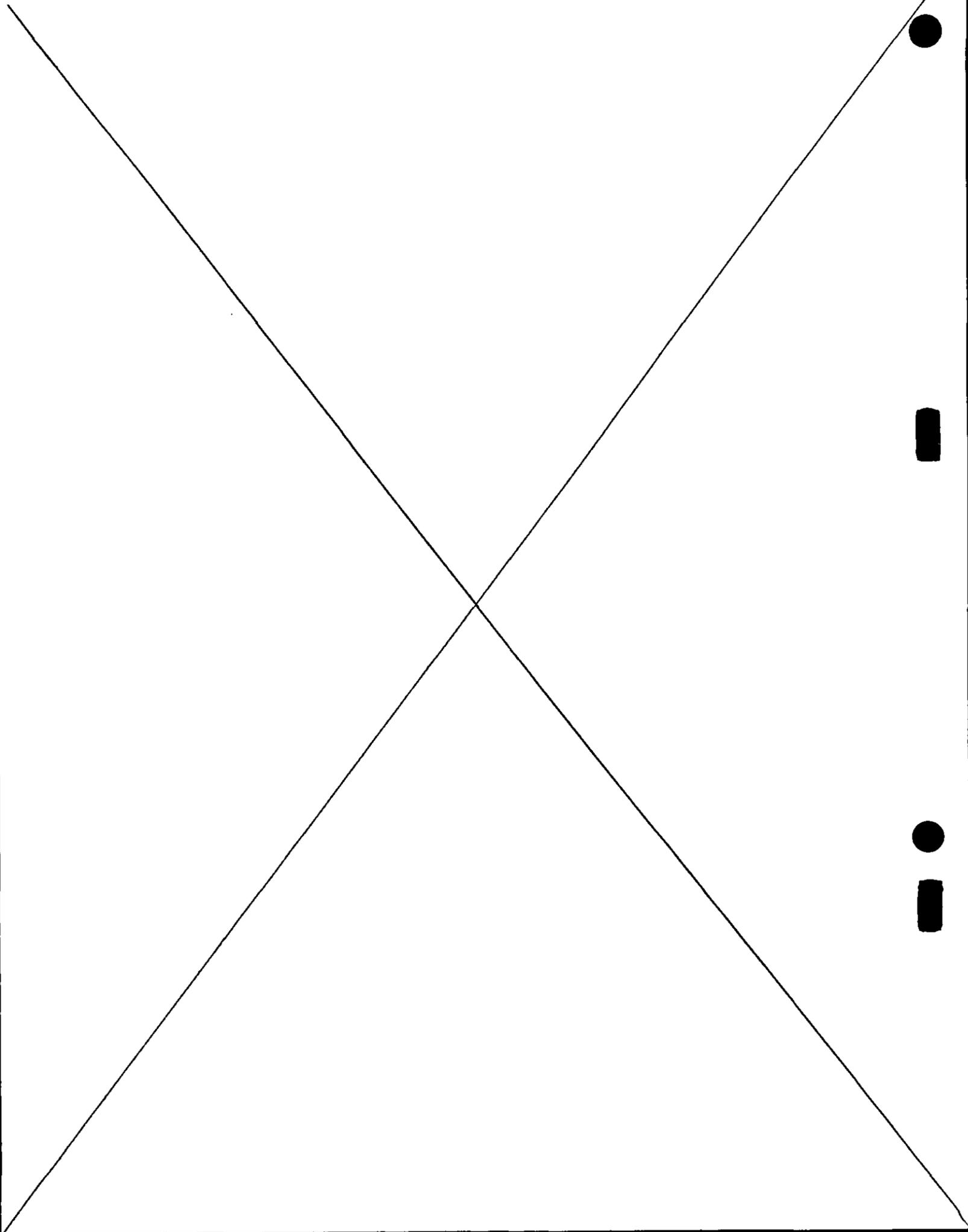
five (5) ayes

Carried

Supervisor Kennedy asked for a moment of silence in memory of the "Mayor of Boston", Glenn A.Trevett, a lifelong resident of the town, who passed away last week. Mr. Kennedy noted the town grieved the passing of Mr. Trevett, who was known and respected by many in the community.

A motion was made by Supervisor Kennedy and seconded by Councilman Faulring to adjourn at 8:40 P.M.

Lucille C. Genzel
Deputy Town Clerk



TOWN OF BOSTON



At a Regular Meeting of the Town Board of the Town of Boston, Erie County, New York, held at the Boston Town Hall, 8500 Boston State Road, Boston, New York, on the 17th day of April, 1985 at 7:30 P. M. Eastern Daylight Savings Time, there were present:

Richard L. Kennedy	Supervisor
Milton I. Wittmeyer	Councilman
David G. Zimmerman	Councilman
Esther M. Faulring	Councilman
Don A. Wohlhueter	Councilman

Richard L. Kennedy presented the following resolution and moved its adoption:

WHEREAS, Good Shepherd Lutheran Church, North Boston, New York will celebrate their 25th Anniversary as a congregation on April 21, 1985, and

WHEREAS, Good Shepherd Lutheran Church was established as a result of a mission project undertaken by Grace Lutheran Church of Hamburg, New York, and

WHEREAS, that mission project first began with a Sunday School at the North Boston Fire Hall on April 13, 1958, and

WHEREAS, a year later on April 12, 1959, worship services were first conducted at the fire hall, and

WHEREAS, on August 30, 1959, ground was broken for construction of a chapel, and

WHEREAS, on February 28, 1960, the new chapel was dedicated with 304 persons attending, and

WHEREAS, on April 10, 1960, Palm Sunday, Good Shepherd Church commemorated Charter Sunday with baptized members numbering 110 souls and communicant membership totaling 40, and

WHEREAS, this group of dedicated Christians have worked for the past 25 years with the guidance of their pastors to provide a place to worship God and educated God's children,

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Boston hereby proclaims, Sunday, April 21, 1985 as Good Shepherd Lutheran Church Day in the Town of Boston, and

FURTHER BE IT RESOLVED, that the Town Board extends their Congratulations and Best Wishes to the members of Good Shepherd Lutheran Church in recognition of their 25th Anniversary.

Seconded by Esther M. Faulring 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 Faulring	Voting <u>aye</u>
Councilman Wohlhueter	Voting <u>aye</u>

AYES: 5

NOES: 0

ABSENT: 0

Lucille C. Genzel
Lucille C. Genzel, Deputy Town Clerk

PETER B. CARR
 Attorney and Counsellor At Law
 867 ABBOTT ROAD
 BUFFALO, N.Y. 14220

PETER B. CARR

April 9, 1985

Town of Boston
 Town Board
 8500 Boston State Road
 Boston, NY 14025

Attn: Mr. Kennedy, Supervisor

RE: People v Mr. and Mrs. Dennis McKillen

My clients would like permission to live in their 24" travel trailer until November 1985. We have had a lot of vandalism and are planning on building a log home and don't like leaving the place empty.

The sand filter passed inspection by Gene Romanishen (Health Inspector) October 1982. The water line has been put in and the Electric Co. put in the poles and electric in 1981. The trailer is 950' from Heinrich Road cul de sac. There are 38 acres here.

We hereby agree not to live in our trailer on and after the first day of November 1, 1985. We will not contest any action by the Town Board to remove us from the trailer after that date.

We hereby agree to have our house closed in by October 31, 1985.

Very truly yours,

Peter B Carr

PETER B. CARR
 Attorney at Law

PBC/fc

Dennis McKillen
 Mr. Dennis McKillen

Mrs. Dennis McKillen
 Mrs. Dennis McKillen

Regular Meeting
May 1, 1985

Town Hall
7:30 P.M.

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

A motion was made by Councilman Zimmerman and seconded by Supervisor Kennedy that the Minutes of the Regular Meeting of April 17, 1985 be approved.

five (5) ayes Carried

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

five (5) ayes Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring that the General Fund and Special District Bills on Abstract #5, May 1, 1985, in the amount of \$10,375.11 be paid.

five (5) ayes Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman that the Highway Bills on Abstract #5, May 1, 1985, in the amount of \$1,968.86 be paid.

five (5) ayes Carried

A letter was read from Robert T. Dombrowski, Erie County Commissioner of Finance, granting delinquent tax collection extensions to June 30, 1985. Letter received and filed.

Letter received and filed from Thomas Bumbalo, M.D., President, Erie County Board of Health, regarding a proposed amendment to the fee schedule.

Letter received from Brownie Troop 796 thanking the town for the use of the building for their meetings. Supervisor Kennedy noted that we have enjoyed the presence and their decorations on the doors and windows at Christmas time.

Letter received and filed from New York State Electric and Gas, advising of rate increases effective April 15, 1985.

Report received and filed from Karl Henry of the Erie County Legislature session on April 18, 1985.

Letter read from Assemblyman L. William Paxon regarding welfare cost hikes in the 1985-86 state budget and enclosing petition regarding these costs. Supervisor Kennedy thanked Assemblyman Paxon for his efforts to stop the escalation of welfare and medicaid costs. The petition will be in the Town Clerk's office for signatures.

Deputy Town Attorney Perley reported that the Boston Library entered into a contract with Nussbaumer & Clarke to do a feasibility study on handicapped accessibility to the library.

A letter was read from Ann Schunk, Youth Director, asking the Town Board to disregard her request for the use of the Lions Shelter on June 14 for a dance, as she feels they will have better control by holding the dance inside the Community Room.

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman to grant a Soil Removal Permit to Martin and Mildred Logel, 7784 Boston State Road, for the removal of soil from a 200 X 350 foot area, not to exceed 600 cubic yards. A sketch of the area is to be included with the permit application.

five (5) ayes Carried

Supervisor Kennedy reported that he and Councilman Wittmeyer made an on site inspection of the area at 8871 Back Creek Road where Dean Watkins has made an application for a Soil Removal Permit. They request that Mr. Watkins provide a written request of exactly what amount of soil he wishes to remove and also to include a sketch of the area, which should not include the property he and his wife own jointly. This request will be tabled until the May 15, 1985 meeting, so that all necessary paper work can be obtained.

A letter was received from New York State Electric & Gas Corporation, noting replacement of defective MV fixtures with HPS, as follows:

Cole Road:

Install 1 - 8500 lumen HPS lamp @ \$ 87.32	
Remove 1 - 9400 lumen MV lamp @ \$118.84	
Annual Decrease	\$ 31.52

The Supervisor's Monthly Financial Report was received.

Supervisor Kennedy appointed the following to the Parks and Recreation Committee for 1985: Chairman Remy Orffeo, Lee Pfarner, Matt Donlon, Jerry O'Brien, Jim Frascella, Tom Krajewski, Dick Was and Don Wohlhueter.

The Tax Collector's Monthly Report was received.

The Town Justice Monthly Financial Report was received.

Highway Superintendent Kreitzbender reported that bids were opened on April 25, 1985 at 10:00 A.M. Eastern Standard Time in the Supervisor's office for One new 1985 3/4 ton 4 X 4 Pickup Truck and One 7½ foot Plow with heavy duty pump and motor hydraulic angling. Bids were as follows:

1. Lamb Ford-Mercury, Inc.
344 West Main Street
Springville, New York 14141

Non-Collusive Bidding Certification enclosed
Certified check or Bid Bond - not enclosed
No delivery date stated

Pickup Truck	\$12,560
Snow Plow	1,650

2. Emerling Chevrolet, Inc.
9000 Boston State Road
Boston, New York 14025

Non-Collusive Bidding Certification enclosed
Certified check in the amount of \$1261 enclosed
Delivery date: 6 to 8 weeks

Pickup Truck	\$11,123
Snow Plow	1,480

3. Don Nowak Ford, Inc.
8259 N. Main Street
Eden, New York 14057

Non-Collusive Bidding Certification enclosed
Bid Bond from Aetna Casualty & Surety Co. enclosed
Delivery Date: 60 days

Pickup Truck	\$11,864.60
Snow Plow	1,350

4. Valley Truck & Equipment Co., Inc.
Trevett Road
Boston, New York 14025

Non Collusive Bidding Certification enclosed
Certified check in the amount of \$70.75 enclosed
Delivery: from stock

Snow Plow	\$ 1,415
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A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to accept the recommendation of Highway Superintendent Kreitzbender and accept the low bid of Emerling Chevrolet, Inc., 9000 Boston State Road, Boston, New York of \$11,123 for the 3/4 ton 4 X 4 Pickup Truck, with a reserve decision from Superintendent Kreitzbender on the awarding of the snowplow bid.

five (5) ayes

Carried

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

at Cornell University in Ithaca on June 9 - June 12, 1985. All appropriate expenses to be paid by the town.

five (5) ayes

Carried

Councilman Wittmeyer reminded the Town Board of the meeting at the North Boston Fire Hall on May 9, 1985 at 7:00 P.M. with Attorney Paul Rudnicki, an expert on fire law.

Councilman Wittmeyer reported that he, Town Attorney Maxwell, and Police Chief Harry Strack toured the town roads for possible sites for "No Parking" and "No Standing" signs. Town Attorney Maxwell reviewed the roads that were studied and after discussion of same, a motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to set a Public Hearing for 8:00 P.M. on June 5, 1985 on the proposed parking ordinance.

five (5) ayes

Carried

Upon the request of Councilman Zimmerman, a motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter, granting permission for Councilman Zimmerman to attend a summer conference of Supervisors and Legislators at Brown's in the Catskills on June 16 - June 19, 1985 with all appropriate expenses to be paid by the town.

five (5) ayes

Carried

Police Department Monthly Report was received.

Code Enforcement Officer's Monthly Report was received.

Deputy Code Enforcement Officer's Monthly Report was received.

Dog Control Officer's Monthly Reports for March and April were received.

A letter was read from the Drainage Committee regarding the erosion problems on Back Creek at Colonial Drive. Supervisor Kennedy advised that a letter would be directed to the County, apprising them of the situation and enclosing a copy of the letter from the Drainage Committee prior to the meeting that will be arranged with representatives from the County to look at problem areas.

A second letter was read from the Drainage Committee concerning the disposition of the lagoon in the Creekside area. Supervisor Kennedy stated this is in the process of being taken care of, along with another one in the Pinecrest area and it will be completed this year. Supervisor Kennedy directed the Town Clerk to notify the Drainage Committee of this disposition.

A letter was read from Damian Wiktor, 7206 Tricia Lane, requesting appointment as a member of the Conservation Advisory Council. A motion was made by Councilman Zimmerman and seconded by Supervisor Kennedy to appoint Damian P. Wiktor to the Conservation Advisory Council to fill the unexpired term of Karen Klinczar, to December 15, 1986.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman to adjourn at 8:32 P.M. in memory of William McGee, former member of the Planning Board and Drainage Committee.

Joyce Carr

Joyce Carr
Town Clerk

Regular Meeting
May 15, 1985

Town Hall
7:30 P.M.

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

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman that the Minutes of the May 1, 1985 Regular Town Board meeting be approved.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring that the General Fund and Special District Bills on Abstract #5A, dated May 15, 1985, in the amount of \$10,596.57, be paid.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Wittmeyer that the Highway Bills on Abstract #5A, dated May 15, 1985, in the amount of \$2,552.02 be paid.

five (5) ayes

Carried

A letter was read from Senator Alfonse D'Amato acknowledging receipt of the Town Board's resolution for the continuation of revenue sharing. The letter was received and filed.

A letter was read from Hamburg Cablevision, advising of the amount of franchise fees being paid the Town of Boston for the period ended March 31, 1985. The letter was received and filed.

A letter was read from the New York State Department of Transportation relative to their plans for improving traffic control at the intersection of Eckhardt Road and the Expressway. Councilman Wittmeyer stated that he felt they would still have to do crosshatching after the proposed plan is completed.

A copy of a letter was read from the County of Erie, Department of Public Works, to residents of Eckhardt Road advising that work would commence on cutting trees along Eckhardt Road on May 13 for the widening project. Councilman Wohlhueter advised that the County is cutting trees and it was noted by the Town Clerk that no complaints had been received in the office relative to this. The letter was received and filed.

A letter and copy of a resolution were received from the Town of Wales, opposing the fee increases set forth in a proposed amendment to the Erie County Sanitary Code. Supervisor Kennedy asked that this be tabled until the Town Board has had a chance to study the amount of the proposed increases.

A report was received from Legislator Karl Henry advising of action taken at the May 2 session of the Erie County Legislature. The report was received and filed.

A letter was read from the Federal Emergency Management Agency advising of proposed rule changes for the National Flood Insurance Program. A copy of the proposed changes is on file in the Clerk's Office.

A letter was read from the Alcoholic Beverage Control Board advising that the Town Clerk is to be notified by the applicant when applying for a license to sell alcoholic beverages or for a renewal of their license. The letter was received and filed.

A letter was received from International Cable advising of rate increases to subscribers. Supervisor Kennedy stated that this letter is a notification and the town has no jurisdiction over increases.

A letter was read from National Fuel advising of a request for an increase of 5% in rates. The letter was received and filed.

Reed Garver, questioning a letter that was read previously, asked what the difference was between Hamburg Cablevision and International Cable. Super-

visor Kennedy explained that Hamburg Cablevision is a subsidiary of International Cable.

Reed Garver also questioned the status of the Commuter Parking Lot and Supervisor Kennedy stated that he had not heard lately and would check with the New York State Department of Transportation on where it stands at the present time.

The Soil Removal Permit application request of Dean Watkins, tabled from the May 1, 1985 meeting, was discussed and the Town Board directed Town Clerk Carr to contact Mr. Watkins and advise him that the map submitted is insufficient as it does not give the dimensions and actual location where soil is being removed. The permit request was tabled to the next Town Board meeting.

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman to correct Voucher 294- Abstract #5-dated May 1, 1985, as follows:

From A1620.4
To A3510.4

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Supervisor Kennedy to set the salary of Shirley Hughey, Police Dispatcher Trainee PT, at \$2,750.00 a year to be prorated in 1985 and for Police Dispatcher Trainee PT Sue Keller's salary to be set at \$20.00 per day with a maximum of 25 days of work a year; Mrs. Keller's starting date to be June 1, 1985.

five (5) ayes

Carried

Upon the written request of the Association of Boston Churches, a motion was made by Councilman Zimmerman and seconded by Councilman Faulring to grant permission for the Association to use the Boston Town Park Diamonds #4 and #6 for Sunday evening softball games, contingent upon receipt of a Certificate of Insurance from each of the participating churches.

five (5) ayes

Carried

Supervisor Kennedy advised that the sewer hookup in the Patchin area will be delayed for at least two months as there is leakage in the lines that will serve this area and this must be corrected before the hookups can be made.

RESOLUTION - BUFFALO BASEBALL STADIUM

Town Attorney Maxwell reported that the easements for the Meadow Drive Drainage project were being prepared for signatures. He noted that this was a prerequisite for taking over the maintenance of the drainage in this area.

Councilman Wittmeyer advised that he had received a complaint relative to the used car lot at the corner of Herman Hill and South Abbott Road. The complainant had stated he was almost involved in an accident as the cars in the lot prevent a clear vision of the intersection. Police Chief Strack stated he would talk to the owner of the lot.

Councilman Wittmeyer stated that Constable Robert Lorek had advised him of a problem at the Heinrich Road cul-de-sac. "No Parking" signs had been bent and also a large party was being held. Mr. Lorek had also advised that summonses had been issued. Following discussion, the Town Board felt that if the police continue to serve summonses in these cul-de-sac areas, the word will get around and the parking and parties will stop.

Councilman Wittmeyer, commenting on the recent townwide trash pickup, noted that an excellent job had been done.

Councilman Zimmerman asked about the bicycle races to be held in Boston and Chief Strack advised that the first one will be June 9 and he has secured help from the State Police, Town Police, Fire Police and the Lions Club.

A motion was made by Councilman Wittmeyer and seconded by Supervisor Kennedy to adjourn at 8:21 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 15th day of May, 1985 at 7:30 P.M., Eastern Daylight Savings Time, there were present:

Richard Kennedy	Supervisor
Milton Wittmeyer	Councilman
David Zimmerman	Councilman
Esther Faulring	Councilman
Don A. Wohlhueter	Councilman

Supervisor Kennedy presented the following resolution and moved its adoption:

WHEREAS, The Common Council of the City of Buffalo has requested the County of Erie for assistance in the cost of building a baseball stadium in the City of Buffalo, and

WHEREAS, this will impose an added burden to the already overtaxed property owners of the County of Erie, and

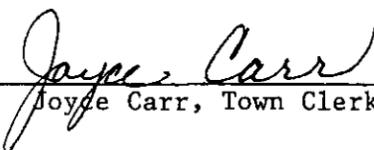
WHEREAS, the present financial status of the County of Erie has already resulted in the curtailment of many vital road and bridge projects throughout the County,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Boston goes on record as being opposed to any financial assistance being given for the building or operation of a baseball stadium or any affiliated structure therewith in the City of Buffalo, and

FURTHER RESOLVED, that a copy of this resolution be forwarded to County Executive Edward Rutkowski, each member of the Erie County Legislature, President of the City of Buffalo Common Council and all towns in Erie County.

Seconded by Councilman Wittmeyer 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 Faulring	Voting <u>aye</u>
Councilman Wohlhueter	Voting <u>aye</u>


Joyce Carr, Town Clerk

Regular Meeting
June 5, 1985

Town Hall
7:30 P.M.

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

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman that the Minutes of the Regular Meeting of May 15, 1985 be approved.

five (5) ayes Carried

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

five (5) ayes Carried

A motion was made by Councilman Faulring and seconded by Supervisor Kennedy that the General Fund and Special District Bills on Abstract #6, June 5, 1985, in the amount of \$14,827.86 be paid.

five (5) ayes Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring that the Highway Bills on Abstract #6, June 5, 1985, in the amount of \$3,934.99 be paid.

five (5) ayes Carried

A letter was read from Assemblyman L. William Paxon acknowledging receipt of the Boston Town Board Resolution regarding increasing the fee schedule that is reimbursed to the towns for court costs. Letter received and filed.

Notification received from Miller's Deli that they have filed for a renewal of their Beer License #48A 10753. This is in accordance with new regulations set forth by the Alcoholic Beverage Control Board.

Legislative Report of the May 16, 1985 session of the Erie County Legislature received from Karl A. Henry. Report received and filed.

A letter was received from County Executive Edward Rutkowski, acknowledging receipt of the Town Board Resolution in opposition to Erie County participation in construction of or operation of a Buffalo baseball stadium. Mr. Rutkowski also asked the Town Board to approve a Resolution supporting Medicaid and welfare cost-containment measures. Supervisor Kennedy noted that the Town Board has already passed a Resolution dealing with Welfare and Medicaid costs and has circulated petitions also to that effect. Letter was received and filed.

A letter was received from the Town of Alden with a copy of the resolution adopted by the Alden Town Board pertaining to a proposed amendment to the Erie County Sanitary Code.

RESOLUTION - ERIE COUNTY SANITARY CODE

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer granting a Soil Removal Permit to Dean Watkins, 8871 Back Creek Road, not to exceed 600 cubic yards, as all required maps and drawings have been received.

five (5) ayes Carried

RESOLUTION - CONSOLIDATION OF ELECTION DISTRICTS FOR REGISTRATION OF VOTERS

A letter was read from E.M. Reilly and Associates, Inc., requesting a Special Use Permit for the purpose of constructing and operating a 1000 foot broadcast tower with an associated equipment building at the rear third of the property of Anthony Thiel, 5563 Rice Road. This matter was referred to the Planning Board for their recommendation.

A motion was made Councilman Zimmerman and seconded by Councilman Faulring that Emergency Squad Dispatchers Phyllis Barrett and Leita Brown be each paid \$114.50 more for the month of May, totalling the amount that would have been paid to Florence Coyle, who resigned effective April 30, 1985.

five (5) ayes Carried

An application was received from the Buffalo Amateur Radio Repeater Association, Inc. for a permit to extend a steel tower on Cole Road that was begun in 1976. Kevin J. Ward, President of the Association, explained that this 100 foot tower, approximately 145 feet from the first tower, was started in 1976, with four 20 foot sections already completed. The work on the fifth section commenced in the fall of 1984 and a stop work order was imposed by the Building Inspector. He stated this is a non-profit organization of amateur radio operators who deal in community services and public service events. Supervisor Kennedy referred this application to the Planning Board for their recommendation.

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring to set the summer schedule of meetings as follows:

Wednesday	July 10, 1985	7:30 P.M.
Wednesday	August 7, 1985	7:30 P.M.

five (5) ayes Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Faulring to appoint Summer Recreation employees and set salaries as follows:

Youth Leaders:

Barb Wachowiak	\$4.70 per hour
Nancy Gonda	\$4.50 per hour

Recreation Attendants to Assist Youth Leaders:

Marie McAllister	\$3.80 per hour
Diane Wesp	\$3.80 per hour
Douglas Seyfried	\$3.50 per hour

Recreation Attendants for Arts & Crafts:

Jill Wohlhueter	\$3.40 per hour
Julie Dauer	\$3.45 per hour

five (5) ayes Carried

The Supervisor's Monthly Financial Report was received.

Supervisor Kennedy reported he received a letter from Leonard Saniewski Deputy Commissioner of Highways regarding the "No Left Turn" sign at Route 391 and Abbott Road. As this sign has already been replaced, Highway Superintendent Kreitzbender will forward to Mr. Saniewski the date and time this sign was reinstalled.

Supervisor Kennedy reported he received an informational letter from State Comptroller Edward Regan regarding state aid programs for local governments.

Supervisor Kennedy said a meeting was held with Commissioner Philip Frandina and Deputy Commissioner Leonard Saniewski regarding the Eckhardt Road construction project and that a further meeting will be arranged to tour areas of town that require work.

Engineering Consultant Nussbaumer & Clarke's report was received for May, 1985.

The Tax Collector's Report was received.

At 8:00 P.M. a Public Hearing was held on an Amendment to the Ordinance Regulating Truck Traffic and Parking of Vehicles in the Town of Boston. The Legal Notice was read by Town Clerk Carr. Supervisor Kennedy asked for comments or questions on the proposed ordinance. Councilman Wohlhueter asked if there would be signs indicating the proposed no parking or standing areas. Supervisor Kennedy stated Highway Superintendent Kreitzbender would install these signs if the ordinance is accepted. There were no further questions.

A motion was made by Councilman Zimmerman and seconded by Councilman Faulring to close the Public Hearing at 8:05 P.M.

five (5) ayes Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter to adopt the proposed Amendment to the Ordinance Regulating Truck Traffic and Parking of Vehicles in the Town of Boston.

five (5) ayes

Carried

Town Justice Monthly Financial Report was received.

Councilman Zimmerman reported that vision is still impeded at the corner of Herman Hill and Abbott Road, due to cars parked at the edge of the shoulder of the road. Supervisor Kennedy stated that Police Chief Strack has notified the owner in the past to keep the cars well back from the roadway. He then instructed Deputy Code Enforcement Officer Randall to notify the owner that he will be issued a summons if he does not move the cars back.

Councilman Wittmeyer reported that preparations are complete for the Empire State Games Bicycle Time Trials to be held Sunday, June 9, 1985. Members of the Lions Club, Fire Police, Town Police and State Police will be on duty to assist in traffic control. There will be signs at each end of town signifying that there is a "Race in Progress" to warn motorists.

Police Department Monthly Report was received.

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

Dog Control Officer's Monthly Report was received.

A letter was read from the Planning Board with notification of approval of a modification of the subdivision plan of "Woodbarry Estates" which was made at their meeting on May 9, 1985.

A motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter to adjourn at 8:13 P.M.

LEGAL NOTICE
TOWN OF BOSTON
AMENDMENT TO ORDINANCE
REGULATING TRUCK TRAFFIC
AND PARKING OF VEHICLES
IN 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 5th day of June, 1985, at 8:00 P.M., Eastern Daylight Saving Time in the Boston Town Hall, 8500 Boston State Road, Town of Boston, New York, at which time all interested parties will be heard relating to the following proposed amendments to the Town Ordinance regulating Truck Traffic and Parking of Vehicles in the Town of Boston, New York, as follows:

BE IT RESOLVED that Section 2 of said ordinance be amended so that hereafter said section shall be fully restated as follows:

Section 2. Prohibition of Parking or Standing of Vehicles.
 The parking or standing of any vehicle in or at any point within the following described highways, at any time, is hereby prohibited:

- (a) On the north side of Zimmerman Road, from the west side of Route 391 westerly for a distance of 100 feet.
- (b) On the south side of Boston Cross Road, CR 190, from the west side of Boston State Road westerly for a distance of 450 feet.
- (c) On the south side of Boston Cross Road, CR 190, from the east side of Boston State Road easterly for a distance of 550 feet.
- (d) All of town highway right-of-way known as Creekside Court shown in Map Cover 1928 filed in the Erie County Clerk's Office extending westerly from the westerly right-of-way of RT. 391 and thence northwesterly along said highway to a line extending southwesterly from the northwesterly corner of subdivision lot No. 51, Map Cover 1928, to the north-easterly corner of subdivision lot No. 57, Map Cover 1928, and a further area over the balance of the highway described as a 20 foot wide strip within the right-of-way along the perimeter of the circular turn around or cul de sac.
- (e) Eiss Hill Road as located west of the Southern Expressway, commencing at its east terminal point and thence running westerly, including the entire cul de sac area, 300 feet.
- (f) Butternut Road, as located east of the Southern Expressway, commencing at its west terminal point and thence running easterly, including the entire cul de sac area, 300 feet.
- (g) Heinrich Road, as located west of the Southern Expressway, commencing at its east terminal point and thence running westerly, including the entire cul de sac area, 300 feet.
- (h) Pfanner Road, as located west of the Southern Expressway, commencing at its east terminal point and thence running westerly, including the entire cul de sac area, 300 feet.
- (i) All of Serpentine Drive located west of Chestnut Hill Road.

AND IT IS FURTHER RESOLVED that Section 4 of said Ordinance is also amended so that hereafter said Section 4 shall be fully restated and read as follows:

Section 4. Penalty for Violation.
 Any person or persons violating the provisions of this Ordinance shall be punished for the first offense by a fine not less than Ten Dollars (\$10.00) nor more than Twenty-five Dollars (\$25.00) and the second offense within one (1) year by a fine not less than Twenty-five Dollars (\$25.00) nor more than Fifty Dollars (\$50.00). The third offense, or any subsequent offense within one (1) year shall be punishable by a fine not less than Fifty Dollars (\$50.00) nor more than One Hundred Dollars (\$100.00) or by imprisonment not exceeding one (1) month or by both fine and imprisonment.

At this hearing, if the above are and placed, all interested persons will be heard for or against the proposed amendment.

Dated: May 16, 1985

Joyce Carr
 Town Clerk
 Town of Boston

5-23

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 5th day of June, 1985 at 7:30 P. M. Eastern Daylight Saving Time, there were present:

Richard L. Kennedy	Supervisor
Milton Wittmeyer	Councilman
David Zimmerman	Councilman
Esther Faulring	Councilman
Don A. Wohlhueter	Councilman

The following resolution was offered by Councilman Wohlhueter, 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 11, 12, 1985.

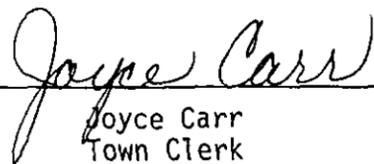
Seconded by Councilman Faulring and duly put to a vote which resulted as follows:

Supervisor Kennedy	Voting <u>aye</u>
Councilman Wittmeyer	Voting <u>aye</u>
Councilman Zimmerman	Voting <u>aye</u>
Councilman Faulring	Voting <u>aye</u>
Councilman Wohlhueter	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, in said town on the 5th day of June, 1985 at 7:30 P.M. Eastern Daylight Savings Time, there were present:

Richard Kennedy	Supervisor
Milton Wittmeyer	Councilman
David Zimmerman	Councilman
Esther Faulring	Councilman
Don A. Wohlhueter	Councilman

Councilman Zimmerman presented the following resolution and moved its adoption:

WHEREAS, there is proposed an amendment to the Erie County Sanitary Code, to add a new Section 11 to Article 1, a schedule of fees that the Commissioner of Health shall charge for provision of services by the Department of Health, and

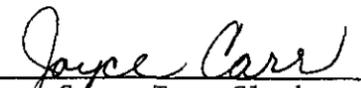
WHEREAS, these proposed fees would cause an unreasonable hardship to all businesses and residents in Boston,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Boston is strongly opposed to any new and/or any increase in fees that the Commissioner of Health shall charge for any provision of services by the Department of Health, and further

RESOLVED, that all towns in Erie County be and are urged to support the Town of Boston in opposing these fees, and that copies of this resolution be sent to all Town Boards in Erie County, the County Executive, Karl Henry, County Legislator and Thomas Bumbalo, M.D., President, Erie County Board of Health.

Seconded by Councilman Wittmeyer 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 Faulring	Voting <u>aye</u>
Councilman Wohlhueter	Voting <u>aye</u>


Joyce Carr, Town Clerk

Regular Meeting
June 19, 1985

Town Hall
7:30 P.M.

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

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring that the Minutes of the Regular Meeting of June 5, 1985 be approved.

three (3) ayes Carried

A motion was made by Councilman Faulring and seconded by Councilman Wittmeyer that the General Fund and Special District Bills on Abstract #6A, June 19, 1985, in the amount of \$15,539.63 be paid.

three (3) ayes Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring that the General Fund and Special District Bills on Abstract #6A, June 19, 1985, in the amount of \$24,736.03 be paid.

three (3) ayes Carried

A letter was read from Thomas M. Reynolds, Legislator, 13th District, acknowledging receipt of the Town Board Resolution opposing Erie County funding for the building or operation of a Buffalo Baseball Stadium and stating he firmly opposes any County involvement in the project. Supervisor Kennedy noted he also received a communication from Councilman-at-Large Vincent J. LoVallo, in which he expressed incense and outrage that the Town of Boston adopted a Resolution opposing financial involvement by the County of Erie toward the downtown baseball stadium.

A letter was read from the Department of Youth Services, County of Erie, regarding an increase in the amount of youth service eligibility which Erie County turns over to the municipalities from 32¢ to 34¢ per youth. Letter received and filed.

A letter was read from the New York State Department of Environmental Conservation advising of a Public Hearing on the Tentative Freshwater Wetlands Map on July 16, 1985 from 2:00 P.M. and 7:00 P.M. at Erie Community College South. Also enclosed was copies of the relevant portions of the Tentative Map, showing lands in the Town of Boston that may be affected. Supervisor Kennedy noted he has referred this matter to the Conservation Advisory Council.

A resolution opposing any financial assistance being given the City of Buffalo for the building or operation of a baseball stadium was received and filed from the Town of Wales.

A copy of a letter to the Eden Town Board from the URS Company was read which recommends award of the construction contract for the East Eden Waterline to Hart Construction Company in the amount of \$56,779.60. The cost for this project, which will upgrade our line, will be shared on a pro rata basis.

Notification that a field survey of the Fowlerville Road Bridge will be conducted within the next few weeks was received from the New York State Department of Transportation. Letter received and filed.

A letter was read from Erie County Department of Fire Safety, certifying that Boston Firemen Leroy Pfarner and Thomas Stanley and North Boston Firemen Donald Haley and Kenneth Hendrix, Jr. have completed a New York State Fire Police Training Course.

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring to name the following as Girls Softball Coaches and Assistants for this year:

COACH

Bill Boltz
 Matt Smith
 June Steinmetz
 Jim Henry

Ann Lyons
 Sue Duffett
 Gary Burdick
 Bonnie Riederer

Ted Patricola
 Sonne Durphy

Gary Fittry

Judy Was
 Steve Calos

ASSISTANTS

Barb D'Arcy
 Ken Prawel

Burt Hopkins
 Gordon Gerber
 Darren Draudt
 Carl Borowicz
 Muriel Kummer
 Chuck Riederer
 Chuck Durphy
 Dr. Michael Sullivan
 Sharon Simmons
 Ray Bubar
 Ken Decker
 Brian Fittry
 Dick Was
 Cathy Calos

three (3) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring to approve the purchase of Subdivision Lots 22 and 23 on the south side of Meadow Drive for the sum of \$12,500.00. The purchase of this land will provide access to the town property and assist in the drainage of this area.

three (3) ayes

Carried

Upon the request of Cynthia Moore, President, Boston Emergency Squad, a motion was made by Councilman Faulring and seconded by Supervisor Kennedy to grant permission to the Boston Emergency Squad to use the Town Park for their squad picnic on August 24, 1985 from sunup to sundown.

three (3) ayes

Carried

Copies of Appearance and Complaint Objecting to Tentative Special Franchise Assessment Pursuant to Section 610 of the Real Property Tax Law received and filed from National Fuel Gas Distribution Corporation and New York Telephone.

RESOLUTION - COMMUNITY DEVELOPMENT FUNDS

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring authorizing the Town Clerk to advertise for bids on the Meadow Drive Drainage Project, pending acquisition of remaining two easements on the north side of Meadow Drive.

three (3) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Faulring authorizing Deputy Town Attorney Perley to execute a Satisfaction of Judgment in the amount of \$1452.26 in the Town of Boston vs. Gary Templin case.

three (3) ayes

Carried

Supervisor Kennedy said he received reports of loose gravel at the intersections of Boston State Road at Trevett and Boston State Road at Zimmerman, relative to the Bicycle Races being held in town. As the course should be in good condition for these races, he directed Town Clerk Carr to send a letter to Philip Frandina, Commissioner of Highways, asking that these intersections be swept prior to the June 30 race, and if necessary, again before August 9, so that the course will be in good shape for these races.

Councilman Wittmeyer stated that if the county does not do this work prior to the races, the three volunteer fire companies could be asked to hose down the intersections.

Town Clerk Carr said the coordinator of the Bicycle Races contacted her for permission to use the Town Hall facilities and Lions Shelter, starting at 6:00 A.M. on Friday, August 9 for the finals of the Empire State Games. The finish line will be set up across from the Town Hall.

Highway Superintendent Kreitzbender stated he has contacted Kenneth Decker on at least two occasions regarding an open cut Mr. Decker made on Homestead Road last November that has not been satisfactorily restored. Mr. Decker

will be notified by letter that unless the work is performed to the town specifications on or before June 30, the Highway Department will repair the road and charge Mr. Decker for all necessary material, labor and overhead costs incurred by the town and demand immediate payment.

A letter was read from the Planning Board stating they will hold a Special Meeting on Wednesday, June 26 at 7:30 P.M. to consider the Special Use Permit applications of Buffalo Amateur Radio Repeater Association, Inc. for a 100 foot tower on Cole Road and E. M. Reilly & Associates, Inc. for a 1000 foot tower on the Anthony Thiel property on Rice Road.

A letter was read from Patricia A. Maxwell, 7663 Back Creek Road, requesting appointment to a vacancy on the Planning Board. This letter was tabled until there is a full Town Board present.

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring to appoint the following as Recreation Attendants at a salary of \$600.00, payable in two installments, one at \$300.00 at the end of three weeks and the second at the end of the program in the amount of \$300.00.

Catherine Boltz
Clinton DeKay
Sybil Farley
Dave Kreiger
Sheryl LeRoy

Sean O'Brien
Jim O'Neill
Jim Schultz
Rebecca Schunk

three (3) ayes

Carried

A motion was made by Councilman Faulring and seconded by Supervisor Kennedy to adjourn at 8:20 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 19th day of June, 1985 at 7:30 P. M., Eastern Daylight Savings Time, there were present:

Richard L. Kennedy	Supervisor
Milton Wittmeyer	Councilman
Esther Faulring	Councilman

Absent were:

David G. Zimmerman	Councilman
Don A. Wohlhueter	Councilman

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

NOW, THEREFORE BE IT RESOLVED, that the designation of the 1985-86 Community Development Funds be as follows:

\$ 1,752.00	Dues Southtowns Planning Group
\$ 1,000.00	Sewer Tap In Assistance Program
\$19,994.00	Meadow Drive Drainage Project

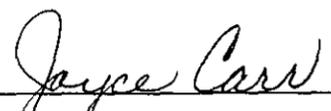
Seconded by Councilman Wittmeyer and duly put to a vote which resulted as follows:

Supervisor Kennedy	Voting	_____	aye
Councilman Wittmeyer	Voting	_____	aye
Councilman Faulring	Voting	_____	aye

Three (3) ayes

Two (2) Absent

Carried



Joyce Carr, Town Clerk

Regular Meeting
July 10, 1985

Town Hall
7:30 P.M.

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

A motion was made by Councilman Zimmerman and seconded by Supervisor Kennedy that the Minutes of the Regular Meeting of June 19, 1985 be approved.

four (4) ayes

Carried

Councilman Milton Wittmeyer arrived at 7:32 P.M.

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

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring that the General Fund and Special District Bills on Abstract #7, July 10, 1985, in the amount of \$17,855.04 be paid.

five (5) ayes

Carried

A motion was made by Councilman Faulring and seconded by Supervisor Kennedy that the Highway Bills on Abstract #7, July 10, 1985, in the amount of \$31,535.41 be paid.

five (5) ayes

Carried

A letter was read from the Orchard Park Suburban Press, advising of a change in publication days to Monday. Letter received and filed.

Letter received from Governor Cuomo's office, responding to our resolution to increase the Justice Court fees. Supervisor Kennedy will draft a letter in response to their opinion that the fees should not be increased to the towns.

Legislative Report from Legislator Karl A. Henry received and filed on the County Legislature Meeting of June 20, 1985.

Resolutions were received and filed from the Towns of Concord, Colden and Grand Island, all opposing any Erie County assistance in the building or operation of a baseball stadium or an affiliated structure in the City of Buffalo. Supervisor Kennedy thanked these towns for their support in opposition to this proposed stadium.

Letter received and filed from the New York State Department of Transportation, informing the Town of Boston that they will continue to receive funds under the CHIPS program during 1985. Quarterly payments of \$5,165.50 will be mailed by the Comptroller on the 25th day of June, September and December, 1985, with the fourth quarter mailed on April 25, 1986.

A letter was read from Assemblyman L. William Paxon regarding Municipal Liability Insurance.

A letter was read from Assemblyman Dennis T. Gorski regarding an informational seminar on municipal tort liability and the new two year program of increased general purpose aid on Wednesday, July 17, 1985 from 9:00 A.M. to 12 Noon at the Executive Motel, 4243 Genesee Street, Cheektowaga, New York.

A letter was received from the Boston-Colden Fire Council, advising of a meeting to be held at the Boston Fire Hall on Monday, July 22, 1985 at 8:00 P.M. on OSHA regulations. This will be followed by another presentation relating to the new fire dispatching budget. Councilman Wittmeyer urged all Town Board members to attend this meeting.

Supervisor Kennedy read a letter received today from Legislator Karl Henry relative to a meeting on July 22, 1985 at 8:00 P.M. at the Lakeview Fire Hall to answer questions relative to the new OSHA standards that became effective July 1, 1985.

Notification was received from Southtown's Planning and Development Group, advising of loans to businesses for improvements of storefronts and facades. Applications are available in the Town Clerk's Office.

Reed Garver, 8363 Lower East Hill Road, requested that the Town Board contact the Erie County Department of Highways regarding the condition of Lower East Hill Road, which has deteriorated to the point where the shoulders are broken. Highway Superintendent Kreitzbender pointed out that Cole Road is also in need of repairs. Supervisor Kennedy said he received a call concerning the striping of Wohlhueter Road, which has not been done, and the roads on the hills are of particular importance to be striped, due to dense fog at times. Councilman Wittmeyer stated that Boston State Road has not yet been striped at the shoulders. Supervisor Kennedy will contact the County Department of Highways regarding these matters. Mr. Garver also requested an update on the Commuter Parking Lot and Supervisor Kennedy said he will contact the State Department of Transportation for information.

A motion was made by Supervisor Kennedy and seconded by Councilman Faulring to set a Public Hearing on August 7, 1985 at 8:00 P.M. to consider the request of Buffalo Amateur Radio Repeater Association, Inc. for a Special Use Permit to erect a 100 foot radio tower on Cole Road.

five (5) ayes Carried

A motion was made by Councilman Wohlhueter and seconded by Supervisor Kennedy to hold a Public Hearing on August 7, 1985 at 8:15 P.M. to consider the request of Anthony Thiel/R. LaFata for a Special Use Permit to erect a 1000 foot television tower at 5563 Rice Road.

five (5) ayes Carried

A motion was made by Councilman Wohlhueter and seconded by Supervisor Kennedy to appoint Julie Helenbrook as Recreation Attendant at a salary of \$600.00.

five (5) ayes Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Faulring to change the payment schedule for recreation employees from two payments to bi-weekly.

five (5) ayes Carried

Upon the request of Richard L. Gorecki, Chairman, Boston Democratic Party and Club, a motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter granting permission for the use of the Lions Shelter on July 21, 1985 for a chicken barbeque and to grant permission to serve alcoholic beverages, contingent upon receipt of Certificate of Insurance.

five (5) ayes Carried

An application for a License to Operate a Junkyard was received from James Lambert, 8234 Lower East Hill Road. After review and discussion, a motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman to table this request until proper and complete information is received from the applicant in response to a letter that will be written by Town Attorney Maxwell.

five (5) ayes Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to appoint William Forness as a Full-time Laborer at a salary of \$5.00 per hour, effective July 10, 1985.

five (5) ayes Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring to hold a Public Hearing on increased Dog Redemption Fees under Section 12 of Local Law No. 2 for the Year 1981 on August 7, 1985 at 7:45 P.M.

five (5) ayes Carried

The Supervisor's Monthly Report was received.

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman to grant Ronald Pohle, MEO, 20 additional sick days under the terms of Rule 5 of Personnel Rules of the Highway Department.

five (5) ayes Carried

The Tax Collector's Report was received.

The Town Engineer's Monthly Report was received.

The Town Justice Monthly Report was received.

Upon the request of residents of Pinecrest Terrace, a motion was made by Councilman Wittmeyer and seconded by Councilman Faulring to grant permission to close a portion of the street from 4668 to 4634 Pinecrest on Saturday, July 27, 1985 from 1:00 P.M. to 11:00 P.M. for their annual street party, with the North Boston Fire Company and the Emergency Squad being notified of this closing.

five (5) ayes

Carried

Councilman Wittmeyer reported that final plans are being made for the Bicycle Races of the Empire State Games to be held in Boston on Friday, August 9, 1985. Chief Harry Strack reported that upwards of 1500-2000 people are expected to attend and not only Fire Police, but other firemen have been asked to assist in traffic control, as due to the opening day of the Erie County Fair, many police officers will be diverted to Hamburg. Chief Strack also requested that it be publicized that residents along the race course be asked to keep their dogs leashed or fenced during the race.

Councilman Zimmerman reported he had an enjoyable vacation in Boston, England and visited the Municipal Building there.

Police Department Monthly Report was received.

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

The Dog Control Officer's Report for June was received.

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman to adjourn at 8:27 P.M.



Joyce Carr
Town Clerk

Special Meeting
July 12, 1985

Town Hall
10:00 A.M.

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

Supervisor Kennedy explained to the Board members that, due to an omission of a paragraph required in the Legal Notice when Community Development Funds are involved, it is necessary to readvertise for the bids on the Meadow Drive Drainage Project and to change the opening date from July 25, 1985 to August 1, 1985.

A motion was made by Councilman Zimmerman and seconded by Councilman Faulring, directing the Town Clerk to readvertise for bids to be opened on August 1, 1985 at 10:00 A.M. in the Supervisor's office for the Meadow Drive Drainage Project, which is to be funded with Community Development funds.

four (4) ayes

Carried

A motion was made by Councilman Faulring and seconded by Councilman Wittmeyer to authorize the Supervisor to pay Holmes & Murphy by voucher the amount due them for the use of a D-8 Cat tractor dozer in Sewer District #4 at the agreed upon rate of \$55.00 per hour, following the submission of the hours used by the operator, James Smolinski.

four (4) ayes

Carried

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

Joyce Carr
Joyce Carr
Town Clerk

Waiver of Notice of Meeting

The undersigned, members of the Town Board of the Town of Boston, New York, hereby waive notice of a Special Meeting of the Town Board on July 12, 1985 at 10:00 A.M. for the purpose of authorizing the Town Clerk to readvertise for bids relating to construction of drainage facilities on Meadow Drive, Boston, New York.

We hereby signify our consent to the waiver of said Special Meeting by our signatures affixed hereto.

Richard L. Kennedy
Supervisor Richard L. Kennedy

Milton I. Wittmeyer
Councilman Milton I. Wittmeyer

David G. Zimmerman
Councilman David G. Zimmerman

Esther M. Faulring
Councilman Esther M. Faulring

Councilman Don A. Wohlhueter

Dated: July 12, 1985

Regular Meeting
August 7, 1985

Town Hall
7:30 P.M.

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

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman that the Minutes of the Regular Meeting of July 10, 1985 be approved.

five (5) ayes Carried

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

five (5) ayes Carried

A motion was made by Councilman Faulring and seconded by Supervisor Kennedy that the General Fund and Special District Bills on Abstract #8, August 7, 1985, in the amount of \$33,806.00 be paid.

five (5) ayes Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman that the Highway Bills on Abstract #8, August 7, 1985, in the amount of \$30,315.41 be paid.

five (5) ayes Carried

A letter was read from GPU Nuclear, advising that shipment of spent fuel assemblies from West Valley to Forked River, New Jersey has been completed. Letter received and filed.

Resolution received from Town of Ashford asking the Town of Boston's support for their resolve to not allow radioactive waste of any level to be transported into or stored within the boundaries of the Town of Ashford. Resolution received and filed.

Received a roster of North Boston Volunteer Fire Company active, associate and honorary members for 1985. Supervisor Kennedy directed the Town Clerk to request similar lists from the Patchin and Boston Fire Companies.

Letter received from Phelps Dodge, giving notice that drilling operations for natural gas will commence August 1 on the Joseph Telaak property on Feddick Road.

Letter received from the New York Public Interest Research Group, Inc., advising of a door-to-door outreach program between July 15 and September 31. Supervisor Kennedy directed Town Clerk Carr to notify this organization that the Town Board has approved this door-to-door outreach program.

Reed Garver, Chairman of the Conservation Advisory Council, asked about the status of the Commuter Parking Lot in North Boston. Supervisor Kennedy directed the Town Clerk to communicate with the New York State Department of Transportation on this matter.

Discussion was held on the condition of Cole Road, Lower East Hill Road and Wohlhueter Road. Councilman Wittmeyer noted that Cole Road is in the process of being repaved, however, Lower East Hill Road and Wohlhueter Road are in poor condition, with the shoulders of these roads eroding. Supervisor Kennedy directed Town Clerk Carr to communicate with Erie County Commissioner of Highways Frandina regarding the plans for the current year for repair of these roads.

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman to approve the addition of three lots, #16, #69 and #70, at the Boston Hills Mobile Home Park, pursuant to the Erie County Health Department acceptance on July 10, 1985 and their approval of water service installation to these lots.

five (5) ayes Carried

At 7:45 P.M. a Public Hearing was held on a proposed Amendment to the Local Law No. 2 of 1981 Dog Ordinance, Section 12 - Redemption. The Legal Notice was read by the Town Clerk. There were no questions or comments regarding this amendment.

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

A motion was made by Councilman Zimmerman and seconded by Councilman Faulring to adopt the Amendment to the Local Law No. 2 of the 1981 Dog Ordinance, Section 12 - Redemption.

five (5) ayes Carried

Upon the request of William Radigan, Commissioner of the Boston Valley Softball League, a motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter granting permission for the use of the North Boston Stadium on Saturday, August 24 and also for the consumption of beer on the premises, contingent upon the receipt of a Certificate of Insurance.

five (5) ayes Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring to enter into a Consulting Agreement with Ernest A. Holfoth, CPCU, ARM for the period August 1, 1985 to July 31, 1986, at a fee of \$50.00 per hour, minimum \$500 annually.

five (5) ayes Carried

At 8:00 P.M. a Public Hearing was held on the Special Use Permit application of Buffalo Amateur Radio Repeater Association, Inc. to erect a 100 foot tower on the east side of Cole Road. The Legal Notice was read by the Town Clerk, who also noted that letters had been sent to the Planning Board, Drainage Committee, Conservation Advisory Council, Joan Loring of the Erie County Department of Environment and Planning, Philip Frandina of Erie County Department of Highways, Steven Doleski of the New York State Department of Environmental Conservation, and George Schanzenbacher of the Department of Environment and Planning, notifying them of this application. Town Clerk Carr read letters received in reply from the Planning Board, Conservation Advisory Council and Department of Environmental Conservation and noted that the Erie County Division of Planning made no recommendation. Venard Neri, 8951 Zimmerman Road, wanted it clarified if this tower was going to be built at 100 feet, or if a present tower was to be extended 20 feet higher. Kevin Ward, President of the BARRA organization, stated it would be a 100 foot tower, exactly like the 100 foot tower that is presently on the property. Reed Garver, 8368 Lower East Hill Road, asked if this Special Use Permit, if granted, was for a specific length of time, or if it expired after a certain time. Supervisor Kennedy answered that Special Use Permits are granted for a specific use with no time expiration of that use.

As there were no further questions, a motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman to close the Public Hearing at 8:09 P.M.

five (5) ayes Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman that the Buffalo Amateur Radio Repeater Association, Inc. be granted a Special Use Permit to construct a tower in the area of 8741 Cole Road.

five (5) ayes Carried

A letter was received from the South East Corporation V regarding the Town of Boston support for the Springville Community Counseling Center for 1986. Supervisor Kennedy stated that their request will be taken under advisement during the preparation of the 1986 budget.

A letter was read from Tax Collector Joyce Carr, advising she has been appointed by the Hamburg Central School Board to collect the 1985 taxes for that portion of the Hamburg District in the towns of Boston and Eden and requesting permission for the use of the Town Hall, for which she will reim-

LEGAL NOTICE
AMENDMENT TO THE
LOCAL LAW NO. 2 OF 1981
DOG ORDINANCE
NOTICE IS HEREBY GIVEN that the Town Board of the Town of Boston, Erie County, New York, will hold a public hearing on August 7, 1985, at 7:45 P.M., Daylight Savings Time in the Boston Town Hall, 8500 Boston State Road, Boston, New York, at which time all interested parties will be heard relating to the following proposed amendment to Local Law Number 2 of 1981 - Dog Ordinance of the Town of Boston.

BE IT RESOLVED that Section 12 be amended to read in its entirety as follows:

Section 12. Redemption
Any dog may be redeemed by its owner during the redemption period upon payment of the following impoundment fees:
(a) Twenty (\$20.00) Dollars for the first impoundment of any dog owned by that person;
(b) Thirty (\$30.00) Dollars for the first twenty-four (24) hours or part thereof and Three (\$3.00) Dollars for each additional twenty-four (24) hours or part thereof for the second impoundment, within one (1) year of the first impoundment, of any dog owned by that person;
(c) Fifty (\$50.00) Dollars for the first twenty-four (24) hours or part thereof and Three (\$3.00) Dollars for each additional twenty-four (24) hours or part thereof for the third and subsequent impoundments within one (1) year of the first impoundment of any dog owned by that person.
No dog shall be redeemed unless its owner produces proof that the dog has been licensed.

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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 7th day of August, 1985 at 8:00 P.M. Eastern Daylight Savings Time, for the purpose of considering the application of Buffalo Amateur Radio Repeater Association, Inc. for a special use permit for the purpose of constructing and operating a one hundred foot (100') radio tower with associated equipment on the east side of Cole Road, adjacent to premises locally known as 8741 Cole Road.
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, 1985
Boston, New York
Joyce Carr,
Town Clerk
Town of Boston

7-18

burse the Town of Boston in the amount of \$500.00. A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to grant permission for the Tax Collector's use of the Town Hall.

five (5) ayes

Carried

Copy of survey and deed were received from James Lambert, 8234 Lower East Hill Road, relative to his rezoning request from Agriculture to Business B-1 for the purpose of running a junkyard business. This request will be forwarded to the Planning Board for their review and recommendation.

At 8:15 P.M. a Public Hearing was held on the Special Use Permit application of Anthony Thiel/R. LaFata to erect a 1000 foot television tower to be erected on the Thiel property at 5563 Rice Road. Town Clerk Carr read a letter received from Robert LaFata of Bison City Television 49, Inc., withdrawing their request for a Special Use Permit on the property of Anthony Thiel at 5563 Rice Road. Willard Magavern, attorney for Mr. Thiel, made a statement on behalf of Mr. Thiel, stating that it was a mutual agreement with Mr. Thiel and Mr. LaFata to withdraw the Special Use Permit application at this time. He also stated that they may reapply in the future, using another location on Rice Road. Thomas Momberger, 9000 Zimmerman Road, stated that he felt that every resident in that area should have the same say in the matter as any other, regardless of how long they resided in the area. He said he felt they were provided very few services for their tax money. Supervisor Kennedy noted that the people on the west hill were provided the same services as the residents of other sections of Boston, such as fire protection, ambulance service, recreation, etc. Linda Neri, 8951 Zimmerman Road, stated she thought that there would not be enough tax revenue generated and this project brings no employment to townspeople. Veneard Neri, 8951 Zimmerman Road, stated he didn't want the television channel to think they could wear out the people by reapplying in another location. Ginny Caldwell, 9000 Rockwood Road, said that Mr. Magavern should have been at the Planning Board meetings so that he could have seen that the residents did not deal with emotions, just facts. Alda Willis, 8980 Rockwood Road, said that a new site further down the road would not change their minds at all. Supervisor Kennedy stated that due to the fact this Special Use Permit application was withdrawn at this time, further discussion on this matter was not appropriate until a new application was submitted.

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 7th day of August, 1985 at 8:15 P.M. Eastern Daylight Savings Time, for the purpose of considering the application of Anthony Thiel/LaFata for a special use permit for the purpose of constructing and operating a one thousand foot (1000) transmitter tower with an associated equipment building on premises locally known as 5563 Rice Road, Boston, New York.
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, 1985
Boston, New York
Joyce Carr,
Town Clerk
Town of Boston
7-18

Town Clerk Carr reported that bids for the Meadow Drive Drainage Improvement Project were received and opened at 10:00 A.M. August 1, 1985 and are as follows:

Eastern Summit Development, Inc.
528 West Main Street
Springville, New York 14141 - Non Collusive Bidding Certificate received

\$28,790.00

Mar-Wal Construction Co., Inc.
440 Gould Avenue
Depew, New York 14043 - Non Collusive Bidding Certificate received

\$34,240.00

John R. Schuler, Inc.
9070 Main Street
Clarence, New York 14031 - Non Collusive Bidding Certificate received

\$35,725.46

Starr Excavating
6664 Boston State Road
Hamburg, New York 14075 - Non Collusive Bidding Certificate enclosed

\$33,667.00

Terra Marine Dredging Corp.
Industrial Place
Gowanda, New York 14070 - Non Collusive Bidding Certificate received

\$61,330.00

The Town Clerk read a letter received from John S. Mowatt, Director, Community Development, giving permission to award the bid and sign the contract with the low bidder, Eastern Summit Development, Inc.

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring to award the bid for the Meadow Drive Drainage Improvement Project to the low bidder, Eastern Summit Development, Inc., in the amount of \$28,790.00.

five (5) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman to make the following Transfers of Appropriations:

From 1990.4	Contingent Account	\$11,000.00
To 1620.1	Buildings	\$ 1,600.00
1640.2	Central Garage	4,500.00
9950.9	Capital Fund	4,900.00
From 9040.8	Compensation Insurance	\$ 1,015.84
To 1650.2	Central Comm. Systems	488.00
1950.4	Taxes on Town Property	102.84
5132.2	Garage	175.00
8020.1	Planning	250.00
From 7310.4	Youth Program	\$ 5,500.00
To 7310.1	Youth Program	\$ 5,500.00

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Supervisor Kennedy to grant Randall Barker, 7380 Boston State Road, a permit to erect a frame warehouse on his property.

five (5) ayes

Carried

A letter was read from Michael F. Perley, Deputy Town Attorney, stating that the Town of Boston received a check in the amount of \$1,452.25 as payment in full for the judgement entered against Gary Templin d/b/a The Planning Group for uncompleted work on the Master Plan.

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman that Emergency Squad Dispatchers Phyllis Barrett and Leita Brown be each paid \$114.50 each per month for extra duties performed in the absence of a third dispatcher, retroactive to June, 1985 and continue being paid that extra salary until such time the third dispatcher begins her duties.

five (5) ayes

Carried

Town Clerk Carr reported that bids were received and opened at 10:00 A.M. August 1, 1985 for the 1976 Chevrolet Pickup Truck and 1976 Oldsmobile automobile, as follows:

George Wendling
6436 Patchin Road
Boston, New York

1976 Chevrolet Pickup Truck	\$ 368.00
1976 Oldsmobile	\$ 75.00

A motion was made by Councilman Zimmerman and seconded by Councilman Faulring to accept the bids of George Wendling for the 1976 Chevrolet Pickup truck in the amount of \$368.00 and the 1976 Oldsmobile automobile in the amount of \$75.00.

five (5) ayes

Carried

A letter was read from Carl Emerling, purchaser under contract of property of Mr. and Mrs. Joseph Crotty, 9046 Boston State Road, requesting rezoning of said property from Residential Restricted Business to Business B-1. Letter, along with letter of consent from Mr. and Mrs. Crotty, copy of deed and copy of survey will be forwarded to the Planning Board for their review. Also received was a check in the amount of \$75.00 for rezoning request fee.

The Supervisor's Monthly Financial Report was received.

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to set a Public Hearing on September 4, 1985 at 8:00 P.M. to reopen the contract with the Boston Emergency Squad to provide ambulance and first aid service to the Town of Boston.

five (5) ayes

Carried

Upon the written request of Carole A. Crawford, 5617 Meadow Drive, a motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter to grant permission to the residents of Meadow Drive to hold a Block Party on Sunday, September 8, 1985, with Meadow Drive blocked off for traffic, but with access provided for emergency vehicles. The Town Clerk will notify the Emergency Squad and North Boston Fire Company of this event.

five (5) ayes

Carried

Supervisor Kennedy read a letter received from the Erie County Partnership, announcing establishment of a fund to be used for the economic development of Western New York businesses. Supervisor Kennedy will contact Nick Monafio, Marketing Manager, for more information on this program.

Town Clerk Carr announced that Hunting Licenses will go on sale August 15, 1985 at the Town Clerk's Office.

Town Justice Monthly Financial Report was received.

Town Attorney Maxwell reported that funding has been finalized for the Senior Citizen housing development, with groundbreaking expected in September. Mr. Maxwell will review the agreement with the town regarding taxation exemptions.

Town Engineer Monthly Report was received.

Councilman Wittmeyer reported that finalized plans have been made for the Empire State Games Cycling Races, to be held Friday, August 9, with traffic control being handled by the Town Police, State Police, Fire Police and Lions Club members.

Police Department Monthly Report was received.

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

Dog Control Officer July Monthly Report was received.

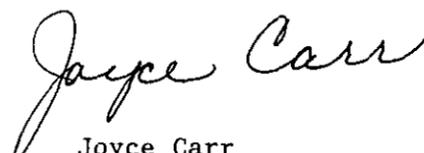
Upon the request of Richard Hayden, President, Patchin Fire Company, a motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter to appoint William Schwab to the Drainage Committee, replacing Stephen Plewik, who has requested a leave of absence due to health reasons.

five (5) ayes

Carried

RESOLUTION - CHRISTIAN W. LUNO

A motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter to adjourn the meeting at 9:05 P.M. in memory of Christian W. Luno.



Joyce Carr
Town Clerk

Regular Meeting
September 4, 1985

Town Hall
7:30 P.M.

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

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring that the minutes of the August 7, 1985 Regular Meeting be approved.

five (5) ayes Carried

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

five (5) ayes Carried.

A motion was made by Councilman Faulring and seconded by Councilman Wohlhueter that the General Fund and Special District Bills on Abstract #9, September 4, 1985 in the amount of \$21,049.71 be paid.

five (5) ayes Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman that the Highway Bills on Abstract #9, September 4, 1985 in the amount of \$30,108.08 be paid.

five (5) ayes Carried

A letter and resolution memorializing the New York State Legislature and Governor Cuomo to repeal Section 1299c of the New York State Vehicle and Traffic Law was received. This law is relative to Seat Belts. Supervisor Kennedy stated that he felt this was not a proper resolution for the Town Board to act upon and he felt that it is something that should be done on an individual basis. The Board Members concurred with Supervisor Kennedy. The resolution and letter were received and filed.

Notices of Petition for review of tax assessment in the year 1985 under Article 7 of the Real Property Tax Law were received from New York Telephone Company, National Fuel Distribution Corporation and Niagara Frontier Services, Inc. These petitions were received and filed.

A letter and resolution, relative to extension of the tax warrant by the County of Erie were received from Joan E. Dudek, President of the Receivers and Collectors Association.

RESOLUTION - EXTENSION OF TAX WARRANT

A letter was read from Marguerite Boldenow, 7146 Boston State Road relative to the nuisance of noisy motorbikes in a vacant lot across from her home. Supervisor Kennedy advised that the Town Board is studying an ordinance that would control motorbikes and ATV's, but noted that there is much studying needed in order to pass an ordinance of this type. The Town Board related other areas in the Town of Boston where these vehicles are causing problems.

A letter was received from the New York State Department of Transportation relative to the Commuter Parking Lot. Supervisor Kennedy directed a copy of this letter be sent to the Conservation Advisory Council.

A letter was received from George E. MacPeck, Coordinator of the Office of Disaster Preparedness requesting an update of our Disaster Plan. Supervisor Kennedy requested Councilman Wittmeyer to contact Mr. MacPeck to determine what is required and to make the necessary update.

A letter was received from New York Job Development Authority advising of resolutions to be placed on the November, 1985 ballot to expand the capacity of the JDA to assist businesses in the State. Supervisor Kennedy asked the representatives of the media that were present to put this in their articles to make the voters aware that it will be on the November ballot. The letter was received and filed.

A letter was received from the Patchin Volunteer Fire Company requesting that the name of the east west section of Lower East Hill Road be changed to Burr Road to do away with the confusion caused when there is a fire or first aid call. The Town Clerk was directed to send a letter to the Erie County Highway Department, with a copy of the fire company letter enclosed, advising

of the confusion that results to emergency vehicles and ask that this section of Lower East Hill Road be changed to Burr Road. A letter is also to be sent to the residents on this section advising them of our request to the county. Supervisor Kennedy stated that if they wish to be heard on the matter, the residents in that area can appear at the next Town Board Meeting to express their views. Copies of these letters are to be sent to the President of the Patchin Fire Company.

A notice was received from the New York State Department of State advising that Local Law No. 1 of 1985 - Amendment to the Dog Ordinance, had been received and filed. The notice was received and filed.

A letter was received from the Erie County Partnership advising of the establishment of a \$300,000 fund to be used exclusively for the economic development of Western New York. Supervisor Kennedy stated he is in the process of contacting Mr. Monafio to see how this will affect the Town of Boston.

Upon the written request of Assessor William Kleis, a motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer granting permission for Assessor Kleis to attend the New York State Assessors Association Conference at the Nevele Country Club, Ellenville, New York, on September 29 to October 2, 1985. All appropriate expenses to be paid by the Town of Boston.

five (5) ayes

Carried

A letter was received from W. Thompson Eaton, 7387 Feddick Road requesting his property located at 7387 Feddick Road be rezoned from Residential R2 to Agricultural for the purpose of stabling a horse. A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman to refer this request to the Boston Planning Board for their review and recommendation and to set a date of October 2, 1985 at 8:00 P. M. for a public hearing to consider this rezoning.

five (5) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to transfer from the General Fund \$86.75 to Capital Projects Fund to use as revenue for the Park Improvement Project - Installation of Water line in Town Park. This will close the project.

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Faulring to correct Voucher #391, Abstract #7, June 5, 1985 from

CF 8540.4	\$12.88
to	
H 8540.2	\$12.88

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman to correct Voucher #607-A, Abstract #8, August 10, 1985 from

A 1440.4	\$250.00
to	
H 7110.2	\$250.00

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring to create financing for the Meadow Drive Drainage project as follows:

Estimated cost of Project	\$33,325.00
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to be financed as follows:

Community Development Fund	\$28,790.00
Federal Revenue Sharing Fund (Drainage)	\$ 4,535.00

five (5) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to create financing for the purchase of property from Paul O'Brien on Meadow Drive as follows:

Estimated cost of project	\$13,250.00
---------------------------	-------------

to be financed as follows:

Federal Revenue Sharing Fund (Parks)	\$ 6,720.93
General Fund Transfer	\$ 6,529.07

five (5) ayes Carried

A motion was made by Councilman Faulring and seconded by Councilman Zimmerman to authorize the Supervisor to apply for State Aid for Recreation, Youth Service and the special aid for the Smart Program.

five (5) ayes Carried

Upon the written request of Carole A. Crawford, a motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter granting permission to hold a Block Party on Meadow Drive on September 15, 1985, and to advise the fire company and emergency squad. On August 7, 1985, at the regular Town Board Meeting permission was given for September 8, 1985, but due to a conflict the request was made for the change of date by Miss Crawford.

five (5) ayes Carried

Supervisor Kennedy asked that the appointment of a Dog Enumerator be tabled to a later meeting.

A request for a building permit was received from Martin Barrett, 8038 Boston State Road, to make a facade improvement on the front of his building. The Building Inspector advised that he has requested a more detailed plan of the proposed project. This request was tabled to the September 18th Town Board Meeting.

The Supervisor's Monthly Report was received.

Supervisor Kennedy advised that he had sent a letter to the Erie County Highway Department relative to small trees and shrubs growing over the road and causing a hazard on Back Creek Road between Patchin Road and Hillcroft Drive. The Town Clerk was directed to send a letter to Mr. Frandina of the Highway Department advising that no reply had been received and also that no work had been done to correct this and to find out if something will be done in the near future.

Supervisor Kennedy reported that he had talked to Mr. Petre relative to sewer tap-ins and had been advised that they were waiting for approval from the DEC. He noted that approval should be coming in a few days and then permission will be given to make the tap-ins.

Supervisor Kennedy expressed his appreciation to the Boston Highway Department for the construction of the road off Meadow Drive into the North Boston Stadium and also for the removal of gravel from the creek.

Town Clerk Carr reported that the Food Distribution for the Town of Boston will be on September 19, 1985.

The Town Justice Monthly Report was received.

Highway Superintendent Kreitzbender asked for permission to post weight limit signs on Holiday Drive as someone is taking logs from that area and causing damage to the road. Supervisor Kennedy directed Highway Superintendent Kreitzbender to look into the situation as how this road can be posted and the weight limit and to make a recommendation at the September 18th Town Board Meeting.

Town Attorney Maxwell stated he had talked to a representative of the Erie County Health Department relative to the Town Summer Recreation Program and advised of new regulations as this program is now classified as a Summer Day Camp which would require setting up a medical program. Councilman Wohlhueter was directed to meet with the Town Attorney and also Mr. Degnan of the County Health Department to determine if something can be done to modify the program to eliminate this requirement.

Town Attorney Maxwell reported that he had talked to the attorney working on the Senior Citizen Complex in North Boston and had been advised that they were going ahead with the project soon, although final written approval had not been received from the Farmers Home Administration.

Councilman Wohlhueter asked the Traffic Safety Committee to check the intersection of Morningside Drive and East Lane as there are evergreen trees that block the view at this intersection. Councilman Wittmeyer advised that he would check into this matter.

Councilman Faulring asked that a letter be sent to the County Highway Department to ask them to check holes in the Boston Cross Road which were caused by the sewer construction. The Town Clerk was directed to send a letter to the County Highway Department to advise them of this situation.

Councilman Zimmerman advised that at the intersection of Heath Road and Hayes Hollow Road in Colden, the same condition exists that we have at the intersection of Back Creek Road and Hillcroft. Town Attorney Maxwell stated he would write a letter to the County relative to the Town of Boston's position that they can sign Back Creek Road and Hillcroft with stop signs. Highway Superintendent Kreitzbender noted that each time the Town Highway Department changes the stop sign the county became quite angry. A copy of the letter from the County to the Town relative to this stop sign is to be forwarded to Town Attorney Maxwell by the Town Clerk.

There was no Police Department Monthly Report as Chief Strack is on vacation.

The Code Enforcement Officer and Deputy Code Enforcement Officer's Monthly report was received.

The Dog Control Officers Monthly Report was received.

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman to appoint Roy C. Brinkerhoff as a member of the Boston Planning Board. Term to expire February 1, 1991.

five (5) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Faulring to appoint Patricia Maxwell as a member of the Boston Planning Board. Term to expire February 1, 1989.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman to adjourn at 8:55 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 in said Town on the 4th day of September, 1985 at 7:30 P. M. Eastern Daylight Saving Time, there were present:

Supervisor Richard L. Kennedy
Councilman Milton I. Wittmeyer
Councilman David G. Zimmerman
Councilman Esther Faulring
Councilman Don A. Wohlhueter

A motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman as follows:

WHEREAS, Joyce Carr, Tax Collector for the Town of Boston, acts as the collecting officer for County and Town real property taxes, and

WHEREAS, earlier this year, the Commissioner of Finance of the County of Erie notified Joyce Carr that the County will no longer be granting an extension to the Town to collect County real property taxes until June 30th of each year, and

WHEREAS, on March 20, 1985, this Town Board went on record in support of the Association of Erie County Government's resolution in opposition to the decision not to extend the tax warrants.

WHEREAS, Tax Collector Joyce Carr notified this Town Board that she had been notified by the President of the Tax Collectors Association that Executive Edward J. Rutkowski had advised that the County would not voluntarily grant extensions of time for the Town to collect County real property taxes, and

WHEREAS, it is estimated that the County Executive's decision will cause the Town to lose \$3,000.00 in penalty income and that it will pose a great inconvenience to those taxpayers who cannot afford to pay their real property taxes on time,

NOW, THEREFORE, BE IT RESOLVED, that this Town Board hereby renews its request of March 20, 1985 that the New York State Legislature amend Section 938(1) of the Real Property Tax Law to mandate the County Treasurer in Erie County to extend the time for the Town to collect taxes until the 30th day of June in every year, and

BE IT FURTHER RESOLVED, that this Town Board hereby memorializes the County Legislature and calls upon the County Legislators representing the Town of Boston to direct the County Treasurer/Commissioner of Finance to extend the time for the collection of real property taxes by the local tax receivers until June 30th of every year, and

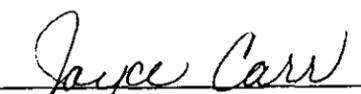
BE IT FURTHER RESOLVED, that Towns and Villages in Erie County be and hereby are requested to join the Town of Boston and its Tax Collector in their request to the New York State and Erie County Legislatures, and

BE IT FURTHER RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to County Legislator Karl Henry, to Governor Mario M. Cuomo, State Senator William Stachowski and State Assemblyman William Paxon.

Duly put to a vote which resulted as follows:

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

Ayes: 5 No: 0 Absent: 0


Joyce Carr, Town Clerk

Regular Meeting
September 18, 1985

Town Hall
7:30 P.M.

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

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter that the Minutes of the Regular Meeting of September 4, 1985 be approved.

five (5) ayes

Carried

A motion was made by Councilman Faulring and seconded by Councilman Zimmerman that the General Fund and Special District Bills on Abstract #9A, September 18, 1985, in the amount of \$8,681.85 be paid.

five (5) ayes

Carried

Copies of resolutions were received from the Town of Cheektowaga and the Town of Lancaster, regarding: (1) Memorialize N.Y.S. Legislature to enact a bill to create Joint Underwriting Association, (2) Memorialize N.Y.S. Legislature to enact a bill creating new Article 4-A in General Municipal Law, and (3) Memorialize Federal legislators to review Section 623 of Cable Communications Policy Act of 1984 regarding local rate regulations.

RESOLUTION - MEMORIALIZING NEW YORK STATE LEGISLATURE TO ENACT BILL TO
CREATE JOINT UNDERWRITING ASSOCIATION

RESOLUTION - MEMORIALIZING NEW YORK STATE LEGISLATURE TO ENACT BILL
CREATING NEW ARTICLE 4-A IN GENERAL MUNICIPAL LAW

RESOLUTION - MEMORIALIZING FEDERAL LEGISLATORS TO REVIEW SECTION 623 OF
CABLE COMMISSION POLICY ACT OF 1984 REGARDING LOCAL RATE
REGULATIONS

Notice of Petition received and filed in the matter of National Fuel Gas Corporation vs. The State Board of Equalization and Assessment.

Received notification from Erie County Executive Edward Rutkowski that he approved a measure which would create an independent Erie County Medical Center Board of Managers. This proposal will come before the voters in the November election. Supervisor Kennedy commended the County Legislature for sponsoring this measure. Notification received and filed.

Letter received from State Senator William Stachowski, acknowledging receipt of Town Board Resolution regarding extension of tax warrant from the County of Erie. Copies of Resolution from the Colden Town Board and Holland Town Board, also requesting this extension, were also received. Letter from Gerald Crotty, Secretary to Governor Cuomo, acknowledging receipt of the Town of Boston Resolution regarding extension of the tax warrant.

Legislative Report from County Legislator Karl A. Henry of the September 5, 1985 session received and filed.

Membership lists received from Patchin Volunteer Fire Company and Boston Fire Company, Inc. of active firemen for 1985.

Notice received from the U.S. Department of the Treasury, Office of Revenue Sharing, relative to revenue sharing allocation for the 17th Entitlement Period of 10/1/85 - 9/30/86. Supervisor Kennedy stated that this is the last fiscal year that federal revenue sharing funds are slated to be received.

Letter received from the County of Erie, Department of Finance, with notification that newly appointed members of Boards of Assessment Review complete a training program and be certified by the State Division of Equalization & Assessment and all reappointed members be certified by the State Division of Equalization & Assessment by receiving refresher training. Supervisor Kennedy directed Town Clerk Carr to submit the necessary information and request information on what additional training courses entail.

Letter received from Tony's Frostee Freeze, with notification that they will be renewing their Liquor License for the sale of beer and wine for the period of October 1, 1985 to October 1, 1986.

Received Town of Boston census figures from Erie and Niagara Counties Regional Planning Board of July 1, 1984 population estimates. Supervisor Kennedy will contact the Regional Planning Board for information on how the population estimates were arrived at.

Robert Weller, 6778 Boston State Road, Hamburg, submitted to the Town Board a map of his subdivision which borders on Taylor Road. He requested the Town Board to submit a letter to the Erie County Water Authority, stating they have no objection to his tapping into the Water District #1 line, which ends 50 feet into his property on Taylor Road, between Eckhardt Road and the Hamburg town line, rather than extending the line another 150 feet to the boundary of that parcel of land. Supervisor Kennedy asked Mr. Weller to furnish the Town Board with the necessary map and information requested for consideration by the Town Board. After they have reviewed this matter, they will contact Mr. Weller.

Town Clerk Carr read a letter received from the Patchin Volunteer Fire Company, in which they asked the Town Board to consider renaming the east-west portion of Lower East Hill Road to Burr Road, in order to eliminate confusion with the north-south portion of Lower East Hill Road, particularly in time of emergency calls. She noted that all residents of this area of Lower East Hill Road had been notified of this request and have been asked to express their views. She read letters from Catherine Prion-Sarata, 7773 Lower East Hill Road, stating strong support for the road to be renamed, and noted she had telephone calls from Alois Korczykowski, who owns property on Lower East Hill Road and would like the name changed and Marilyn Pecyna, 7741 Lower East Hill Road, who is opposed to the name change. Supervisor Kennedy stated that the town has not received a written reply from the Erie County Division of Highways. Daniel Sauer, 7692 Lower East Hill Road, stated he felt the road should be left as it is and said they have no problems, even though their house number is repeated on the north-south portion. Anna Nowicki, 7757 Lower East Hill Road, stated that she definitely wants the name changed to Burr Road and cited an occasion last year when it took the Emergency Squad 45 minutes to find her home. She added she does not blame the Emergency Squad, because it is confusing. Sally Schwabel, Director of Operations of the Emergency Squad, stated she had discussed this matter with the members and both the members and the dispatchers agree that they would like the name changed to Burr Road, in order to lessen confusion when answering calls. Walter Voisinet, 7685 Lower East Hill Road, said he understood the concern of the emergency vehicles, however, he is opposed to the change of name, as he believes it will create more confusion. He feels that if everyone used the designated "E" or "S" preceding their number, as postal requirements state, there would be no problems. Marie Galenski, 7719 Lower East Hill Road, said she has had occasion to call the Sheriff's Department twice in the past year and had no problem with them finding her house. She is opposed to the change and said that everyone should have their name and number on their mailbox, to alleviate confusion, and also added that all of the residents on the east-west portion do have their names and numbers on their boxes. Supervisor Kennedy stated there is documentation of problems with emergency vehicles on Lower East Hill Road finding the correct location. Councilman Wittmeyer added that the Patchin Fire Company feels they can give better service if the location is clear. Mr. Voisinet said he feels there are two possible solutions: (1) that the 8 families on the road put on record with Hamburg Fire Control and the Boston Emergency Squad their house numbers and names and (2) give those 8 families new house numbers, with obvious differences in numbers from the north-south portion of Lower East Hill Road. Supervisor Kennedy agreed that the change in house numbers instead of road name change might be a good solution and directed the Town Clerk to check into the county numbering system to determine if a completely different set of numbers would be possible. He also stated he felt the Town Board should have a written reply from the county before the Town Board reaches a decision and that the residents of this portion of the road would be notified of any action taken.

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman to hold a Public Hearing on October 2, 1985 at 7:45 P.M. on the proposed Zoning Ordinance Amendments dealing with Section 3 - Fees, Building Permits and the maximum permitted height amendment under Table of District Regulations.

five (5) ayes

Carried

Town Clerk Carr reported Martin Barrett, 8038 Boston State Road, requested his building permit application be tabled until the October 2, 1985 meeting, in order to secure the completed building plans.

A motion was made by Councilman Faulring and seconded by Councilman Wohlhueter to amend the date and time for the rezoning request of W. Thompson Eaton, 7387 Feddick Road, from Residential R-2 to Agricultural for the purpose of

stabling a horse from October 2, 1985 at 8:00 P.M. to October 16, 1985 at 8:00 P.M.

five (5) ayes

Carried

A letter was received from James J. Bowen, P.E., County of Erie, Department of Environment and Planning, enumerating deficiencies noted in a final field walk of Sewer District #3 construction, which must be corrected by the contractor, Robert A. Caldwell. Supervisor Kennedy noted the list should also include some problems on Valley View Lane, which he will contact Gerald Devlin regarding.

Letter received from John S. Mowatt, Director, Community Development, informing the Town of Boston that verbal approval from HUD has been received to incur costs prior to their approval of the County's 1985-86 grant application. Supervisor Kennedy said this will enable the Town of Boston to begin the second phase of the Meadow Drive project.

A letter was received from a Hamburg resident regarding the lack of a "End 35 Speed" sign at the Boston-Eden line on Eckhardt Road. As this signage is out of the Town of Boston's jurisdiction and would be the Town of Eden's responsibility, Supervisor Kennedy directed the Town Clerk to forward this letter to Eden and to the County Highway Department.

Supervisor Kennedy asked the Traffic Safety Committee to determine the need for a "No Parking" sign to be erected at the end of Pin Oak Drive, as there have been complaints from that area.

Supervisor Kennedy reported that County Executive Edward Rutkowski will hold a meeting at the Town Hall on October 10, 1985 from 7:00 - 9:00 P.M.

The Supervisor also reported the Meadow Drive project is going well, with the bulk of the work done and restoration to be completed shortly.

Town Clerk Carr reported Food Distribution will be at the Town Hall on September 19, 1985, beginning at 9:00 A.M.

Town Attorney Maxwell reported that a proposed Local Law regarding Prior Notice of Defects has been drafted and he recommends its adoption.

A motion was made by Councilman Zimmerman and seconded by Councilman Faulring that a Public Hearing be held on October 16, 1985 at 8:15 P.M. on the proposed Local Law requiring prior written Notice of Defects in Town Property prior to commencement of civil action.

five (5) ayes

Carried

Town Attorney Maxwell reported that a meeting will be held in Orchard Park on September 24, 1985 regarding a joint defense by all towns in assessment lawsuits by corporations such as New York Telephone Co.

Councilman Wittmeyer reported he is making the necessary updates in the County Disaster Plan and will have it completed shortly.

Councilman Wittmeyer asked Harry Strack of the Traffic Safety Committee to report on the visual problem due to evergreen trees in the Morningside Drive area. Mr. Strack stated there is a definite site problem due to the trees, although they are four to five feet in from the roadway. The property owner does not wish to trim the trees, as he said it would spoil the attractiveness of them. Supervisor Kennedy stated the town has jurisdiction if sight is impeded and directed the Town Clerk to send Mr. Merz a letter regarding this problem and include a copy of the Ordinance.

Supervisor Kennedy reported that the brush and small shrubs growing over the road on Back Creek Road, between Patchin Road and Hillcroft Drive, had been cut by the County Highway Department.

Councilman Zimmerman stated that, relative to the renumbering of the east-west portion of Lower East Hill Road, it might pose a problem if the county-wide 911 system for emergency calls is instituted.

The Town Engineer Monthly Report was received.

A letter was received from the Planning Board relative to their meeting on James Lambert's request to rezone his property at 8234 Lower East Hill Road from Agriculture A-1 to Business B-1 for the purpose of operating a junkyard

business. The Planning Board recommends denial of this request for the reasons (a) this is a spot zoning request and (b) the Master Plan does not provide for Business B-1 zoning on Lower East Hill Road.

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to set a Public Hearing on October 16, 1985 at 8:30 P.M. on the request of James Lambert, 8234 Lower East Hill Road, to rezone his property from Agriculture A-1 to Business B-1 for the purpose of operating a junkyard business.

five (5) ayes

Carried

A letter was read from the Planning Board stating they have reviewed the Carl Emerling/Mr. and Mrs. Joseph Crotty request to rezone property at 9046 Boston State Road from Residence Restricted Business RRB to Business B-1 and that they have tabled their recommendation to the Town Board for 30 days, in order to obtain a legal opinion on several questions relating to intent of use.

Upon the written request of the Planning Board, a motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman, granting permission for Ken Kloeber and Roy Brinkerhoff to attend the New York Planning Federation Annual Planning & Zoning Institute at Grossingers on October 13-15, 1985, with all appropriate expenses to be paid by the town.

five (5) ayes

Carried

A letter was read from the Planning Board, advising that they have approved a motion that the cut-off date for submission to the Planning Board of items for review be two weeks prior to their meeting each month.

Police Department Monthly Report was received.

A motion was made by Councilman Wohlhueter and seconded by Supervisor Kennedy to adjourn at 9:15 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 18th day of September, 1985 at 7:30 P.M. Eastern Daylight Savings Time, there were

PRESENT:	Richard L. Kennedy	Supervisor
	Milton I. Wittmeyer	Councilman
	David G. Zimmerman	Councilman
	Esther M. Faulring	Councilman
	Don A. Wohlhueter	Councilman

Councilman Wohlhueter presented the following Resolution and moved its adoption:

WHEREAS, presently New York State law provides that all defendants are jointly and severally liable to a plaintiff for any judgment rendered against them, thereby allowing a plaintiff to collect the entire amount of the judgment from one defendant, regardless of the portion of liability attributed to that defendant, and

WHEREAS, municipalities many times pay a disproportionately greater share of the damages awarded because a plaintiff cannot collect against other co-defendants who may be primarily responsible, and

WHEREAS, Senate Bill No. 6845-A, currently pending in the New York State Legislature, would create a new Article 4-A in the General Municipal Law to limit the amount of damages awarded against a municipality to its equitable share of the total damages awarded when such public entity is less than 50% negligent, and

WHEREAS, such legislation will hopefully save the Town of Boston and its taxpayers money by reducing court awards and insurance premium costs, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby memorializes the New York State Legislature and Governor Mario M. Cuomo to enact Senate Bill No. 6845-A, and BE IT FURTHER

RESOLVED, that municipalities in Erie County be and hereby are urged to support the Town in its aforementioned memorialization, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward copies of this resolution to Governor Mario M. Cuomo, Assemblymen William Paxon and Stanley Fink, and Senators William Stachowski and Warren Anderson and to all municipalities in Erie County.

Seconded by Councilman Faulring 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 Faulring	Voting	<u>AYE</u>
Councilman Wohlhueter	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 18th day of September, 1985 at 7:30 P.M. Eastern Daylight Savings Time, there were

PRESENT:	Richard L. Kennedy	Supervisor
	Milton I. Wittmeyer	Councilman
	David G. Zimmerman	Councilman
	Esther M. Faulring	Councilman
	Don A. Wohlhueter	Councilman

Councilman Zimmerman presented the following Resolution and moved its adoption:

WHEREAS, the Cable Communications Policy Act of 1984 ("Act") was enacted by the Federal Government and became effective as of December 29, 1984, and

WHEREAS, Section 623 of such Act allows cable television companies, without the permission and/or input of the municipalities, to raise their rates 5% each year until December 29, 1986, after which there will be no control over the rates charged by cable television companies, and

WHEREAS, cable television companies, in effect, have monopolies on cable television services in their respective municipalities because the cost to competitors to establish another cable television system in a municipality is exorbitant and does not allow them to charge competitive rates, and

WHEREAS, such decontrol of cable television rates is expected to cost cable television subscribers more money, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby memorializes the Federal legislators to review Section 623 of the Cable Communications Policy Act of 1984 and to amend same so as to allow local rate regulation of cable television, and BE IT FURTHER

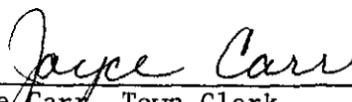
RESOLVED, that municipalities in Erie County be and hereby are urged to support the Town of Boston in its petition to memorialize the Federal legislators to amend Section 623 of the Act so as to allow local rate regulation, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward copies of this resolution to U.S. Senators Alfonse D'Amato and Daniel Patrick Moynihan, Congressman Jack Kemp and to all municipalities in Erie County.

Seconded by Councilman Wittmeyer 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 Faulring	Voting	<u>AYE</u>
Councilman Wohlhueter	Voting	<u>AYE</u>

AYES: 5 NOES: 0 ABSENT: 0



Joyce Carr, Town Clerk

Regular Meeting
October 2, 1985

Town Hall
7:30 P.M.

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

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer that the Minutes of the Regular Meeting of September 18, 1985 be approved.

five (5) ayes

Carried

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

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring that the General Fund and Special District Bills on Abstract #10, October 2, 1985, in the amount of \$5,890.72 be paid.

five (5) ayes

Carried

A motion was made by Councilman Faulring and seconded by Councilman Wohlhueter that the Highway Bills on Abstract #10, October 2, 1985, in the amount of \$12,641.88 be paid.

five (5) ayes

Carried

A resolution from the Town of North Collins concerning the extension of the Tax Warrant was received and filed.

A resolution in support of the Extension of the Tax Warrant was received from the Erie County Legislature.

Letter acknowledging receipt of Town of Boston Resolution concerning Extension of Tax Warrant received from County Legislator Karl A. Henry, stating his support of this measure.

RESOLUTION - SPEED LIMIT - BOSTON ELEMENTARY SCHOOL

Resolution received and filed from the Town of Ashford on a Local Health Study relative to a safe way of solidification of radioactive wastes.

Letter received from County Executive Edward J. Rutkowski, setting a town meeting at the Boston Town Hall on Thursday, October 10, 1985 at 7:00 P.M. Supervisor Kennedy encourages residents to attend this meeting with any questions or problems they may have.

Resolution received from the Erie County Legislature regarding Real Property Veterans' Exemptions to be retained when full value property assessments take effect. Supervisor Kennedy stated that meetings should be held with the Assessor to consider in depth the ramifications of this measure before any action is taken by the Town Board.

At 7:45 P.M. a Public Hearing was held on proposed amendments to the Zoning Ordinance in Article X - deleting Section 2 - last paragraph and adding a new Section 3 - Fees, Building Permits and also amending the Table of District Regulations - Maximum Permitted Height - by deleting the number "15" feet at the end of the sentence pertaining to Residence-1 and substituting in its place and stead the number "18" feet. The Legal Notice was read by the Town Clerk. Supervisor Kennedy opened the public hearing.

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 October, 1985 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 amendments to the Zoning Ordinance of the Town of Boston.

PUBLIC NOTICE

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

Dated: September 19, 1985

Joyce Carr
Town Clerk

There were no comments or questions regarding the proposed amendments.

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman to close the Public Hearing at 7:50 P.M.

five (5) ayes Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to approve the Amendments to the Zoning Ordinance, as presented.

five (5) ayes Carried

A letter was read from C. D. Rappleyea, Jr., Minority Leader, New York State Assembly, inviting town officials to attend a meeting on October 9, 1985 at 10:00 A.M. at the Hamburg Town Hall relative to municipal liability insurance coverage. Supervisor Kennedy, Town Clerk Carr and Councilman Wittmeyer stated they will attend this meeting.

Legislative Report of the September 19, 1985 session of the County Legislature received from Legislator Karl Henry.

Letter received from Attorney Joseph Terrizzi, with notification that Ski's Restaurant and Pizzeria will be renewing their liquor license, pursuant to the New York State Alcoholic and Beverage Control Law.

Letter received and filed from the South East Corporation V, thanking the Town of Boston for the 1985 contribution of \$1000.00.

Received and filed Notice of Petition in the matter of New York Telephone Company vs. State Board of Equalization and Assessment.

Letter received from the Boston Patriots Little League Football, Inc., inviting members of the Town Board to their next home game on October 12, 1985. Pee-Wee game time is 1:00 P.M., with Junior Varsity and Varsity games to follow.

Insurance Consultant Ernest Holfoth's report for insurance consulting services from August 1 to September 26, 1985 was received, with services broken down into daily activity, as requested by the Supervisor.

Robert Weller, 6778 Boston State Road, Hamburg, inquired if the Town Board had made a decision regarding his request to allow him to tap into Water District #1 on his vacant property on Taylor Road. In order to allow this tap-in, the Erie County Water Authority requests a letter from the town saying they will guarantee extension of the line in the future to the Hamburg town line. Supervisor Kennedy asked Mr. Weller to provide a survey of the lot in question with the location of the hydrant marked. Supervisor Kennedy told Mr. Weller he would get a legal opinion on this matter by the next Town Board meeting on October 16, 1985.

An engraved plaque of appreciation to the Town of Boston, Lions Club, Boston Police Department, Highway Department and Volunteer Fire and Emergency Squads was accepted by Supervisor Kennedy from Larry Reid and Carl Hendrix, who represented the Empire State Games, U.S. Cycling Federation and Buffalo Bicycling Club. Mr. Reid said that the Town of Boston's spirit was exemplary in the organizing of the Bicycle Races in the Empire State Games and the assistance and cooperation surpassed all other towns. He also stated it was the first time in the eight years of the races that the riders had thanked him for such a fine course. The date has been set for August 8, 1986 for next year.

A letter was received from the North Boston Volunteer Fire Company, requesting the town purchase 40 six or eight foot poles for use as hydrant marker poles. Supervisor Kennedy referred this request to Councilman Wittmeyer for a cost analysis and also stated that each of the three fire companies will probably want a supply of hydrant marker poles.

A letter was received from John and Katherine Falkides, requesting approval of nine additional lots at the Boston Hills Mobile Home Park. Supervisor

BE IT RESOLVED, that Article X - Section 2 of the Town of Boston Zoning Ordinance be amended by deleting the last paragraph thereof and adding in its place and stead the following new section:

Section 3 - Fees, Building Permits

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

Permit Fee of \$5.00 plus	
Up to 250 Square Feet	\$15.00
251 to 600 Square Feet	25.00
601 to 900 Square Feet	35.00
901 to 1500 Square Feet	55.00
1501 to 2000 Square Feet	75.00
2001 to 2500 Square Feet	80.00
2501 to 3000 Square Feet	85.00
3001 to 3500 Square Feet	90.00
3501 to 4000 Square Feet	95.00
4001 to 4500 Square Feet	100.00
over 4500 Square Feet	\$100.00
plus \$1.00 for each 100 Square Feet or portion thereof.	

BE IT FURTHER RESOLVED, that the Table of District Regulations - Maximum Permitted Height to be amended by deleting the number "15" feet at the end of the sentence pertaining to Residence-1 and substituting in its place and stead the number

Kennedy referred this application to the Planning Board for their review and recommendation. Mr. Falkides stated he will plan on attending the Planning Board meeting on October 9, 1985 at 7:30 P.M.

In a related matter, Supervisor Kennedy asked Mr. Falkides the status of the parked unoccupied trailer at the Mobile Home Park. Mr. Falkides said that the owner left in December, there is a lien on the trailer and it will be sold by the Sheriff at an auction in November or December.

The 1986 Preliminary Budget and Summary of 1986 Preliminary Budget were read by Supervisor Kennedy.

A motion was made by Councilman Zimmerman and seconded by Supervisor Kennedy that the 1986 General Fund Preliminary Budget, as read by Supervisor Kennedy, be approved as follows:

Appropriations	\$613,100.00
Less Estimated Revenues	394,000.00
Less Unexpended Balance	150,000.00
Amount to be raised by tax	69,100.00

five (5) ayes Carried

A motion was made by Councilman Faulring and seconded by Councilman Wohlhueter that the 1986 Highway Fund Preliminary Budget, as read by Supervisor Kennedy, be approved as follows:

Appropriations	\$477,088.00
Less Estimated Revenues	198,300.00
Amount to be raised by tax	278,788.00

five (5) ayes Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Faulring that the 1986 Federal Revenue Sharing Preliminary Budget, as read by Supervisor Kennedy, be approved as follows:

Appropriations	\$ 35,200.00
Less Estimated Revenues	30,150.00
Less Unexpended Balance	5,050.00
Amount to be raised by tax	-0-

five (5) ayes Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer that the 1986 Light District Preliminary Budget, as read by Supervisor Kennedy, be approved as follows:

Appropriations	\$ 15,107.28
Less Estimated Revenues	382.28
Amount to be raised by tax	14,725.00

five (5) ayes Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman that the 1986 Water District #1 Preliminary Budget, as read by Supervisor Kennedy, be approved as follows:

Appropriations	\$ 43,544.66
Less Estimated Revenues	1,200.66
Amount to be raised by tax	42,344.00

five (5) ayes Carried

A motion was made by Councilman Faulring and seconded by Supervisor Kennedy that the 1986 Water District #2 Preliminary Budget, as read by Supervisor Kennedy, be approved as follows:

Appropriations	\$ 42,215.00
Less Estimated Revenues	1,000.00
Amount to be raised by tax	41,215.00

five (5) ayes Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman that the 1986 Fire Protection Preliminary Budget, as read by Supervisor Kennedy, be approved as follows:

Appropriations	\$161,430.89
Less Estimated Revenues	317.89
Amount to be raised by tax	161,113.00

five (5) ayes Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring that the 1986 Sewer District #1 Preliminary Budget, as read by Supervisor Kennedy, be approved as follows:

Appropriations	\$ 1,000.00
Less Unexpended Balance	1,000.00
Amount to be raised by tax	-0-

five (5) ayes Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer that the 1986 Sewer District #2 Preliminary Budget, as read by Supervisor Kennedy, be approved as follows:

Appropriations	\$ 2,499.13
Amount to be raised by tax	2,499.13

five (5) ayes Carried

A motion was made by Councilman Faulring and seconded by Councilman Wohlhueter that the 1986 Sewer District #3 Preliminary Budget, as read by Supervisor Kennedy, be approved as follows:

Appropriations	\$ 450.00
Less Unexpended Balance	450.00
Amount to be raised by tax	-0-

five (5) ayes Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman that the 1986 Sewer District #4 Preliminary Budget, as read by Supervisor Kennedy, be approved as follows:

Appropriations	\$ 1,000.00
Less Unexpended Balance	1,000.00
Amount to be raised by tax	-0-

five (5) ayes Carried

A motion was made by Councilman Faulring and seconded by Councilman Wohlhueter that the 1986 Refuse and Garbage District Preliminary Budget, as read by Supervisor Kennedy, be approved as follows:

Appropriations	\$ 12,501.64
Less Estimated Revenues	601.64
Amount to be raised by tax	11,900.00

five (5) ayes Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to set a Public Hearing on November 6, 1985 at 7:45 P.M. to consider the adoption of the 1986 Preliminary Budget.

five (5) ayes Carried

RESOLUTION - COMMUNITY DEVELOPMENT FUNDS

A letter was received from the Boston Historical Society requesting their contract be reopened and new amount of funds be set at \$3000. Supervisor Kennedy stated that an additional \$500 had been incorporated in the 1986 Budget and a Public Hearing will be held in December on this matter. He also requested that in the future any increase in budget requests should be made by August 31 in order to budget these appropriations and that this should be made a part of the contract.

A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter approving Change Order No. 1 of the Meadow Drive Phase 1 Drainage Project with an increase in the amount of \$527.90, as recommended by Nussbaumer & Clarke, Inc., Consulting Engineer.

five (5) ayes Carried

A motion was made by Councilman Faulring and seconded by Supervisor Kennedy appointing Carl Roehling, 6998 Boston Cross Road, as 1985 Dog Enumerator for the east side of Boston at a fee of \$1.00 per dog, with Mr. Roehling using his own vehicle for enumerating.

five (5) ayes

Carried

The appointment of a Youth Aide was tabled until the next Town Board meeting.

Supervisor Kennedy directed Town Clerk Carr to write a letter to Caldwell Construction regarding ongoing sewer reconstruction problems. Gabriel Zsiros, 6466 Patchin Road, still has problems with his driveway, although a Caldwell representative indicated the problem would be rectified. Also, the fence on the town park property has not been put back up. These are the two most pressing problems, but all the restoration work must be completed and corrected.

Supervisor Kennedy said that International Cable is conducting a sales campaign and will give smoke detectors to new subscribers between now and January 31, 1986.

Supervisor Kennedy read a letter received this date from Town Attorney Maxwell which said that the two properties on Meadow Drive that the town purchased from Paul O'Brien were closed in the County Clerk's Office on October 2, 1985.

Boston Emergency Squad, Inc. Annual Report for the reporting year August 1, 1984 to July 31, 1985 was received.

Town Justice Monthly Financial Report was received.

Upon the recommendation of Highway Superintendent Kreitzbender, a motion was made by Councilman Zimmerman and seconded by Councilman Faulring to install 5 Ton Total Weight Limit signs in the Holiday Subdivision, pursuant to the Highway Law.

five (5) ayes

Carried

Councilman Wohlhueter reported that Theodore Merz, 4648 Morningside Drive, has trimmed his evergreen trees per the Town Board request and that site problems have improved.

Councilman Wittmeyer reported that the road sign at George Drive and Zimmerman Road was missing, per a complaint received from a property owner. Highway Superintendent Kreitzbender stated he took the sign, which was down, to the County Highway Department in Hamburg and they will reinstall it.

Councilman Wittmeyer reported that the "washboard" condition of Zimmerman Road, plus the condition of Lower East Hill Road and Cole Road will again be brought to the attention of Erie County and also County Executive Rutkowski at his meeting here on October 10. The Town Clerk was directed to send a letter to the County relative to the Zimmerman Road problem.

Police Department Monthly Report was received.

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

Dog Control Officer's Monthly Report for September was received.

The appointment to the Zoning Board of Appeals was tabled until the next meeting.

Town Engineer Monthly Report was received.

A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter to adjourn at 9:25 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 2nd day of October, 1985, 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
Esther Faulring	Councilman

Councilman Zimmerman presented the following resolution and moved its adoption:

BE IT RESOLVED THAT THE Town Board of the Town of Boston, New York authorizes the Supervisor of the Town of Boston to execute the Cooperation Agreement with the County of Erie, pursuant to the Housing and Community Development Act of 1974 as amended for continued participation for the 1985-86 program year.

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 Faulring	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, in said Town on the 2nd day of October, 1985 at 7:30 P. M. Eastern Daylight Savings Time, there were present:

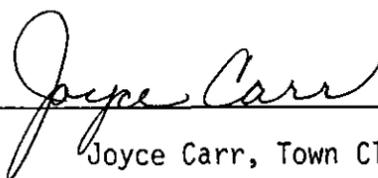
Richard L. Kennedy	Supervisor
Milton Wittmeyer	Councilman
David Zimmerman	Councilman
Esther Faulring	Councilman
Don A. Wohlhueter	Councilman

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

BE IT RESOLVED that the Town Board of the Town of Boston hereby directs the Town Clerk of said Town to complete the required TE 9a Form and forward it to the County of Erie Highway Department requesting that a 30 MPH Speed Limit be established 300 feet north of the Boston Valley Elementary School and 300 feet south of said school on the Back Creek Road, a county road within the Town of Boston.

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

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



Joyce Carr, Town Clerk

Regular Meeting
October 16, 1985

Town Hall
7:30 P.M.

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

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring that the Minutes of the Regular Meeting of October 2, 1985 be approved.

five (5) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman that the General Fund and Special District Bills on Abstract #10A, October 16, 1985, in the amount of \$64,958.94 be paid.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring that the Highway Bills on Abstract #10A, October 16, 1985, in the amount of \$6,816.88 be paid.

five (5) ayes

Carried

The Town of Brant forwarded a copy of a Resolution adopted by their Town Board relative to the Extension of the Tax Warrant. The Town Clerk read letters received from Governor Cuomo's secretary and from State Senator William Stachowski, acknowledging receipt of the Town of Boston Resolution regarding the extension of the tax warrant.

A letter was read from House Speaker Stanley Fink, acknowledging receipt of the Town of Boston Resolution in support of Assembly Bill 8232, which would create a New York Municipal Tort Liability Joint Underwriting Association. Also received and filed was a copy of the Grand Island Resolution on this subject.

A letter was read from Senator Daniel Patrick Moynihan, acknowledging receipt of the Town of Boston Resolution regarding Section 623 of the Cable Commission Policy; also received was a copy of the Grand Island Resolution on this matter.

A letter was read from Mrs. William Radigan, with notification that Radigan's Tavern has applied for a renewal of their beer and alcohol license for a period of October 1, 1985 - October 1, 1988.

Legislative Report from Erie County Legislator Karl A. Henry on the October 3, 1985 general session was received and filed.

A letter was received from North Boston Volunteer Fire Company, with notification of new members and change in status of two members. Supervisor Kennedy thanked the fire company for this update.

A letter was read from the New York Job Development Authority outlining the Constitutional Amendment that will appear on the November ballot which will expand the capacity of J.D.A.

Received and filed a letter from the Boston Fire Company, Inc. informing the town of their 1985-86 officers and directors.

Reed Garver, 8363 Lower East Hill Road, asked what stand the town will be taking on veterans' exemptions in relationship to the county revaluation program. Supervisor Kennedy said there are approximately 300 veterans in the Town of Boston that receive tax benefits at the present time, with 60 of them having total exclusion from taxes.

At 8:00 P.M. a Public Hearing was held on the request of W. Thompson Eaton, 7387 Feddick Road, to rezone his property from Residential R-2 to Agricultural A-1 for the purpose of stabling a horse. The Town Clerk read the Legal Notice, which was published in the Hamburg Sun and read the letters received from the Planning Board and Conservation Advisory Council, both recommending approval, and noted that Erie County Division of Planning made no recommendation. Mr. Eaton was present at the meeting. Adjacent property owners were notified, but

there were no letters or calls received for or against the rezoning request, nor was anyone present with any question or comment.

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to close the Public Hearing at 8:06 P.M.

five (5) ayes Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman to grant the request of W. Thompson Eaton, 7387 Feddick Road, to rezone his property from Residential R-2 to Agricultural A-1 for the purpose of stabling a horse.

five (5) ayes Carried

Robert Weller, 6778 Boston State Road, said he understood the Veterans Exemptions were due to expire in 10 years. Supervisor Kennedy said he felt that the New York State Legislature would extend these tax benefits when the 10 year period is up.

At 8:15 P.M. a Public Hearing was held on the proposed Local Law No. 2 of 1985 - Prior Notice of Defects. The Town Clerk read the Legal Notice, which was published in the Hamburg Sun, and the proposed Local Law No. 2 of 1985. Deputy Town Attorney Michael Perley recommended that the words "and/or culpable conduct" be added to the last paragraph. There were no other questions or comments.

A motion was made by Councilman Zimmerman and seconded by Councilman Faulring to close the Public Hearing at 8:25 P.M.

five (5) ayes Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Faulring to approve the passage of Local Law No. 2 of 1985 - Prior Notice of Defects, as amended with the words "and/or culpable conduct" in the second sentence of the last paragraph.

five (5) ayes Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman to set a public hearing for 7:00 P.M. on Monday, October 28, 1985 on a proposed Local Law No. 3 of 1985 - Providing for a proportional increase or decrease on Veteran's exemption. This meeting to be held in the downstairs Community Room.

five (5) ayes Carried

A letter was read from the County of Erie, Division of Highways, stating that the erection of signs indicating the end of speed restriction is the responsibility of the Town of Boston to erect. Councilman Wittmeyer said he will contact Supervisor Denn of the Town of Eden regarding the erection of the sign.

Upon the request of Roger Felt, 8699 Rockwood Road, a motion was made by Councilman Wohlhueter and seconded by Supervisor Kennedy to renew his permit for an airfield until October 31, 1987.

five (5) ayes Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman approving Change Order No. 2 of the Meadow Drive Drainage Project with an increase of \$192.50, as recommended by Consulting Engineer Nussbaumer & Clarke, Inc.

five (5) ayes

LEGAL NOTICE
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 16th day of October, 1985 at 8:00 P.M. Eastern Daylight Savings Time in the Boston Town Hall, 8500 Boston State Road, Boston, New York, on the petition and request of W. Thompson Eaton and Constance P. Eaton to rezone the following described property, which is presently zoned Residential R-2 to Agricultural A-1 under the Zoning Ordinance of the Town of Boston said property being described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Boston, County of Erie and State of New York, being part of Lot No. 37, Township 8, Range 7 of the Holland Land Company's survey, bounded and described as follows:

BEGINNING at the point of intersection of the center line of Feddick Road (also being the westerly line of Lot 37) with the northerly line of Lot 37; thence easterly, along the said northerly line of Lot 37, a distance of 417.42 feet; thence southerly, on a line parallel with the westerly line of Lot 37, 208.71 feet; thence westerly, on a line parallel with the northerly line of Lot 37, 417.42 feet to the center line of Feddick Road (also being the westerly line of Lot 37); thence northerly, along the said center line of Feddick Road, 208.71 feet to the northerly line of Lot 37 at the point of place of beginning.

ALSO, 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. 37, Township 8, Range 7 of the Holland Land Company's survey, bounded and described as follows:

COMMENCING at a point in the center line of Feddick Road, which is also the west line of Lot No. 37, distant 208.71 feet from the intersection of the said center line of Feddick Road with the north line of Lot 37; running thence southerly, along the center line of Feddick Road, 104.35 feet; thence easterly, parallel with the north line of Lot 37, 417.42 feet; thence northerly, parallel with the center line of Feddick Road, 104.35 feet; thence westerly, parallel with the north line of Lot 37, 417.42 feet to the point or place of beginning, and containing one acre of land, be the same more or less.

ALSO, 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. 38, Township 8, Range 7 of the Holland Land Company's survey, bounded and described as follows:

BEGINNING in the center of the highway on the west line of Thayer Northrup's lands; thence southerly, 77 west, 3 chains and 91 links; thence southerly, along the center of the road leading to Martin Keller's land, 8 chains and 70 links to the south line of said Lot; thence easterly, on the said line, 3 chains and 89 links to the west line of said Northrup's lands; thence north, on said line, 9 chains and 71 links to the place of beginning, containing 3.48 acres, be the same more or less.

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

DATED: September 25, 1985

Joyce Carr
Town Clerk
Town of Boston

10-3

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 September 18, 1985 a copy of Local Law Number 2 of the year 1985, entitled "Local Law requiring prior written Notice of Defects in Town Property prior to commencement of civil action."

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 Boston Town Hall, 8500 Boston State Road, Boston, New York on Wednesday, October 16, 1985 at 8:15 P.M. o'clock, Eastern "Daylight" Savings Time, at which time all persons interested will be heard.

Dated: September 26, 1985

Joyce Carr
Town Clerk
Town of Boston

10-3

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to grant a building permit to Charlap's Dairy Farms, Inc., 7264 Boston State Road, to extend their warehouse, as recommended by the Code Enforcement Officer.

five (5) ayes

Carried

At 8:30 P.M. a Public Hearing was held to consider the request of Mr. and Mrs. James Lambert, 8234 Lower East Hill Road, to rezone their property from Agricultural A-1 to Business B-1. The transcript of this hearing is heretofore made a part of these Minutes.

A letter was read from the New York State Department of Environmental Conservation regarding closure plans for Sewer Districts #1, #2, #3 and #4 in the Town of Boston. Supervisor Kennedy will draft a letter in reply to the DEC, as many of these items have been rectified since the August 20, 1985 inspection was made.

Upon the request of Martin Barrett, 8038 Boston State Road, a motion was made by Councilman Wittmeyer and seconded by Councilman Faulring to grant a permit for facade improvements to their business building, as recommended by the Code Enforcement Officer.

five (5) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman to set a public hearing on the Boston Historical Society Contract for 7:55 P.M. on December 18, 1985.

five (5) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter to set a public hearing on the 1986 Boston Emergency Squad Contract for 8:00 P.M. on December 18, 1985.

five (5) ayes

Carried

A letter was received from the New York State Department of Transportation stating they are reviewing the Town of Boston's request to establish a maximum school speed limit on Back Creek Road near the Boston Valley School.

The Supervisor's Monthly Report was received.

Town Clerk Carr reported she received a letter this date from Deputy Commissioner of Highways Saniewski stating the town has the authority to rename any County road in the town by Board resolution. At the November 20 meeting the decision will be made on whether to rename the east-west portion of Lower East Hill Road to Burr Road. Property owners, Patchin Fire Company and the Boston Emergency Squad will be notified of this meeting and input from West Falls Fire Dept., East Aurora Fire Control and the Town of Colden will also be requested for this possible change of street name.

Town Attorney Maxwell submitted a letter he prepared regarding Robert Weller's request for a water line extension to his property on Taylor Road, with the recommendation that the Town of Boston not agree to the conditions submitted by the Erie County Water Authority for the extension of this line. Mr. Weller will confer with Mr. Maxwell on this matter.

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 16th day of October, 1985 at 8:30 P.M., Eastern Daylight Savings Time in the Boston Town Hall, 8500 Boston State Road, Boston, New York on the petition and request of James L. Lambert and Caroline Lambert to rezone the following described property, which is presently zoned Agriculture A-1 to Business B-1 under the Zoning Ordinance of the Town of Boston said property being described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situated in the Town of Boston, County of Erie and State of New York, being part of Lot Number sixty - seven (67), Township (8), Range Seven (7) of the Holland Land Company's Survey, bounded and located as follows: All land located in said

PUBLIC NOTICE

lot west of the center line of Lower East Hill Road owned by said grantor and represented by the attached survey marked Exhibit A. This tract or parcel of land is described as commencing from an iron post situated a measured distance of two thousand, two hundred and eighty-four and sixty hundredths feet (2284.6 feet) from the southwest corner of lot sixty-seven (67) and previously recorded as being two thousand two hundred and sixty-six and forty-four hundredths feet (2266.44 feet) from this lot corner; thence northerly along lot line to an iron post a measured distance of five hundred and eighty-three and fifty hundredths feet, and previously recorded as being a distance of five hundred and sixty-eight and ninety-two hundredths feet (568.92 feet); thence easterly a distance of two thousand ninety-eight and zero hundredths feet (2098.0 feet) to an iron marker; thence southerly a distance ninety-nine and zero hundredths feet (99.0 feet) to an iron post; thence easterly a distance of four hundred seventy-three and twenty-two hundredths feet (473.22 feet) to the center line of Lower East Hill Road; thence southerly along said center line a distance of four hundred ninety and forty hundredths feet (490.40 feet); thence westerly a distance of two thousand five hundred seventy and thirty hundredths feet (2570.30 feet) to the point of commencement.

This property being commonly known as 8234 Lower East Hill Road.

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

Joyce Carr
 Town Clerk

Town of Boston

Dated: September 25, 1985

Councilman Wittmeyer reported that the hydrant marking poles for the fire companies will be available shortly.

Councilman Wittmeyer said the speed limit sign at the corner of the Town Hall driveway and Boston State Road has been removed and will be repaired and replaced so that visibility is not limited when turning out of the driveway.

A letter was read from the Planning Board recommending approval of the request of Carl Emerling and Mr. and Mrs. Joseph Crotty to rezone the property at 9046 Boston State Road from Residential Restricted Business RRB to Business B-1, with the exception of the most southerly 25 feet of the lot, which is to be retained in the present zoning of Residential Restricted Business RRB.

A motion was made by Councilman Wohlhueter and seconded by Supervisor Kennedy to set a public hearing for November 20, 1985 at 7:55 P.M. on the Emerling/Crotty request to rezone a portion of the property at 9046 Boston State Road from Residence Restricted Business RRB to Business B-1.

five (5) ayes

Carried

A letter was read from the Planning Board stating they will hold a Special Meeting on Wednesday, October 23, 1985 at 8:00 P.M. to consider the request of John and Katherine Falkides for the establishment of nine additional mobile home lots in the Boston Hill Mobile Home Park.

Upon the request of the Conservation Advisory Council, a motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter to grant permission to Robert Burley and Robert Emerling to attend the New York State Association of Conservation Councils seminar in Albany on November 1-3, 1985, 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 Wohlhueter to adjourn at 9:32 P.M.

Joyce Carr

Joyce Carr
Town Clerk

PUBLIC HEARING
BOSTON TOWN BOARD MEETING
OCTOBER 16, 1985

At 8:30 P.M. a Public Hearing was held to consider the request of Mr. and Mrs. James Lambert, 8234 Lower East Hill Road, to rezone their property from Agricultural A-1 to Business B-1.

The Town Clerk read the Legal Notice, which was published in the Suburban Press on September 30, 1985. She then read the letter received from the Boston Planning Board, dated September 16, 1985, in which they recommended denial of the rezoning request for the reasons that (a) this is a spot zoning request and (b) that the Master Plan does not provide for Business B-1 zoning on Lower East Hill Road. A letter was also read from the Conservation Advisory Council dated October 7, 1985, recommending denial of the rezoning because it is not part of the Master Plan and because Lower East Hill Road does not have any area presently zoned Business B-1. Town Clerk Carr noted that the long form Environmental Assessment had been completed by the applicant and as part of the SEQR Review process letters were sent to the New York State Department of Environmental Conservation, Department of Environment & Planning, County of Erie-Department of Public Works, Conservation Advisory Council, Drainage Committee, Planning Board and property owners in the vicinity of 8234 Lower East Hill Road, informing them of this rezoning request. Supervisor Kennedy stated the Public Hearing was now open for comments and asked if there was anyone who wanted to speak for or against this rezoning request.

REED GARVER
8363 Lower East Hill Road

I wish to reiterate what the Planning Board said in their recommendation to the Town Board. There is no business on Lower East Hill Road, it is Agricultural and Residential. The Master Plan says business should be in the Boston Valley. I own land across the street from Mr. Lambert's and if you allow rezoning up there I am sure the value of my property is going to go down. I request respectfully that you deny this application.

MARGARET WINCENC
8211 Lower East Hill Road

We own the property next to Mr. Garver and are directly across from the Lambert property. With all my heart I beg you to deny this request because the land is so beautiful, please don't allow such an ordinance there.

TED STONE
8292 Lower East Hill Road

We are within viewing distance of Mr. Lambert. We originally purchased our property up there knowing it was Agriculture-Residential and felt that we would be protected, so we decided to invest in our property. Those of us that are here tonight have invested and put a lot of upkeep in our property. This requested rezoning is totally inappropriate and should be denied.

JOSEPH WINCENC
8211 Lower East Hill Road

We moved here exactly 5 years and 10 months ago - January 15, 1980. We came out here for my retirement years because of the beautiful

scenery and the entire environment. We love our neighbors, we've always gotten along with everyone wherever we lived and we especially enjoy the Lamberts - they've done many favors for us and we like their family. The question is not the business, but the fact and I know he wants his livelihood, but since it is zoned for Agriculture, I think it would be a great crime to spoil the beautiful landscape and all the scenery and I don't know what we would do if anything like this would occur. I concur with Major Stone and also Mr. Garver, because everything is so beautiful and I would strongly urge that this request be denied.

MAURICE CONNELL
8335 Lower East Hill Road

We took title to our property 36 years ago. We used the 10 acres for a summer residence for about 20 years and about 10 years ago we built a new home on the property and I am retired and I think our location on Lower East Hill Road, if you'll pardon the phrase, is the most beautiful in the Town of Boston. We have great respect and affection for our neighbors the Lamberts, they are fine people and they have brought up a fine family, but they are very short-sighted in asking for this and in bringing business to our area where we feel it doesn't belong.

JAMES LAMBERT
8234 Lower East Hill Road

One thing - they have all contributed to the junk yard, except for Mr. Garver, he is the only one that I can say hasn't. If they wanted a junkyard someplace else, they should have junked their vehicles, etc. someplace else. I depend on this junkyard, since 1977 when Boss-Linco folded up. I lived off that yard. Right now I haven't worked a steady week in I don't know how long. Once these vehicles are gone I probably will have to apply for welfare. Also I try to keep the place clean - none of these neighbors have complained to me about the way it looks. The Wincencs moved in when the condition existed. The Garvers bought the property when the condition existed.

CAROLYN LAMBERT

The area that would be Business is way in the back, it can not be seen. It's in the same area as it has been for years, they never complained about seeing it before, it wouldn't change at all. The town is forcing us to apply for a Business License, we've never had a problem before, now this is the way we have to go because of legalities. It's not our choice, we didn't decide we wanted to have a business - the town is making us do this in order to keep what we

have there now, which is keeping my children. Their father has trained them all to be mechanics, they've got a livelihood from it, I don't have any problems with drugs, any problems from anybody in this town from our children getting into trouble. They are home where they belong, this is where we want them, we've kept them occupied and out of trouble, this is why we bought the land, because we want to raise our family too. We have rights as people, we want our rights to keep what we have, keep our children out of trouble, keep them in a livelihood, not having to have other people take care of them. I think we are entitled to our rights, we bought our land 21 years ago - we've been there quite a while, too. We've done a lot of favors for these people, we didn't have to do them. We believe in helping our neighbors, we'd like a little help from them once in a while. We've never asked them for anything - never. Now when we need some backing up - who's our friends, who's our neighbors, they're all turning their faces on us. I'm sorry, this is not the way the Bible says, "love thy neighbor", help out, turn the other cheek, we've turned it too many times.

MR. LAMBERT:

Since we've moved in it seems the town has been on our back. We moved in, we had a new house trailer, we wanted to attach the house trailer to our house and box it in completely - they wouldn't let us. We wanted to remodel the complete house at that time. The town has known about this junkyard for I'd say 20 years, they haven't done nothing with reference to it. If they knew about it they should have done something long ago.

SUPERVISOR KENNEDY:

I'd like to make comment on it, if I might. I've been disappointed and certainly you have a point there that the town should have at some period of time very stringently enforced regulations. We've have complaints from people, not only relative to your junkyard, but relative to many junkyards in the town. We had a problem with our previous Enforcement Officer in not enforcing the law. I can't answer for all past administrations that have served in this government, I can answer for this administration, and I will answer for this administration because of the fact that we had problems with the Enforcement Officer not enforcing, we changed Enforcement Officers and appointed someone else to stringently enforce the law, because at least the members of this Board feel, that in adopting certain laws to govern this locality, then those laws should

be enforced, otherwise, abandon the laws. I feel this way myself. I understand your predicament and certainly sympathize with your wife's comments. It has provided a livelihood for you people, but each year it has expanded and grown in proportion. I wasn't even aware of the magnitude of that particular yard until aerial photographs were brought to my attention sometime ago. What has happened is, what has stirred up, as it has in other areas of the town, a few vehicles has now grown in magnitude until it is now a full-scale junkyard. As far as I am concerned, it does require Business zoning to conduct that kind of a business in the Town of Boston because you have to respect that there are other people's property that are affected, as well as your own. You certainly have property rights as a property owner, but the people that live adjacent and across the road from you and in that particular area certainly have the same protections afforded to them under the zoning. That's the purpose of zoning laws, to afford people protection. They purchase property with the knowledge that in that particular area some things are allowed and some things are disallowed. I know in the particular area where I live I understood when I purchased that property what I was allowed to do there. If I do something different in that particular property then I jeopardize and affect those properties that are adjacent to and within the same confines as that subdivision. I understand what you are saying, it's a large property up there - it is 33 acres; it's not clearly visible from the road although some of it has been visible in the past; but the point remains, we have stringently enforced the provisions of our current Junkyard Ordinance as it is applicable, not only to yourself, but to Mr. Trevett while he was still there, to the DiMarcos, and to all the people that have heretofore had junkyards in the Town of Boston. We've made an energetic effort to clean those properties up. Even though I sympathize with you and understand your predicament, I have a very difficult time in looking favorably on an application such as this. I don't know whether any members of the Board would like to comment on this or not.

MRS. LAMBERT:

The majority of the people in the Town of Boston, I don't see very many of them represented here - there are four people that have complained against it. Now, if it is that much of an issue to the Town of Boston, why aren't there more people here complaining about it? Why do four people have so much say over the ruling of

everybody elses lives? Now, I would think the majority has a lot to do with that. There's people right next to our property that haven't said a damn word about it. Heichbergers - they have land adjoining our property - they've got more acres than any of these people here have, they haven't said a word about it. Now, if they were that concerned, they're right next to us.

MR. LAMBERT:

She (pointing to Town Clerk) sent out a bunch of letters and these are the only one that have answered.

MRS. LAMBERT:

Four people who are elderly people and going to retire. What about the younger community, don't we have any rights?

MR. LAMBERT:

These are all retired people.

SUPERVISOR KENNEDY:

In answer to your questions, I understand what you are saying. There may only be one person - one person in a particular area that brings this to the Board's attention and complains. But I still feel that this Board has an obligation to respond to that one person. If there is a certain law that has been passed, if that law is not correct, then this Board should change it, but as long as that law exists, I have taken the duty to uphold the laws that presently exist or were adopted by Boards before my time. The Junkyard Ordinance was adopted in 1967. It requires that you have Business property in order to conduct a junkyard business. You are conducting a junkyard business illegally on a property that is presently zoned Agricultural, so the only way that you can actually conduct that business legally is if that has a business zoning, therefore, you came to this Board asking for a business zoning and these people are here in opposition to that.

MR. LAMBERT:

You stated that it was in 1967.

SUPERVISOR KENNEDY:

Well, it's in the 60's somewhere. Don't hold me to the exact date because I don't have a copy of the Ordinance here, but I know that it was adopted sometime in the 60's.

MR. LAMBERT:

I think that if we are dealing with the Junk Ordinance we ought to know the exact date of it.

SUPERVISOR KENNEDY:

We have the exact date, sir. There is no problem with providing you with the exact date. I could have the Town Clerk . . .

MR. LAMBERT:

We were there before 1967. We've got the "Grandfather Clause" behind us.

SUPERVISOR KENNEDY:

I'm not going to try the litigation here. There is litigation pending. It is my understanding that you were asked by your legal counsel to apply for business zoning. That's where the stop has occurred in the litigation. I'm not trying that litigation, I'm not in that position. We are legislators and not judicial people on this Board. All we're making is a determination whether in fact we would be receptive to a change in the zoning there that would put your property in conformance with what's required according to the present law. Whether you have preexisting rights there is something that will be determined by the courts. The Junkyard Ordinance was adopted on August 4, 1965 which is an Ordinance Licensing and Regulating Dealers in Second Hand Junk and Auto Parts Activities in Business in the Town of Boston. It goes on to explain that in the framework of this particular ordinance it does in fact require that this be conducted on a property that is zoned Business. That's the reason we're here today; that is the reason we're conducting this hearing; that is the reason we're hearing people that live adjacent and in that general area because anytime when this Board takes action to rezone a property that is the procedure that we go through - notifying the adjacent and the surrounding property owners, drafting letters to get comments from both the Planning Board, Conservation Council, SEQR and all the requirements that we have to go through and a complete review is made by members of this Board. It has been the former consensus and agreement among the members of this Board to be very reluctant to grant Business zoning in areas where there is no business. In other words if it is just adjacent to or parallel with a present Business zoning, this Board has been more receptive in granting Business expansion. But to create an entirely new business zone that is not consistent with the Master Plan, to me is not conscienable and I am not in a position that I would be receptive to granting it.

MRS. LAMBERT:

Two years ago they served us the papers and we said let's go to court now and fight this and get it over with. We almost lost our baby because it caused complications with my pregnancy, caused high blood pressure. She was in Childrens' Hospital for three weeks, she almost died. Now this is a result of all the stress, etc. that was carried on throughout

this court session. We figured we would get it over with. Not even 36 hours after I had that baby we were in this courtroom here, fighting to get this battle over with. We got an answer of "Not Guilty." A year, two years later, they come back and take us to court again - Supreme Court we went. I told the judge there, the Town of Boston does not have a License Board, why should we apply for something that doesn't exist? You're telling us to apply for a license. This is what you're telling us by going to court. How can we apply for something that does not exist? We try to stick with your laws and we are getting nowhere. We can't afford a lawyer to fight for us, we're doing it on our own and I guess we're not getting very far because you have your little political boxes and that's as far as anything goes. If you don't pay off somebody, you don't get what you want. We can't afford to pay, we want to do things right.

SUPERVISOR KENNEDY:

I'm sorry you feel that way, Caroline, and I really can't answer all of your determinations that have to do with the law, although I think you are in error in making those inferences - I don't think that is very proper here. I think we try to consider each thing on its merits. I'm hopeful that the Board looks on applications without having made a predetermination and I certainly have in this particular instance. If the law, as presently drafted, is in error than that law should be changed, but as long as that law exists, I have an obligation as a town official to enforce that provision of that law. It requires Business zoning. To say that we don't have any Junkyard Permits, is because we don't have any legal junkyards operating in the Town of Boston. There are restrictions and regulations that have to be met if someone... we are in the process of closing down the one existing junkyard that had preexisting rights, that had been granted permits some years back. There were two when I came into office. The one that was conducted by the North Boston Garage and the one on the Back Creek Road that had existing permits and we were advised by legal counsel at that particular time that until those properties were brought into conformance with existing junkyard law, they were not to be granted anymore permits. I think that is what we're saying here. I can't try your case, that is not what we're here for, we're here to make a determination on the zoning, so let's try to confine our remarks to the issue at hand, because

I'm not going to make any legal interpretation of the law.

MR. LAMBERT:

There is one other thing I'd like to state. Why was I selected for the problem when we went to court two years ago. There was a letter sent to the state to find out who had applied for state licenses and there were half a dozen names and none of those other names have been issued summonses.

SUPERVISOR KENNEDY:

As a matter of fact, the Code Enforcement Officer has an extensive record this year, if you'd like to review that with him, of different people who he approached this year that have subsequently cleaned up those areas, or they would have been served summonses. You are speaking now of dismantling licenses that are required under the provisions of the State of New York, which you are required to have even, in fact, if you are dismantling to protect those people whose vehicles were being stripped. I was there when they passed that legislation, or expanded on it. We reviewed all these people to see if these people who were engaging in this type activity had this, one of the enforcement officers, in fact lives down the street from where I reside; so we were monitoring it and certainly you may feel like you were selected or discriminated against, but that's not the case. We've been trying to do the same with you as we've done with everyone else who is in violation of the present law. In the present law, even if you do have a junkyard, it has to be fenced and there is a lot of other regulations that come into play. You just can't select some area and start abandoning and parking buses and automobiles and everything else. When I saw that area viewed from the air and I wasn't allowed on your property when I was up there, I can see that it had really grown from what it was a few years back.

MRS. LAMBERT:

We told the town we were willing to put in the fences and everything else and have it confined to an area, if we were granted the permit. We weren't about to put up the expense of a fence and everything else.

SUPERVISOR KENNEDY:

Right. You've taken the first step and that is the application for the business zoning and that is up to this board. I'm not going to be the only one that makes comment. If the board would like to make a comment, they are certainly free to do so.

COUNCILMAN WITTMAYER:

I have to agree with the Supervisor completely. In fact, I'm not even thinking about your junkyard, I'm thinking about the rezoning only, that's all I have to vote on, whether I want to rezone this piece of property to Business or keep it in Agriculture, as it is now. But I want to ask the Town Attorney a question. Wasn't there an incident here a while back where a town was taken to court and found they could not spot zone in an area such as this?

MR. MAXWELL:

That is your general case law. Spot zoning is throwing something in an area that is completely different. If it was adjacent to a business or even a residential restricted business, tacking on or even contiguous to it, that, in my opinion, would take it out of the spot zoning, but I don't think that is the situation here. In my opinion, if you want my answer, it is spot zoning.

COUNCILMAN WITTMAYER:

There was some litigation on spot zoning in the past, wasn't there?

MR. MAXWELL:

There is always litigation on it. We haven't had any in the town. The question came up on this on Omphalius Road, we got a legal memorandum when that was requested to be rezoned for the health resort. That was spot zoning. I would like to clarify something Dick said so there is no misapprehension about it. Prior to the regulatory ordinance on junkyards, which was apparently adopted in 1964, prior to that, you just could not put a junkyard in a residential area after 1958, when we first adopted our Zoning Ordinance. 1958 is the controlling date on junkyards, as to where they can go in certain zoned areas, 1964 is merely regulating junkyards, fencing, inspections, records, etc.

MR. LAMBERT:

Where in Boston can a junk yard go?

SUPERVISOR KENNEDY:

There are areas that are presently zoned Business, where under the present ordinance they can be located. Hopefully, when the revisions are made in the present ordinance, we're going to have certain areas that will be zoned where you could have this designation. I understand what you are saying, there probably should be some provision within the Town of Boston for junked vehicles, but it certainly isn't smack-dab in the middle of an Agricultural zone.

MR. LAMBERT:

So, you're telling me Boston dosen't have any place for a junkyard.

SUPERVISOR KENNEDY:

Well, I'm not telling you that. I'm telling you under the present zoning law, you could put that junkyard in a business zone, if in fact you made application, and it was approved. I'm saying there are provisions for a junkyard under the present Ordinance. They may change I am saying under Ordinance revisions that are under consideration by the Board. In most municipalities it requires a Commercial or an Industrial area, and not just strictly Business. You can't have a business like a restaurant or a bowling alley with a junkyard next door. There is a difference between businesses. There is a difference between the type of businesses and that certainly is for the protection of all involved.

Are there any other members of the Board that wish to make any comments or are there any other comments from anyone on the floor on the rezoning request of Mr. and Mrs. Lambert.

A motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter to close the Public Hearing at 9:01 P.M.

five (5) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter to deny the rezoning request of Mr. and Mrs. James Lambert, 8234 Lower East Hill Road, to rezone their property from Agriculture A-1 to Business B-1 for the purpose of running a junkyard business.

five (5) ayes

Carried

Special Meeting
October 28, 1985

Town Hall
7:00 P.M.

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

The Public Notice, which was published in the Orchard Park Suburban Press on October 21, 1985, was read by the Town Clerk. She also read the proposed Local Law Number 3 of 1985, entitled a "Local Law providing for a proportional increase or decrease in Veterans Exemption pursuant to Section 458 of the Real Property Tax Law."

Supervisor Kennedy then opened the Public Hearing for comments from the floor.

Frank Smolinski, 4460 Newton Road, Town of Hamburg, spoke as Commander of the VFW Hamburg Post and stated these benefits should be made available to the veterans, as these men are responsible for our country being free today.

Joe Lisowski asked how the taxes are computed. Supervisor Kennedy explained that Erie County has already approved the veterans exemptions on taxes. Mr. Kennedy said that approximately 5/6 of the tax bill is for county taxes, and 1/6 for town taxes. Special District taxes, such as Refuse & Garbage, Water, Sewer and Lighting would not be exempt from taxes. The equalization factor is very low in the Town of Boston, 8.33 as compared with perhaps 20 in other nearby towns, therefore people who in the past had total exclusion from taxes may find they are not totally excluded under the revaluation program.

Harold Heisler stated they have less exemption now than previously due to the fact that the taxes have increased.

George Washburn, Allen Drive, said he felt some veterans would lose under the revaluation program.

Paul O'Brien said he never applied before this year for an exemption and asked about getting credit for the years he hadn't received an exemption.

Frank Smolinski said he has information for any veteran that does not have the proper paperwork necessary in order to apply, and that he will give anyone interested an address in Philadelphia where they may obtain their record information. Supervisor Kennedy stated that Assessor William Kleis also has this data.

Larry Towers asked is the Town of Boston agrees with full benefits.

Myron Puffpaf, Wohlhueter Road, asked if World War II veterans that previously applied would have to reapply. Supervisor Kennedy said no, they would not have to reapply. Mr. Puffpaf asked when the decision would be made. Supervisor Kennedy said it would be made at this meeting.

A Gold Star mother asked if all veterans are eligible.

Assessor Kleis said it was necessary to bring in service records, including discharge papers and combat status in order to apply.

Walter Voisinet, Lower East Hill Road, asked what reason there would be for not approving this exemption. Supervisor Kennedy said there were no reasons for not approving it. Mr. Voisinet also asked if we keep the same tax rate when we go to full value assessment. Supervisor Kennedy said we would be taxed at the same rate, but full value is about ten times greater, therefore in order to get the same revenue, it has to be reduced by one tenth.

Bob Los, Northside Drive, asked if any layover would be carried forward. Assessor Kleis said that if a property owner has an exemption of 5000 and does not require it all at the present time, but in the future purchases a new house with a higher assessment, the full benefit will be carried over.

PUBLIC 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 October 16, 1985, a copy of Local Law Number 3 of the Year 1985, entitled a "Local Law providing for a proportional increase or decrease in Veterans Exemption pursuant to Section 458 of the Real Property Tax Law."

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 Monday, October 28, 1985 at 7:00 P.M. Eastern Standard Time, at which time all persons interested will be heard.

Dated: October 17, 1985

Joyce Carr
Town Clerk
Town of Boston

Councilman Wittmeyer asked if there was anyone present who objected to the veterans exemptions on town taxes. There was no reply.

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman to close the Public Hearing at 7:22 P.M.

five (5) ayes

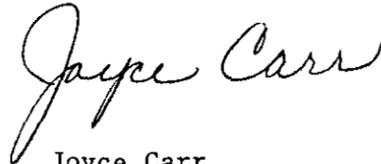
Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter to approve Local Law Number 3 of the Year 1985, entitled a "Local Law providing for a proportional increase or decrease in Veterans Exemption pursuant to Section 458 of the of the Real Property Tax Law."

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to adjourn at 7:23 P.M.



Joyce Carr
Town Clerk

Regular Meeting
November 6, 1985

Town Hall
7:30 P.M.

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

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman that the Minutes of the Regular Meeting of October 16, 1985 and the Special Meeting of October 28, 1985 be approved.

five (5) ayes

Carried

A motion was made by Councilman Faulring and seconded by Councilman Wohlhueter that the General Fund and Special District Bills on Abstract #11, November 6, 1985, in the amount of \$21,966.39 be paid.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Supervisor Kennedy that the Highway Bills on Abstract #11, November 6, 1985, in the amount of \$12,003.27 be paid.

five (5) ayes

Carried

A letter was received and filed from Empire Energies, advising of gas well drilling on the George V. Hornberger property by Cotton Well Drilling Company.

Resolutions were received from the Towns of Amherst, Alden, Concord and Hamburg regarding reducing court awards and insurance premium costs to municipalities. Also received were letters from Assembly Speaker Stanley Fink and Assemblyman L. William Paxon, acknowledging receipt of the Town of Boston Resolution which would limit the tort liability of local governments.

Resolution was received from the Town of Concord relative to the Cable Communications Policy Act of 1984.

A letter was received from the Erie County Partnership, expressing consideration for the town's involvement in providing summer employment for disadvantaged youth. Supervisor Kennedy noted that the town benefits by having the youth work during the summer and that the town thanks the Erie County Partnership for this program.

A letter was read from Erie County Executive Edward Rutkowski, expressing appreciation for the hospitality received during his recent town meeting at the Boston Town Hall. Supervisor Kennedy noted that these meetings are very beneficial and give residents a forum for questions and concerns and it is an opportunity of which more residents should have attended.

Received notification from the Department of State that Local Law No. 2 of 1985 of the Town of Boston - Amendment to Zoning Ordinance has been received and filed.

A letter was read from Gertrude Bobseine, 6739 Mill Road, relative to criticism of Clark's Service Station on Mill Road and the concerns she has relative to three above ground rusted gasoline tanks, which she said are highly dangerous and a threat to safety of the residents of the area, due to explosive potential. Supervisor Kennedy directed Town Clerk Carr to write a letter to the Department of Environmental Conservation, enclosing a copy of Mrs. Bobseine's letter, and any federal authority that has jurisdiction over gasoline storage in order to see if there is any violation of federal or state statutes, as there is in local ordinances. He also stated that complaints have been received from the Boston Fire Company on this situation. Mr. Kennedy said the Code Enforcement Officer will be asked to contact Mrs. Bobseine and explain to her that the Town Board has not overlooked this problem and that the Clarks have been convicted of transporting gasoline in an improper tank on an improper truck. Town Clerk Carr will also contact Norman Grapes, President of the Gasoline Retailers of Western New York, for his input on this matter.

At 7:45 P.M. a Public Hearing was held on the 1986 Preliminary Budget, Including Federal Revenus Sharing Funds. The Public Notice, which was published in the Suburban Press on October 14, 1985, was read by the Town Clerk. Supervisor

Kennedy made a correction in the Federal Revenue portion of the Preliminary Budget, as since the Preliminary Budget was drafted, expenditures were made in Drainage, reducing the amount of monies held for reappropriation. He then read the Summary of Town Budget, noting that there are changes in Federal Revenue Sharing only, otherwise everything else remains the same as in the Preliminary Budget previously read at the October 2, 1985 Town Board Meeting. There were no questions or comments from the floor.

A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter to close the Public Hearing at 8:00 P.M.

five (5) ayes Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Faulring that the 1986 General Fund Budget be approved as follows:

Appropriations	\$613,100.00
Less Estimated Revenues	394,000.00
Less Unexpended Balance	150,000.00
Amount to be Raised by tax	69,100.00

five (5) ayes Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman that the 1986 Highway Fund Budget be approved as follows:

Appropriations	\$477,088.00
Less Estimated Revenues	198,300.00
Amount to be raised by tax	278,788.00

five (5) ayes Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring that the 1986 Federal Revenue Sharing Budget be approved as follows:

Appropriations	\$ 34,800.00
Less Estimated Revenues	30,150.00
Less Unexpended Balance	4,650.00
Amount to be raised by tax	-0-

five (5) ayes Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman that the 1986 Light District Budget be approved as follows:

Appropriations	\$ 15,107.28
Less Estimated Revenues	382.28
Amount to be raised by tax	14,725.00

five (5) ayes Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman that the 1986 Water District #1 Budget be approved as follows:

PUBLIC NOTICE PUBLIC NOTICE

NOTICE OF HEARING UPON PRELIMINARY BUDGET INCLUDING USE OF FEDERAL REVENUE SHARING FUNDS

NOTICE IS HEREBY GIVEN that the preliminary budget of the Town of Boston including the use of Federal Revenue Sharing Funds for the fiscal year beginning January 1st, 1986, 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 7:45 P.M., Eastern Standard Time, on the 6th day of November, 1985 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 108 of the Town Law, the proposed salaries of the following town officers are hereby as follows:

Supervisor	\$15,500.00
Councilman	\$ 4,200.00
Town Clerk	\$21,300.00
Superintendent of Highways	\$25,000.00

Pursuant to Federal Regulations to proposed use of Federal Revenue Sharing Funds in the amount of \$30,400.00 are to be used as follows:

Category	Total of All Funds	Revenue Sharing Funds
Highway - Debt Service	\$15,200.00	\$ 8,000.00
General Fund -		
Ambulance	15,200.00	7,200.00
Parks	4,150.00	4,150.00
Administration	250.00	250.00
Garage	5,500.00	5,500.00
Central Communications System	5,300.00	5,300.00

All interested citizens will have the opportunity to give written and oral comment. Senior Citizens are encouraged to attend and comment.

Dated: October 8, 1985

By Order of the Town Board
Joyce Carr
Town Clerk

Appropriations	\$ 43,544.66
Less Estimated Revenues	1,200.66
Amount to be raised by tax	42,344.00

five (5) ayes Carried

A motion was made by Councilman Faulring and seconded by Councilman Wohlhueter that the 1986 Water District #2 Budget be approved as follows:

Appropriations	\$ 42,215.00
Less Estimated Revenues	1,000.00
Amount to be raised by tax	41,215.00

five (5) ayes Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman that the 1986 Fire Protection Budget be approved as follows:

Appropriations	\$161,430.89
Less Estimated Revenues	317.89
Amount to be raised by tax	161,113.00

five (5) ayes Carried

A motion was made by Councilman Faulring and seconded by Councilman Wohlhueter that the 1986 Sewer District #1 Budget be approved as follows:

Appropriations	\$ 1,000.00
Less Unexpended Balance	1,000.00
Amount to be raised by tax	-0-

five (5) ayes Carried

A motion was made by Councilman Wohlhueter and seconded by Supervisor Kennedy that the 1986 Sewer District #2 Budget be approved as follows:

Appropriations	\$ 2,499.13
Amount to be raised by tax	2,499.13

five (5) ayes Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring that the 1986 Sewer District #3 Budget be approved as follows:

Appropriations	\$ 450.00
Less Unexpended Balance	450.00
Amount to be raised by tax	-0-

five (5) ayes Carried

A motion was made by Councilman Faulring and seconded by Councilman Wohlhueter that the 1986 Sewer District #4 Budget be approved as follows:

Appropriations	\$ 1,000.00
Less Unexpended Balance	1,000.00
Amount to be raised by tax	-0-

five (5) ayes Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring that the 1986 Refuse and Garbage District Budget be approved as follows:

Appropriations	\$ 12,501.64
Less Estimated Revenues	601.64
Amount to be raised by tax	11,900.00

five (5) ayes Carried

A letter was read from the County Department of Environment and Planning, Office of Disaster Preparedness regarding a training seminar on hazardous materials. Supervisor Kennedy stated that this seminar might have been of particular importance to the Conservation Advisory Council, however the seminar is being held this date and notice was not received in time.

Supervisor Kennedy stated he has received a letter from the Conservation Advisory Council concerning chemicals used by lawn care firms and the effect of their use. He said this matter will be reviewed by the Town Board and tabled until that time.

A letter was received from Robert T. Dombrowski, Commissioner of Finance, reporting that the apportionment and distribution of the 4% Sales Tax revenue for the month of October, 1985 reflected an adjustment of the amount due to Erie County by New York State. The amount received by the Town of Boston for the month of October, 1985 was \$37,246.74.

Notification received from Department of State that Local Law No. 3 of 1985 of the Town of Boston - Veterans Exemption - has been received and filed.

A letter was read from Hamburg Cablevision, Inc. enclosing franchise fees for the six months ended September 30, 1985 in the amount of \$5,222.37.

New York State Electric and Gas Corporation reported they have replaced defective MV fixtures with HPS in September, 1985, as follows:

Patchin Road.

Install 1 - 5200 lumen HPS lamp @ \$ 86.64

Install 1 - 7000 lumen MV lamp @ \$105.48

Annual Decrease \$ 18.84

A letter was received from the Erie County Department of Senior Services with notice of a public hearing on November 20, 1985 on the Update to the Four Year Plan for Community Services for the Elderly Programs.

Notice of Claim was received from attorneys for Paul J. Fintak, relative to an accident that occurred on August 13, 1985 at the intersection of Feddick Road, Brown Hill Road and Zimmerman Road. Town Attorney Maxwell informed the attorneys that all three of these roads are Erie County roads and not Town of Boston roads.

Town Attorney Maxwell stated he will prepare a resolution for the Town Board to consider regarding frivolous actions that allow lawsuits against defendants who have no responsibility to the plaintiffs. Rule #11 of the Federal Rules of Procedures covers these type actions, but state legislation could be a possibility also.

Notices of non-renewal of insurance were received from Montgomery and Collins, Inc. and Pacific Employers Insurance Company.

Notice received from Erie County Department of Fire Safety with notification that Norman R. Gagne of the Patchin Volunteer Fire Company has completed a New York State Fire Police Training Course.

Resolution received and filed from Richard Petrus, Assistant Superintendent for Business & Support Services of Orchard Park Central School, confirming the tax rolls and authorizing the tax levy for the 1985-86 real property tax collection.

RESOLUTION - PFARNER ROAD

Notification received from the State Board of Equalization and Assessment, advising of tentative state equalization rate for 1985 at 8.03 percent. Supervisor Kennedy asked the Town Attorney to check this notification for any errors and if there are none, the town will accept this rate.

A letter was received from Fisher Scientific Company, advising that federal regulations require that any employee who handles hazardous chemicals be given Material Safety Data Sheets. Highway Superintendent Kreitzbender's name will be submitted as the person who handles the MSDS sheets.

A motion was made by Councilman Zimmerman and seconded by Councilman Faulring, authorizing the Supervisor to send letters to property owners who have delinquent water bills from the Erie County Water Authority, per the list supplied by the Erie County Water Authority.

five (5) ayes

Carried

The Supervisor's Monthly Financial Report was received.

The Town Justice Monthly Financial Report was received.

Town Attorney Maxwell said that, with the consent of the Town Board, he would draft a letter to the Erie County Water Authority, stating there is no objection to Robert Weller tapping into the water line that is within the boundary of his lot on Taylor Road.

Councilman Wittmeyer reported that the Patchin Fire Company is having problems with a road drainage culvert at their station on Cole Road and have asked for the Town Board assistance in having the county correct the problem. The Patchin Fire Company wrote a letter to the Town Board regarding the problem and the Town Clerk was directed to forward a copy of this letter to the county, with a cover letter from the town, putting the county on notice of this problem.

Councilman Wohlhueter reported there is a similar problem on Eckhardt Road with the drain culverts being too high that were installed by the county with the recent road reconstruction. This matter will be tabled until the next meeting of the Town Board.

The Police Department Monthly Report was received.

The Town Engineer Monthly Report was received.

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

The Dog Control Officer Monthly Report was received.

A letter was read from the Planning Board, outlining their concerns with the request of John and Katherine Falkides for the establishment of nine new mobile home lots at the Boston Hills Mobile Home Park. Town Clerk Carr also read a letter received from Mr. and Mrs. Falkides this date in reply to the concerns expressed by the Planning Board. Mr. and Mrs. Falkides were present at the meeting and Mr. Falkides said that there would be a 30 foot setback from the road right-of-way to the lot line and the homes would be 50 feet from the right-of-way. Supervisor Kennedy said he feels a public hearing is required on the request to add nine mobile home lots because it is a major change to the mobile home court, as the trailers will be more visible. Mr. Falkides said that some visual screening is a possibility, although it will not be elaborate. He also stated he will delete one lot from his request on advice of Kenneth Decker, as this will facilitate snow removal. Councilman Faulring asked about the safety aspect, as these homes will be close to the creek. Patricia McCall, Manager of the court, said that has never been a problem, as it is heavily wooded along the creek. Supervisor Kennedy said the first step would be for Mr. Falkides to stake out the lots under consideration and let the Town Board know when this is completed and they will meet with Mr. Falkides on the site. He said a survey with topographics is a prerequisite for consideration by the Town Board, but the staking of the lots is a first step.

Mr. Falkides also inquired if the Town Board could take any action on the burned-out house next door to the Mobile Home Court, as conditions there pose a danger. Supervisor Kennedy agreed that this was an unsafe building and directed the Town Clerk to draft a letter to the property owner's insurance carrier, putting the company on notice that unsafe conditions exist in this building.

A motion was made by Councilman Faulring and seconded by Supervisor Kennedy to adjourn at 9:29 P.M.



Joyce Carr
Town Clerk

Regular Meeting
November 20, 1985

Town Hall
7:30 P.M.

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

A motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman that the Minutes of the Regular Meeting of November 6, 1985 be approved.

three (3) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter that the General Fund and Special District Bills on Abstract #11A, November 20, 1985, in the amount of \$3,355.13 be paid.

three (3) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman that the Highway Bills on Abstract #11A, November 20, 1985, in the amount of \$4,346.32 be paid.

three (3) ayes

Carried

Resolutions were received and filed from the Towns of Sardinia, Grand Island and Colden regarding municipal liability insurance coverage.

Resolution from the Town of Sardinia was received and filed regarding cable television rate regulations.

A letter was received from the North Boston Volunteer Fire Co., Inc. regarding change in status of members. These changes are an update of their membership records.

A letter from International Cable was received and filed, relative to increases in rates of cable television service.

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman to accept the snow removal agreement for plowing of county roads for the 1985-86 winter season.

three (3) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter to make transfers of appropriations of the Highway Fund, as follows:

From DA5112.2	\$7872.96
DA5110.1	4130.33
To DA5110.4	\$12,003.29

three (3) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Supervisor Kennedy to make appropriation of excess revenue, as follows:

DA2801 Interfund Revenue	\$ 6,924.60
DA2665 Sale of Equipment	4,868.00

Appropriations:

DA5110.4 Repairs & Imp.	\$3,807.02
DA5130.2 Machinery	4,423.00
DA5130.4 Machinery	3,562.58

three (3) ayes

Carried

Notice of non-renewal of vehicle insurance for the Boston Emergency Squad was received from Indemnity Insurance Company of North America.

Town Clerk Carr read a letter received from Leonard Saniewski, Deputy Commissioner of Highways, in which he stated that the county has no objection to the town renaming a county road by board resolution. He recommended that input from the West Falls Fire Department, East Aurora Fire Control and the Town of Colden be asked for before any action is taken. Mrs. Carr reported she also received a reply from the West Falls Fire Company, stating they have no objection

to the name change and from the East Aurora Fire Control, who also have no objection. She read a letter received from Walter E. Voisinet, E7685 Lower East Hill Road, who strongly opposes the proposed name change and recommends changing the numbers on the east-west portion, making them clearly distinct from those on the north-south portion. Mark Pecyna, E7741 Lower East Hill Road, stated he was in favor of leaving the name of the road as is, rather than changing the east-west portion to Burr Road, as tabled from the September 18, 1985 meeting.

At 7:45 P.M. a Public Hearing was held on the request by Mr. and Mrs. Joseph Crotty and Carl Emerling to rezone a portion of the property at 9046 Boston State Road from Residential Restricted Business RRB to Business B-1. The Legal Notice was read by the Town Clerk. She noted that the County of Erie responded to the referral notice by making no recommendation, but they did state that if another access to Boston State Road is planned, a County Highway permit is needed. Mrs. Carr also stated that the adjoining property owners have been notified of this hearing and she read a letter from the Planning Board, recommending that the rezoning request be approved, as modified by the applicants that the most southerly 25 feet of the property remain in its present zoning of Residential Restricted Business RRB, which would be a buffer zone to the adjacent property. There were no questions or comments from the floor.

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman to close the Public Hearing at 7:51 P.M.

three (3) ayes Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter to approve the rezoning request of Mr. and Mrs. Joseph Crotty and Carl Emerling to rezone a portion of the property at 9046 Boston State Road, per the legal description, from Residential Restricted Business RRB to Business B-1.

three (3) ayes Carried

Marilyn Pecyna, E7741 Lower East Hill Road, stated that she is in favor of retaining their road name, and not changing it to Burr Road, because of the confusion it would cause. Mrs. Daniel Sauer, E7692 Lower East Hill Road, stated there would be many problems for the residents in changing their address, and they have lived there 30 years and never had any problems with their mail, giving directions to their home, etc. She said an easier, less confusing way would be to change the house numbers, so that they are different from the north-south portion of the road. Maria Galenski, E7719 Lower East Hill Road, stated she is against changing the name, but changing the numbers would be fine. She said she called Hamburg Fire Control and the Patchin Fire Company and gave information for locating those houses in the east-west portion of the road. Supervisor Kennedy said there have been documented problems in the past with emergency services locating residences on Lower East Hill Road, due to the conflict in house numbers and that this request came from the Patchin Volunteer Fire Company as a solution to the problem. He also said that each resident should mark their mailboxes clearly and in large print, with their names and numbers. The Town Clerk said that, in her opinion, the town would not be able to change the house numbers, as it is a county-wide numbering system. Walter Voisinet stated it is not logical that the town has the authority to change the name of a road, but not to change the house numbers, and he would challenge whatever authority in the county says this. James Carr, 7231 Boston State Road, stated that Hamburg Fire Control has completed a configuration map of every residence in the Town of Boston, which shows the location of all buildings on each property, which should be most helpful to fire emergency vehicles. Supervisor Kennedy said that a copies should be obtained of these maps and a copy for each ambulance supplied to the Emergency Squad. Richard Hayden, President of the Patchin Fire Company, said that the

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 20th day of November, 1985, at 7:55 P.M. Eastern Standard Time in the Boston Town Hall, 8500 Boston State Road, Boston, New York, on the petition and request of Joseph A. Crotty and Margaret C. Crotty to rezone the following described property, which is presently zoned Residential Restricted Business RRB to Business B-1 under the Zoning Ordinance of the Town of Boston, said property being described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Boston, County of Erie and State of New York, being part of Lot No. 3, Township 8, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at the northeast corner of premises conveyed by Joseph A. Crotty to Joseph A. Crotty and Margaret Crotty, his wife, by Deed recorded in the Erie County Clerk's Office in Liber 9354 of Deeds at page 526; thence running westerly at an interior angle of 95° 44' 54" to a point; thence southerly to a point 25 feet northerly from the southerly line of premises conveyed to Joseph A. Crotty and Margaret Crotty, his wife, aforesaid; thence easterly 25 feet northerly from the southerly line of premises conveyed to Joseph A. Crotty and Margaret Crotty, his wife, by deed aforesaid 543 feet to the center line of Boston State Road; thence northeasterly and along the center line of Boston

State Road 110.40 feet to the point or place of beginning, excepting from the above described premises that part thereof lying within the public highway known as Boston State Road.

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

Joyce Carr
Town Clerk

Dated: November 1, 1985

idea of changing the east-west portion of Lower East Hill Road to Burr Road was only a suggestion by the company in order to avoid delays when responding to calls and that everyone should be specific when calling for an emergency vehicle by stating "E" or "S" as part of their address. Mrs. David Sarata, E7773 Lower East Hill Road, stated she has had two occasions when calling the Emergency Squad when delays occurred because of the confusion over which section of Lower East Hill Road her house was located on. She read a letter in which she stated she strongly supports changing the east-west portion to Burr Road and also that she will hold the Emergency Squad, Patchin Volunteer Fire Company, the Boston Town Board and the County of Erie responsible for any delay in reaching her home if an emergency arises. Supervisor Kennedy directed the Town Clerk to communicate by letter with Erie County Legislator Henry and the people in charge of the county-wide numbering system asking if the town has jurisdiction to renumber the road. He also asked that this matter be tabled until the December 18, 1985 Town Board meeting so that replies may be received from these communications. At this time, a full complement of board members will be present and the property owners will be notified by letter of this meeting.

A letter was read from Ann Schunk, Friday Night Youth Leader, submitting her resignation due to her full-time work schedule, effective January 1, 1986. Supervisor Kennedy stated the Town Board accepts her resignation with regret and directed the Town Clerk to send Mrs. Schunk a letter of thanks for her services.

A motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman, authorizing the Supervisor to apply to John Mowatt of Community Development for permission to transfer the balance of funds from Phase I of the Meadow Drive Drainage Project to the Erie County Neighborhood Preservation Program; with these funds being earmarked for sewer tap-in assistance.

three (3) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman to set a Public Hearing for December 18, 1985 at 8:00 P.M. on the request of John and Katherine Falkides for additional lots at the Boston Hills Mobile Home Park.

three (3) ayes

Carried

Supervisor Kennedy read a letter he received from Herbert Wehrfritz of Valley Truck & Equipment Co., requesting permission to maintain a 290 gallon gasoline tank and a 290 gallon diesel tank at their place of business on Trevett Road. Code Enforcement Officer Dennis Kramer said he has made a visual inspection of the area where the gasoline tanks are, but will have Valley Truck put together a plan which will comply with the State Building Code before a decision is made by the Town Board on this request.

A letter was read from the Planning Board, asking the status of the proposed Mobile Home Court Ordinance, which was submitted to the Town Board on April 14, 1983. Supervisor Kennedy directed the Town Clerk to send a letter to the Planning Board, inviting the members to attend a meeting of the Codification Committee, at which time this proposed ordinance will be discussed.

A letter was read from the Drainage Committee regarding the deterioration of the bridge on Patchin Road. Supervisor Kennedy said that Harry Strack, Chairman of the Traffic Safety Committee, also has brought this matter to the attention of the Town Board and has been unsuccessful in establishing a meeting with County Highway officials in order to discuss this and other County highway problems. Supervisor Kennedy directed Town Clerk Carr to contact Philip Frandina, Commissioner of Highways, with copies to Leonard Saniewski, Deputy Commissioner of Highways and Legislator Karl Henry with a request for a meeting with the Traffic Safety Committee on several areas of concern. The copy of the letter to Mr. Henry should also state that we have been unsuccessful in arranging a meeting with County Highway officials.

RESOLUTION - LOUISE RUCKER

A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter to adjourn in memory of Boston's oldest resident, Louise Rucker, who passed away at age 101 last week. Meeting adjourned at 8:36 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 20th day of November, 1985 at 7:30 P. M., Eastern Standard Time, there were present:

Richard L. Kennedy
David Zimmerman
Don A. Wohlhueter

Supervisor
Councilman
Councilman

Absent:

Milton Wittmeyer
Esther Faulring

Councilman
Councilman

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

WHEREAS, Louise R. Rucker, was a lifelong resident of the Town of Boston, and

WHEREAS, she served her community as an active member of the Ladies Auxiliary of the Boston and Patchin Fire Companies, and

WHEREAS, she has always assisted family, friends and community organizations, and

WHEREAS, in 1984 the Boston Town Board proclaimed June Gramma Rucker month in honor of her 100th birthday, and

WHEREAS, she faithfully served her Heavenly Father with her active participation at St. John's Roman Catholic Church, and

WHEREAS, her death on November 11, 1985 in her 101st year removes from our midst a friend who will be missed by all.

NOW, THEREFORE BE IT RESOLVED, that the Boston Town Board extends their deepest sympathy to her son Granville, daughter Marian and their families, and adjourns this meeting in her memory, and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to her family.

Seconded by Councilman Wohlhueter and duly put to a vote and upon roll call the vote was as follows:

Supervisor Kennedy
Councilman Zimmerman
Councilman Wohlhueter

Voting aye
Voting aye
Voting aye

AYES: 3

NOES: 0

ABSENT: 2



Joyce Carr, Town Clerk

Regular Meeting
December 4, 1985

Town Hall
7:30 P.M.

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

A motion was made by Councilman Zimmerman and seconded by Councilman Faulring that the Minutes of the Regular Meeting of November 20, 1985 be approved.

five (5) ayes

Carried

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

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring that the General Fund and Special District Bills on Abstract #12, December 4, 1985, in the amount of \$4,167.89 be paid.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Supervisor Kennedy that the Highway Bills on Abstract #12, December 4, 1985, in the amount of \$4,027.84 be paid.

five (5) ayes

Carried

A letter was read from the Department of Environment and Planning regarding the completion of Contract PL-2 of the Erie County Sewer District No. 3 construction and an open meeting that is scheduled for 7:30 P.M. on December 5, 1985 at the Boston Town Hall in order to answer any questions from residents on procedures for sewer hook-ups.

Resolution read from Legislator Swanick regarding a meeting on Erie County's solid waste management policy to be held in the Town of Collins during the month of January, 1986.

A letter was received from John S. Mowatt, Director Community Development, enclosing an amendatory agreement reducing the town's 1984-85 Meadow Drive Drainage project by \$4,369.15 and adding a sewer tap in project in the same amount.

Robert Weller, 6778 Boston State Road, submitted a survey of his property on Taylor Road which he said shows the Town of Boston's waterline is 121.63 feet short in Water District No. 1. Supervisor Kennedy accepted the survey from Mr. Weller and said the Town Board will review this matter.

RESOLUTION - DELINQUENT WATER BILLS

RESOLUTION - PAYMENT OF SALES TAX

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman to hold a Year-end meeting on Monday, December 30, 1985 at 10:00 A.M.

five (5) ayes

Carried

RESOLUTION - LIABILITY INSURANCE FRIVOLOUS ACTIONS

The Supervisor's Monthly Financial Report was received.

Supervisor Kennedy reported that he received a communication from the Town of Evans relative to a meeting on the municipal insurance crisis to be held at the Hamburg Holiday Inn on December 6, 1985.

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to grant Valley Truck & Equipment Co. approval for the above ground storage of two 290 gallon gasoline tanks, as the diagrams of the placement of the tanks complies with both the local and New York State fire codes. The Code Enforcement Officer is directed to inspect the placement of the tanks prior to their utilization.

five (5) ayes

Carried

Supervisor Kennedy directed the Town Clerk to write a letter to Fred Pike relative to his term on the Assessment Board of Review, which expired on October 1, 1985 to determine if he desires to be reappointed. An appointment to fill this vacancy is necessary at this time due to the New York State requirement that an obligation of attending a school on assessment review be met.

Town Clerk Carr reported that HEAP personnel will be at the Town Hall on Friday, January 10, 1986 and Wednesday, February 5, 1986 from 9:00 A.M. to 4:00 P.M. to take applications from Town of Boston residents.

Town Justice Monthly Report was received.

Upon the recommendation of Town Attorney Maxwell, a motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman to authorize the Supervisor to execute an agreement with the Patchin Volunteer Fire Company for installation of radio antennas at the Cole Road station, with reimbursement to Patchin Fire Company of \$75.00 per year.

five (5) ayes

Carried

Supervisor Kennedy stated that an Agreement has been drafted between James and Caroline Lambert and the Town of Boston regarding disposition of the junk and auto parts activities at their property on Lower East Hill Road. This agreement will be signed at the next Town Board meeting.

Councilman Wittmeyer reported a meeting was held with representatives from the County and the Traffic Safety Committee on December 3, at which time many areas of concern were discussed. A commitment was received from County officials regarding the signage at Back Creek Road and Hillcroft Drive and also help was promised in getting the speed reduced in front of the Town Hall. A communications procedure was established with the Traffic Safety Committee for the handling of complaints and requests regarding highways.

Police Department Monthly Report was received.

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

Dog Control Officer Monthly Report was received.

A letter was read from the Planning Board stating their December meeting is cancelled.

A letter was read from the Drainage Committee cancelling their December meeting.

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring to reappoint Mary Alice Tocke and Joseph Wierzbic to the Conservation Advisory Council, both terms to expire December 15, 1988.

five (5) ayes

Carried

A letter was read from Nancy Aldridge, stating she did not wish to be reappointed to the Conservation Advisory Council, due to other commitments on the meeting night. Councilman Wohlhueter requested a letter of thanks be sent to Nancy for her service on the Council.

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman to adjourn in memory of Jerome C. Hubert, former Town Police Constable and member of the Zoning Board of Appeals, as well as various community organizations, who passed away two weeks ago. Meeting adjourned at 8:06 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 4th day of December, 1985 at 7:30 P.M. Eastern Standard Time,

The meeting was called to order by Supervisor Kennedy and upon roll being called, there were present:

Richard L. Kennedy	Supervisor
Milton I. Wittmeyer	Councilman
David G. Zimmerman	Councilman
Esther M. Faulring	Councilman
Don A. Wohlhueter	Councilman

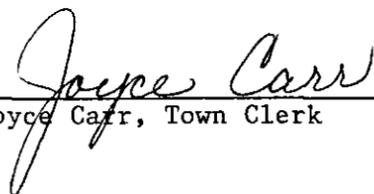
The following resolution was offered by Councilman Zimmerman, who moved its adoption, seconded by Supervisor Kennedy, and unanimously carried.

WHEREAS, Section 198 of the Town Law provides that unpaid water charges shall be a lien upon real property upon which or in connection with which the water was used, and

WHEREAS, Water District Number 1, Town of Boston, Erie County, New York, has, pursuant to its lease management agreement, reimbursed the Erie County Water Authority the amounts shown on Schedule "A", annexed, for said unpaid water charges, and said charges are now outstanding,

NOW, THEREFORE, BE IT RESOLVED, that the unpaid water charges as itemized on attached Schedule "A" be made a part of these minutes and they be assessed against the respective properties as shown thereon and that the respective amounts be levied and collected with the 1986 taxes upon each respective parcel of real property in the Town of Boston and when collected, the said sum shall be paid to said Water District Number 1, Town of Boston.

FURTHER RESOLVED, that a copy of this resolution be forwarded to the County of Erie, Department of Finance.


Joyce Carr, Town Clerk

S E A L

SCHEDULE "A"

<u>TAX ACCOUNT NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>AMOUNT OF LEVY</u>
210.02-1-29	CLYDE BONNAS	4560 MORNINGSIDE DRIVE	\$ 11.76
210.02-4-3	DAVID MORRISSEY	4530 ECKHARDT ROAD	27.28
226.00-3-10.1	ROBERT PFLUGER, JR.	6316 PATCHIN ROAD	113.73
241.00-3-11	ROBERT PFLUGER, JR.	8936 BOSTON STATE ROAD	116.24
258.09-1-4	JOHN A. SCHWEITZER	6737 MILL ROAD	19.11
258.00-3-21.1	TREVETT METALS & FABRICATING	9761 TREVETT ROAD	175.01
258.00-3.21.1	TREVETT METALS & FABRICATING	9761 TREVETT ROAD	399.06
242.05-3-32	BOSTON HILLS ANTIQUE	8435 BOSTON STATE ROAD	233.70

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 4th day of December, 1985 at 7:30 P.M. Eastern Standard Time, there were present:

Richard L. Kennedy	Supervisor
Milton I. Wittmeyer	Councilman
David G. Zimmerman	Councilman
Esther M. Faulring	Councilman
Don A. Wohlhueter	Councilman

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

WHEREAS, the Town of Boston, together with other municipalities within the State of New York, has received notices of cancellation in obtaining liability insurance coverage, and

WHEREAS, the projected cost of securing future liability insurance for the municipality, if available, would result in exorbitant and an unreasonable increase in taxes to defray the cost of insurance premiums, and

WHEREAS, some part of the problem aforesaid can be directly attributed to the naming of the Town of Boston as defendants by plaintiffs through their attorneys instituting actions or conducting litigation in bad faith and with reasonable knowledge aforesaid, and

WHEREAS, the Town of Boston has been named as defendants of recent date in actions alleging defective highway construction or design when, in fact, said highways were never within the control or jurisdiction of the Town of Boston, and

WHEREAS, said frivolous actions contributes, in part, to the expense of defense, insurance premiums, and failure to secure insurance coverage, and

WHEREAS, the Federal Rules of Civil Procedure for the U.S. District Court, to wit, Rule 11, unlike the New York State Civil Practice Law and Rules, permits the Federal District Courts to enter an order where there is an abuse of legal process to pay the injured party its reasonable expense of defense because of the filing of a pleading, motion or other paper including reasonable attorney's fees, and

WHEREAS, the enactment of a Rule of Procedure comparable to Rule 11 of the Federal Rules of Civil Procedure would, in part, reduce the expense of liability coverages and its availability.

NOW, THEREFORE, BE IT RESOLVED, the Town of Boston Town Board hereby memorializes the New York State Legislature and the Governor to propose and enact

and incorporate within the New York State Civil Practice Law and Rules, a rule comparable to Rule 11 of the Federal Rules of Civil Procedure for the U.S. District Courts, permitting the imposition of sanctions as therein stated for the reasons above set forth, and it is

FURTHER RESOLVED, that copies of this resolution be forwarded by the Town Clerk to the Governor of the State of New York, District Senators and Assemblymen and other municipalities within the County of Erie.

Seconded by Councilman Zimmerman 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 Faulring	Voting	<u>aye</u>
Councilman Wohlhueter	Voting	<u>aye</u>

AYES: 5 NOES: 0 ABSENT: 0


Joyce Carr, Town Clerk

Regular Meeting
December 18, 1985

Town Hall
7:30 P.M.

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

A motion was made by Councilman Wittmeyer and seconded by Supervisor Kennedy that the Minutes of the Regular Meeting of December 4, 1985 be approved.

three (3) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Wittmeyer that the General Fund and Special District Bills on Abstract #12A, December 18, 1985, in the amount of \$6,908.95 be paid.

three (3) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Supervisor Kennedy that the Highway Bills on Abstract #12A, December 18, 1985, in the amount of \$3,286.00 be paid.

three (3) ayes

Carried

Legislative Report of the the November 21, 1985 session received and filed from Erie County Legislator Karl A. Henry.

Received from the Erie County Board of Canvassers certification of results of the Town of Boston general elections which were held on November 5, 1985.

Received notification from Deputy Commissioner Saniewski of the Erie County Division of Highways that a change will be made in the Stop sign at the Back Creek Road approach to Hillcroft Drive by installing a Stop sign on the northbound approach to Back Creek Road, removing the Stop sign on the Hillcroft westbound approach and replacing the intersection sign on the Back Creek Road approach with a Stop Ahead sign. Highway Superintendent Kreitzbender will install a W2-2 intersection sign on the Hillcroft westbound approach. Councilman Wittmeyer said the Traffic Safety Committee is pleased with this signage and that it took seven or eight years of discussion with the County to do it.

Approval received from the New York State Office for the Aging for state aid in the amount of \$2000.00 for the period of January 1, 1986 to December 31, 1986 for services providing recreation for the elderly program.

Letter received from State Senator William Stachowski acknowledging receipt of the Town Board resolution on frivolous lawsuits. Supervisor Kennedy noted that no action was taken by the State Legislature in the Special Session.

A letter was read from First Assistant Chief Rodney J. Carr of the North Boston Volunteer Fire Co., Inc. enumerating several problems with the fire hydrants in their district and also commenting on the fact that gas wells in their fire district do not comply with Conservation Law, Section 556.6(a), with the exception of the well on the Elmer Zittel property. Supervisor Kennedy will draft a letter to the URS Company regarding our concerns over the problems that occurred when the new waterline was connected last week. The Supervisor directed Town Clerk Carr to draft a letter to the Erie County Water Authority, enclosing a copy of the letter from the North Boston Fire Company; also to commend the Water Authority for the commendable job they did when blowouts occurred in Boston lines due to a problem when the new 16 inch line was connected in Eden. Councilman Wittmeyer asked that a follow-up letter be sent to owners of the gas wells asking them to post their wells properly and that copies of all correspondence regarding these two concerns be sent to the North Boston Fire Company.

A letter was read from Thomas F. Higgins, Sheriff-Elect of Erie County, naming Sergeant Franklin Meier to act as liaison between the Boston Town Board and the Sheriff's Department, beginning in January or February, 1986. Sergeant Meier will attend Town Board meetings and the town will be provided with computer printouts of enforcement activity monthly. Supervisor Kennedy directed Town Clerk Carr to draft a letter to Mr. Higgins thanking him for his efforts to provide better communication between the Sheriff's Department and the Town of Boston and we look forward to working with Sergeant Meier in his liaison capacity.

Received and filed acknowledgement from the State Board of Equalization and Assessment of receipt of our complaint form regarding the tentative state

equalization rate for the 1985 assessment roll.

Received population projections from 1980 - 2010 from the Erie and Niagara Counties Regional Planning Board. Report received and filed.

Received correspondence from the New York State Police regarding their recommendation for signage on Rice Road.

At 7:45 P.M. a Public Hearing was held on the Boston Historical Society Contract for 1986. The Legal Notice was read by the Town Clerk. There were no questions from the floor.

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to close the Public Hearing at 7:46 P.M.

three (3) ayes Carried

A motion was made by Councilman Wittmeyer and seconded by Supervisor Kennedy to approve a contract with the Boston Historical Society for the year 1986 in the amount of \$3,000.00.

three (3) ayes Carried

At 7:50 P.M. a Public Hearing was held on the contract with the Boston Emergency Squad, Inc. for the furnishing of ambulance service for 1986. There were no questions from the floor.

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to close the Public Hearing at 7:51 P.M.

three (3) ayes Carried

A motion was made by Councilman Wohlhueter and seconded by Supervisor Kennedy to approve a contract with the Boston Emergency Squad, Inc. in the amount of \$15,200.00 for the year 1986.

three (3) ayes Carried

Supervisor Kennedy stated the contract with the Emergency Squad was higher for 1986 only, due to the cost of installing a new radio and dispatching system. Councilman Wittmeyer stated that the Emergency Squad is to be commended for providing an excellent service to the community.

Attorney Jay A. Pohlman requested the Town Board to refer to the Planning Board a request to build an outdoor concert facility at the intersection of Rice Road and the 219 Expressway. Supervisor Kennedy requested Mr. Pohlman to provide site plans to the Town Board prior to their Special Meeting on December 30, 1985 and after the Board has had a chance to review them, they can then refer the matter to the Planning Board for their January meeting.

RESOLUTION - DELINQUENT WATER BILL - WATER DISTRICT #17 - TOWN OF ORCHARD PARK

At 8:00 P.M. a Public Hearing was held on the request of John and Katherine Falkides for a variance of the lot sizes and frontage of eight additional proposed lots in the Boston Hills Mobile Home Court, 7898 Boston State Road. The Legal Notice was read by the Town Clerk, who also reported that notices had been sent to neighboring property owners, the Department of Environment and Planning, Department of Environmental Conservation and the Erie County Highway Department, also that the Environmental Assessment Form was completed in the negative and that Erie County Planning had made no recommendation. The Planning Board, Conservation Advisory Council and Drainage Committee were also notified. The Planning Board voiced their concerns and comments in a letter dated October 25, 1985. Donald Genzel and Duane Draudt, developers of Hidden Acres Subdivision adjacent to the Mobile Home Court, asked Mr. Falkides how the trailers would be placed on the lots, and particularly on Lot #4, which is next to the creek. Mr. Falkides said he would not need fill for Lot #4, as the placement of the trailer would be 50 feet from the creek. Mr. Genzel also asked about parking of cars, as the proposed lots are used now for parking of the residents and visitors. Mr. Falkides said that parking has been provided by deleting one lot from his original request of nine lots. Mr. Falkides stated that the lots would be 5000 square feet plus, which is large enough to move units in and out with no problem, that the roads would be all hard-surfaced, that there is parking available in numerous places and also the roadway can accommodate cars. He also feels that with landscaping it will make it reasonably attractive. Kathleen Hess, Lot #3, asked further questions about parking. Kenneth Decker said each lot is designed for parking of two vehicles. There will be temporary parking for snowplowing available

where the Mobile Home Court sign is. Dennis Betts, 6184 Wildwood Drive, said there is a bad odor of sewage during the summer months and the enlargement of the court would compound this problem. Mr. Falkides stated that the hookups to the Erie County sewer system were completed in August, so this problem should now be ended. Dr. Cheung, 6157 Wildwood Drive, asked how the minimum lot size basis was established. Town Attorney Maxwell read the section of the Trailer Ordinance regarding the frontage, width and square foot area which establishes the lot size requirement. Mr. Falkides stated he disagreed with this interpretation by reference to the Zoning Ordinance as it is unreasonable. Mrs. Falkides said the lot requirements are too large for the type of people who live in mobile homes, as they often do not want the responsibility of maintaining large lots. Jack Shrader, 6173 Wildwood Drive, said the reason people move to Boston and buy land here is because there is square footage requirements and he feels it would devalue property values by cutting down the size of the lots. Mr. Falkides said the park has been there since 1953 and Wildwood Drive is newer and he is not asking the Town Board to decrease the size lots on Wildwood. Wanda Betts, 6184 Wildwood Drive, inquired about the trailer that is parked unoccupied in the park. Mr. Falkides said it was vacated by a tenant several months ago and will be sold at auction by the Sheriff. Dr. Cheung said that, with the Erie County population decreasing, the expansion is unwarranted in view of the general trend of population loss. Mike Brown, Lot #2, inquired again of the parking problem with more lots. Mr. Betts said he thought expansion of the park should be within the existing laws regarding size requirements. Mrs. Betts said it took years to correct the sewage problem and with the expansion request there will also be fire safety and parking concerns that might take years to correct also. Mr. Genzel stated he wanted to clarify that he and Mr. Draudt were not against the existing trailer park, only against the proposed expansion. He said they have twelve vacant lots on Wildwood Drive that would be devalued by this expansion. Mr. Decker said that Mr. Falkides installed the sewer lines as soon as it was possible. Supervisor Kennedy said he felt Mr. Falkides has done a good job in cleaning up the park. Mr. Kennedy said also that all comments and concerns will be taken into consideration by the Town Board and that everyone who spoke will be notified regarding the meeting date when a decision will be made by the Town Board. There were no further questions.

A motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter to close the Public Hearing at 8:57 P.M.

three (3) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter to correct Abstract #12, December 4, 1985, of the Highway Fund as follows:

Voucher #327 From DA5130.4 to DA5142.4

Voucher #328 From DA5130.4 to DA5142.4

three (3) ayes

Carried

Town Clerk Carr reported she wrote a letter to the County of Erie regarding the possibility of changing the house numbers on the east-west portion of Lower East Hill Road, but had received no reply. She read a letter received from the Town of Colden, stating they have no objection to the renaming of the east-west portion to Burr Road. A letter was read from Mrs. David Galenski, 7719 Lower East Hill Road, who stated that recently emergency equipment responded in four minutes to a call she placed regarding an automobile accident and she thought that was excellent and she also stated she definitely does not want the road name changed. Mrs. David Sarata, 7773 Lower East Hill Road, read a revised version of a letter she read at a previous Town Board meeting, in which she suggested an entirely different name be used for this portion of the road. She also will arrange to go with Councilman Wittmeyer and Patchin Fire Company President Richard Hayden to the Hamburg Fire Control Office to listen to their recorded tapes of the time span between the time of the call for an accident on Lower East Hill Road and the time of arrival of the fire trucks. Mrs. Mark Pecyna, 7741 Lower East Hill Road, gave credit to fire and rescue volunteers for how quickly they respond to emergency situations. She suggested everyone put their names and house numbers on their mailboxes in large, clear letters.

A motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter to retain the name of the east-west portion of Lower East Hill Road. Councilman Wittmeyer said he would like to see the issue not closed and Councilman Wohlhueter said that perhaps at some future time the numbers could be changed.

three (3) ayes

Carried

RESOLUTION - PUBLIC VEHICLES

A motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter to transfer appropriations as follows:

Federal Revenue Sharing Fund

From: Parks	7110.4	\$6,720.93
Drainage	8540.4	\$4,208.41

To: Transfer to Capital Project Fund 9950.9 \$10,929.34

three (3) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Wittmeyer for appropriations of fund balance, as follows:

Fire Protection District

Appropriation Fund Balance \$3,214.28

To: Fire Protection	3410.4	\$ 36.00
Comp. Insurance	9040.8	\$3,178.28

three (3) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer for appropriations of fund balance, as follows:

Light District

Appropriation Fund Balance \$ 400.00

To: Lighting	5182.4	\$ 400.00
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three (3) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter to transfer remaining funds in Capital Projects Fund for Meadow Drive Drainage Project to the General Fund.

three (3) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter to extend the leave of absence previously granted for one year to Jerome Orffeo for three months, until March 24, 1986.

three (3) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to hold the first January meeting on Thursday, January 2, 1986, due to the New Year's Day holiday.

three (3) ayes

Carried

Councilman Wittmeyer reported that stakes for hydrant markers for the fire companies will be available on December 19, 1985.

Town Engineer's Monthly Report was received.

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to reappoint Fred Pike to the Assessment Board of Review, term to expire October 1, 1990.

three (3) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Supervisor Kennedy to adjourn at 9:27 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 18th day of December, 1985, at 7:30 P. M. Eastern Standard Time, there were present:

Richard L. Kennedy	Supervisor
Milton Wittmeyer	Councilman
Don A. Wohlhueter	Councilman

Absent:

David G. Zimmerman	Councilman
Esther Faulring	Councilman

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

BE IT RESOLVED that the Town Board of the Town of Boston does hereby establish a flat rate of \$3.00 per day for Town of Boston Employees who take vehicles home and use them for commuting to and from work.

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>

Three (3) ayes

Absent: two (2)



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 18th day of December, 1985 at 7:30 P. M., Eastern Standard Time, there were present:

Richard L. Kennedy
Milton I Wittmeyer
Don A. Wohlhueter

Supervisor
Councilman
Councilman

Absent:

David G. Zimmerman
Esther Faulring

Councilman
Councilman

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

WHEREAS, Section 198 of the Town Law provides that unpaid water charges shall be a lien upon real property upon which or in connection with which the water was used, and

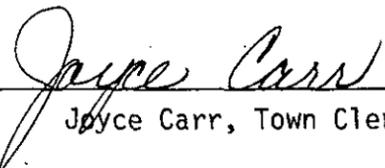
WHEREAS, the Town Board of the Town of Boston adopted resolutions consenting and approving the furnishing of public water service by the Town of Orchard Park to 6159 Ward Road, and

WHEREAS, the resolutions provide that in the event that a customer defaults in payment for said water service the Town of Boston agrees to place upon the tax rolls of the Town of Boston for collection thereof the sum or sums unpaid, and

WHEREAS, the Town Board of the Town of Orchard Park adopted a resolution on November 20, 1985 requesting the Town of Boston to place upon the 1986 Tax Rolls for collection and upon collection to pay to Orchard Park Water District #17 the amounts shown on Schedule "A", annexed for said unpaid water charge, and said charge is now outstanding.

NOW, THEREFORE, BE IT RESOLVED, that the unpaid water charge as itemized on attached Schedule "A" be made a part of these minutes and they be assessed against the property as shown thereon and that the amount be levied and collected with the 1986 taxes upon the parcel of real property in the Town of Boston and when collected the said sum shall be paid to said Water District Number 17, Town of Orchard Park,

FURTHER RESOLVED that a copy of this resolution be forwarded to the County of Erie, Department of Finance.


Joyce Carr, Town Clerk

SEAL

SCHEDULE "A"

<u>Name</u>	<u>Address</u>	<u>Amount of Levy</u>	<u>Account</u>
Patrick Kaefe	6159 Ward Road Orchard Park, N.Y. 14127	\$143.59	211.00-3-4

TOWN OF BOSTON



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

THIS AGREEMENT, made this 18th day of December, 1985, between the Town of Boston, Erie County, New York, hereinafter designated as "party of the first part" and the Boston Emergency Squad, Inc., a New York membership corporation of Boston, New York, hereinafter designated as "party of the second part."

W I T N E S S E T H :

WHEREAS, prior hereto private ambulance and first aid service previously furnished to the residents of the Town of Boston was discontinued, and thereafter the Boston Emergency Squad, Inc., a membership corporation, was formed and personnel trained to furnish said ambulance service to the residents of the Town of Boston; and

WHEREAS, the Town of Boston, through the said Town Board, party of the first part, duly authorized a contract with the party of the second part for furnishing of general ambulance service and first aid to persons within the boundaries of the Town of Boston upon the terms and provisions herein set forth;

NOW, THEREFORE, the party of the first part does hereby engage the party of the second part for the Year 1986, from January 1, 1986 to December 31, 1986, to furnish general ambulance service and first aid to sick or injured persons found within the boundaries of the Town of Boston, pursuant to the provisions of sections 122 and 122-b of the General Municipal Law of the State of New York, in manner following, to wit:

1. The Boston Emergency Squad, Inc., party of the second part, shall at all times during the period of this agreement, be subject to call for the providing and furnishing of general ambulance service and first aid assistance for the purpose of transporting sick or injured persons found within the boundaries of the Town of Boston, Erie County, New York, to a hospital, sanitarium or other place for the treatment of such illness or injury as such person may require.
2. Said party of the second part shall respond and attend upon such sick or injured persons as soon as practicable, without delay, with available trained personnel and equipment, and shall proceed diligently in every way reasonable calculated to assist and transport said sick or injured person found within the boundaries of the municipality to a hospital, sanitarium or other place for the treatment of such illness or injury.
3. The said party of the second party further agrees to adequately supply sufficiently trained and experienced personnel for the services required as set forth in Paragraph "1" herein.
4. This contract is entered into between the parties pursuant to the provisions of Sections 122 and 122-b of the General Municipal Law of the State of New York, and all terms, provisions and conditions of said statute are herein incorporated by reference as though fully stated in this agreement.
5. In consideration for the furnishing of general ambulance service and first aid assistance, as herein specified, the party of the first part shall pay and the party of the second part shall receive the annual sum of \$8,000.00 per year, and the party of the first part covenants and agrees to pay the said annual sum to the party of the second part on or before April 1 in each contract year.
6. The party of the first part also covenants and agrees to pay to the party of the second part a sum up to \$7,200.00 to pay for the actual cost of the satisfactory completion and installation of a new radio dispatching and communications system for the Boston Emergency Squad, provided however, that said dispatching system is completed on or before December 31, 1986.

7. In arriving at a determination of the annual payment for the furnishing of ambulance service, the Town of Boston shall consider as a proper expense any reimbursement paid to a member of the Emergency Squad for wage or economic loss incurred in responding as a witness to a court subpoena resulting from his duties as a member of the Emergency Squad and any reasonable charges for outside legal advice in connection therewith upon prior approval of the Town Board.

8. The Town of Boston, party of the first part, further agrees to furnish to the party of the second part, without charge, a proper and adequate ambulance motor vehicle or vehicles, adequately equipped, for the exclusive operation and use of the party of the second part in carrying out the terms and conditions of this agreement. The said party of the first part further agrees, without charge, to furnish adequate structure or garage for the storage of said vehicle and equipment while same is in custody of the party of the second part and further the Town Board assumes the cost of utilities of said structure.

9. The Town of Boston, party of the first part, further agrees to defray the expense of and to pay the cost of insurance indemnifying against liability for the operation of said ambulance and equipment incidental to the furnishing of such ambulance service, and any premium or premiums for compensation of the members and personnel of the party of the second part for medical expense, loss of wages, compensation benefits or other claims arising by reason of the injury to or death of a member of the said Boston Emergency Squad, Inc. sustained while answering, attending upon or returning from any such call, or while engaged in any other volunteer duty within the terms of this agreement and, in case of the party of the second part, shall be compelled or required to pay any such claim, the party of the first part shall reimburse the party of the second part the amount paid within thirty (30) days after the making of such payment.

The Town of Boston further agrees to effect and pay the expense of the following insurance for the benefit of the party of the second part and its members, as follows:

- (a) Automobile non-ownership coverage to the extent of \$500,000.00.
- (b) Comprehensive General Liability insurance, including incidental malpractice coverage to the extent of \$500,000.00.
- (c) Fidelity Bond coverage of President and Treasurer of the party of the second part to the extent of \$5,000.00.
- (d) Medical Equipment Floater in the amount of \$5,000.00 subject to \$100.00 deductible.

10. The party of the second part agrees to furnish the Town Board of the Town of Boston a written itemized statement of its disbursements and expenses no later than September 10 of each year during the term of this agreement. It is further agreed by the party of second part that no monies paid hereunder to the party of the second part shall be used for the purchase of radio equipment except upon prior approval of the Town Board of the Town of Boston.

11. This agreement shall continue for a period of one (1) year from January 1, 1986 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 mentioned.

Richard L. Kennedy
Supervisor, Richard L. Kennedy

Milton I. Wittmeyer
Councilman, Milton I. Wittmeyer

Councilman, David G. Zimmerman

Councilman, Esther M. Faulring

Don W. Wohlhueter
Councilman, Don W. Wohlhueter

S E A L

Attest:

Joyce Carr
Joyce Carr, Town Clerk

Attest:

Joyce Carr, Town Clerk

The Town Board of the Town of Boston,
State of New York

BOSTON EMERGENCY SQUAD, INC.

By: *Cynthia Moore*
President

TOWN OF BOSTON



CONTRACT WITH BOSTON HISTORICAL SOCIETY, INC.

THIS AGREEMENT, made the 18th day of December, 1985, 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 1986;

NOW, THEREFORE, the Town of Boston party of the first part, does hereby engage the party of the second part for the year 1986 from January 1, 1986 to December 31, 1986, 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 \$3,000.00 payable on or before April 1st during each year during the term of this agreement.

The party of the second part further agrees to furnish the Town Board of the Town of Boston a written itemized statement of its disbursements and expenses not later than August 20, 1986.

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 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 Town of Boston.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day here above first written.

Richard L. Kennedy
Supervisor, Richard L. Kennedy

Milton I. Wittmeyer
Councilman, Milton I. Wittmeyer

Councilman, David G. Zimmerman

Councilman, Esther Faulring

Don A. Wohlhueter
Councilman, Don A. Wohlhueter

SEAL

Attest:

Joyce Carr
Joyce Carr, Town Clerk

BOSTON HISTORICAL SOCIETY, INC.

By *James C. Cress*
President

Attest:

Joyce Carr
Joyce Carr, Town Clerk

Special Meeting
December 30, 1985

Town Hall
10:00 A.M.

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

A motion was made by Councilman Wittmeyer and seconded by Supervisor Kennedy that the Minutes of the Regular Meeting of December 18, 1985 be approved.

three (3) ayes Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer that the General Fund and Special District Bills on Abstract #12B, December 30, 1985, in the amount of \$3,963.31 be paid.

three (3) ayes Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman that the Highway Bills on Abstract #12B, December 30, 1985, in the amount of \$7,098.78 be paid.

three (3) ayes Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to make the following Transfers of Appropriations in the General Fund:

GENERAL FUND

From: A1010.1		1,077.32
1410.1		1,950.00
1620.2		2,350.00
1620.4		2,800.00
1670.4		1,800.00
1989.4		900.00
3620.4		1,700.00
5132.4		2,000.00
7110.1		1,556.60
7110.2		1,599.74
To: A1110.1		1,100.00
1220.1		900.00
1355.4		10.00
1650.2		400.00
1910.4		3,422.00
1930.4		122.08
1989.4		23.40
3310.4		1,744.03
3410.4		332.50
5182.4		2,500.00
7110.4		6,200.00
7620.4		500.00
8020.1		69.65
9030.8 dogs		410.00

three (3) ayes Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman to make the following Transfers of Appropriations in the Highway Fund:

HIGHWAY FUND

From: DA5142.4		1,000.00
5148.4		1,000.00
9030.8		355.00
9055.8		12.56
9060.8		1,377.01
To: DA 5130.4		3,744.57

three (3) ayes Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman to make the following Appropriations of Fund Balance:

Appropriation of Fund Balance 12,343.34

To: DA5130.4	1,200.00
5140.1	3,964.99
5148.1	5,002.49
9040.8	2,048.82
9730.7	127.04

three (3) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to appoint Harry Strack, Robert Lorek and Gregory Stromecki as Constables for 1986, subject to rules and regulations as the insurance coverage policies dictate.

three (3) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to retain Harry Strack as Chief Constable until such time as the Constables hold their election.

three (3) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to approve INA Insurance, with Pierce & Cash, Inc. as carrier, for the town's automobile coverage and Zurich Insurance, with Pierce & Cash, Inc. as carrier, for the boiler coverage.

three (3) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to approve Blue Cross-Blue Shield as the insurance carrier for health insurance for full time highway employees, full time clerical employees, the Highway Superintendent and the Town Clerk.

three (3) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman to approve State Insurance Fund as the carrier for the Workman's Compensation insurance for town employees, volunteer firemen and the Boston Emergency Squad.

three (3) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman to approve State Insurance Fund as the carrier for disability insurance for highway employees and full time hourly clerical employees.

three (3) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to approve accidental death and disability insurance for the Boston Constabulary and Boston Emergency Squad from Hartford Insurance Co.

three (3) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman to approve public officials errors and omissions insurance coverage from Western World, Wilbur Lehning, Agent.

three (3) ayes

Carried

Action was deferred on Attorney Jay Pohlman's request for a Special Use Permit for an outdoor concert facility at Route 219 and Rice Hill Road until the January meeting, as there was no representative present from the attorney's office.

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman to revise the salary of the Recreation Director from \$3860 to \$4360, reflecting the amount of salary the Recreation Director has been paid for the Year 1985, with the amount of \$500 to be deducted from this salary in 1986.

three (3) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to recess the meeting at 10:27 A.M.

The meeting reconvened on December 31, 1985 at 10:58 A.M.

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to approve Pacific Insurance coverage, with Pierce & Cash, Inc. as carrier, for the Business policy and Excess Umbrella coverage.

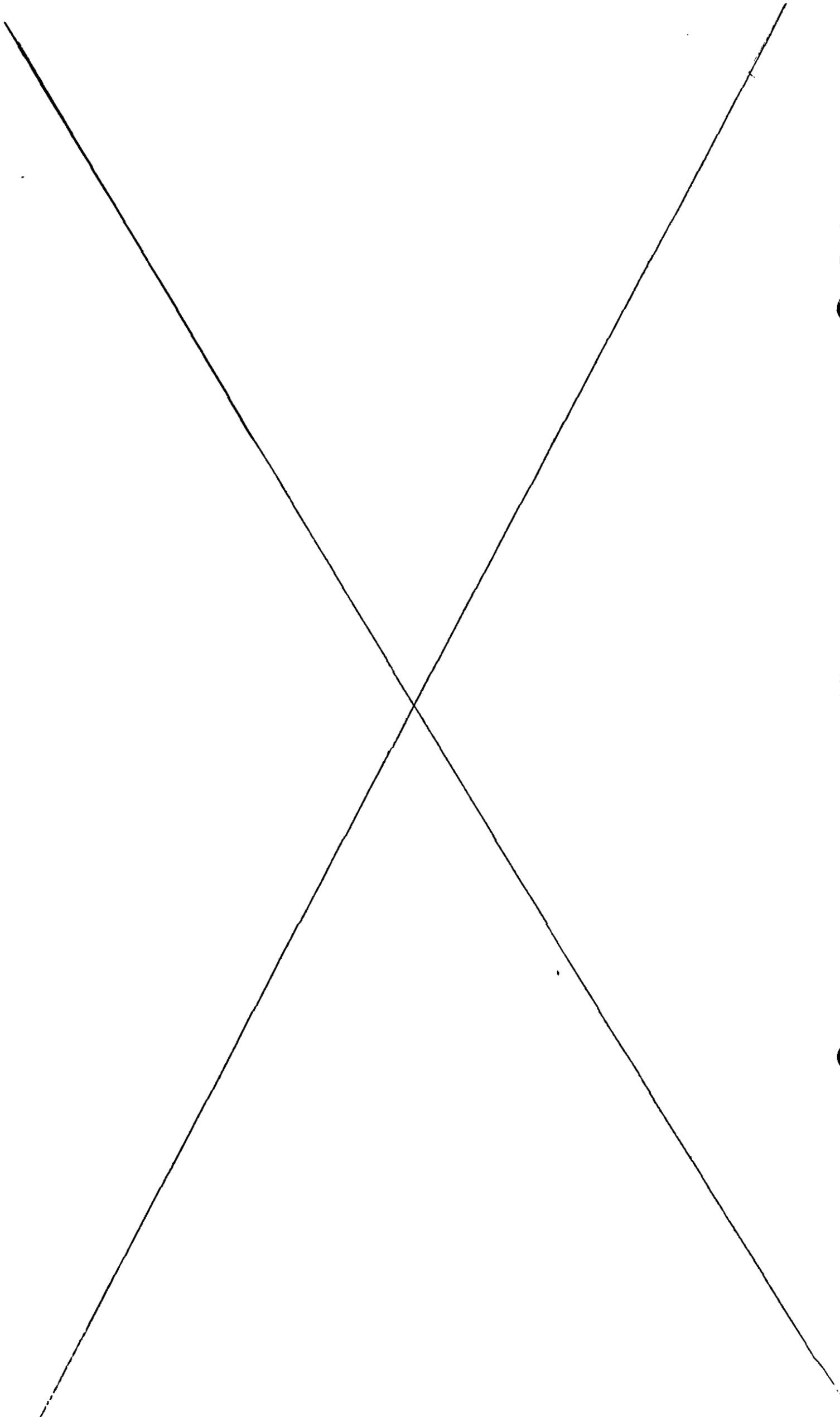
three (3) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman to adjourn the meeting at 11:00 A.M.

Joyce Carr

Joyce Carr
Town Clerk



TOWN BUDGET

For 198 86

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 198 6 budget of the Town of
Boston as adopted by the Town Board on the
6th day of November, 19 85.

Signed

Joyce Carr
Town Clerk

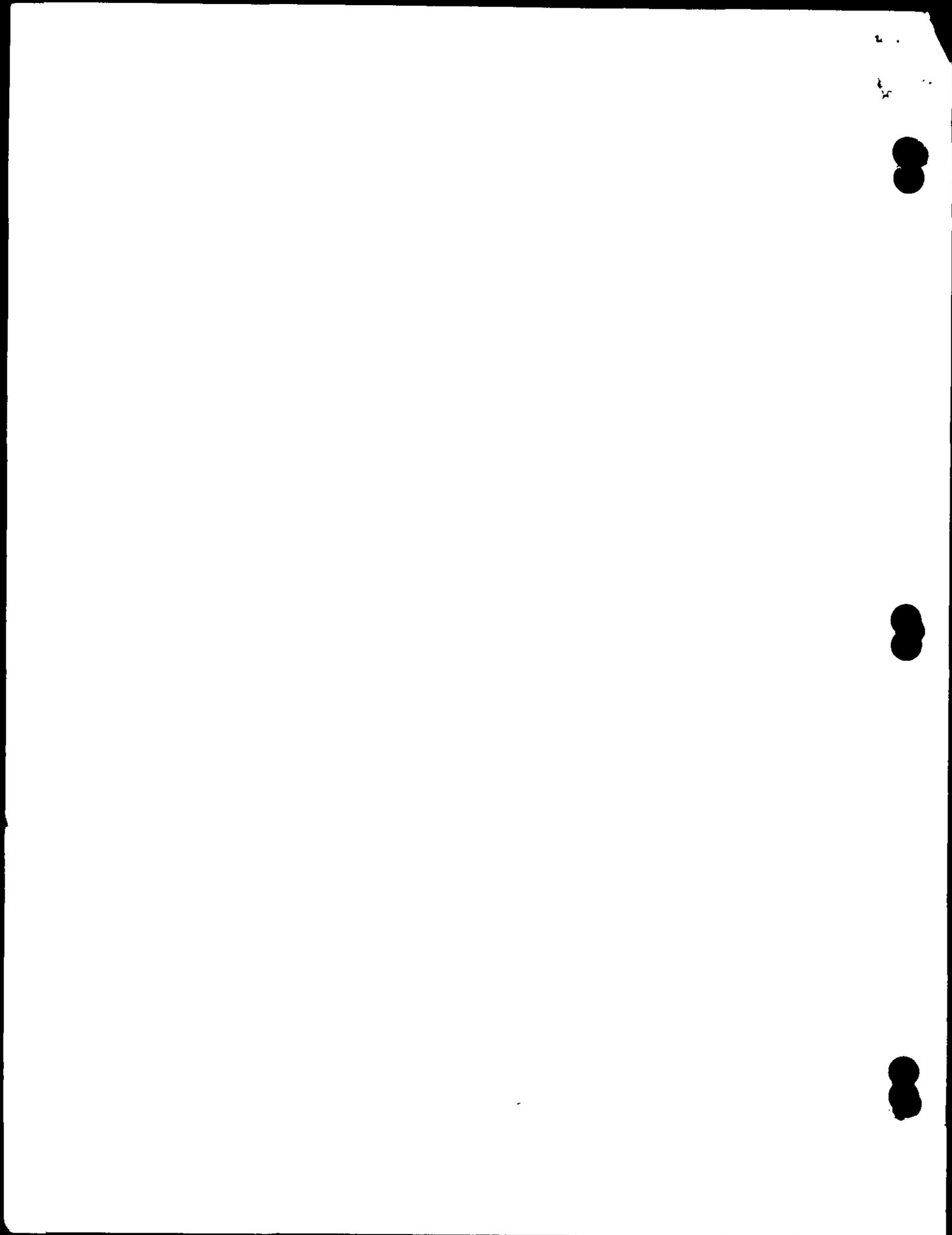
Dated

November 7, 1985

WILLIAMSON LAW BOOK Co.

LEGAL AND MUNICIPAL PUBLISHERS

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AREA CODE 716 — 288-6028



GENERAL FUND APPROPRIATIONS
General Government Support

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>84</u>	BUDGET THIS YEAR AS AMENDED 19 <u>85</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>86</u>	PRELIMINARY BUDGET 19 <u>86</u>	ADOPTED 19 <u>86</u>
TOWN BOARD						
Personal Services	A1010.1	14,700	15,440.00	16,800.00	16,800.00	16,800.00
Equipment	A1010.2					
Contractual Exp.	A1010.4	99	2,500.00	2,500.00	2,500.00	2,500.00
TOTAL	A1010.0	14,799	17,940.00	19,300.00	19,300.00	19,300.00
JUSTICES						
Personal Services	A1110.1	15,604	18,150.00	22,300.00	22,300.00	22,300.00
Equipment	A1110.2					
Contractual Exp.	A1110.4	3,429	4,000.00	4,000.00	4,000.00	4,000.00
TOTAL	A1110.0	19,033	22,150.00	26,300.00	26,300.00	26,300.00
TRAFFIC VIOLATIONS BUREAU						
Personal Services	A1130.1					
Equipment	A1130.2					
Contractual Exp.	A1130.4					
TOTAL	A1130.0					
SUPERVISOR						
Personal Services	A1220.1	21,692	22,200.00	25,500.00	25,500.00	25,500.00
Equipment	A1220.2					
Contractual Exp.	A1220.4	1,511	2,000.00	2,000.00	2,000.00	2,000.00
TOTAL	A1220.0	23,203	24,200.00	27,500.00	27,500.00	27,500.00
DIRECTOR OF FINANCE						
Personal Services	A1310.1					
Equipment	A1310.2					
Contractual Exp.	A1310.4					
TOTAL	A1310.0					
COMPROLLER						
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>84</u>	BUDGET THIS YEAR AS AMENDED 19 <u>85</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>86</u>	PRELIMINARY BUDGET 19 <u>86</u>	ADOPTED 19 <u>86</u>
PURCHASING						
Personal Services	A1345.1					
Equipment	A1345.2					
Contractual Exp.	A1345.4					
TOTAL	A1345.0					
ASSESSORS						
Personal Services	A1355.1	15,538	17,800.00	19,100.00	19,100.00	19,100.00
Equipment	A1355.2	200	200.00	400.00	400.00	400.00
Contractual Exp.	A1355.4	1,199	4,470.00	5,225.00	5,225.00	5,225.00
TOTAL	A1355.0	16,937	22,470.00	24,725.00	24,725.00	24,725.00
DISCOUNT ON TAXES						
Contractual Exp.	A1370.4					
TOWN CLERK						
Personal Services	A1410.1	29,097	32,350.00	31,375.00	31,375.00	31,375.00
Equipment	A1410.2					
Contractual Exp.	A1410.4	4,948	5,000.00	5,200.00	5,200.00	5,200.00
TOTAL	A1410.0	34,045	37,350.00	36,575.00	36,575.00	36,575.00
ATTORNEY						
Personal Services	A1420.1	14,175	15,000.00	16,300.00	16,300.00	16,300.00
Equipment	A1420.2					
Contractual Exp.	A1420.4	766	2,000.00	2,000.00	2,000.00	2,000.00
TOTAL	A1420.0	14,941	17,000.00	18,300.00	18,300.00	18,300.00
PERSONNEL						
Personal Services	A1430.1					
Equipment	A1430.2					
Contractual Exp.	A1430.4	7				
TOTAL	A1430.0					
ENGINEER						
Personal Services	A1440.1					
Equipment	A1440.2					
Contractual Exp.	A1440.4	267	1,200.00	1,200.00	1,200.00	1,200.00
TOTAL	A1440.0	267	1,200.00	1,200.00	1,200.00	1,200.00
ELECTIONS						
Personal Services	A1450.1					
Equipment	A1450.2					
Contractual Exp.	A1450.4	6,386	4,625.00	5,200.00	5,200.00	5,200.00
TOTAL	A1450.0	6,386	4,625.00	5,200.00	5,200.00	5,200.00
BOARD OF ETHICS						
Personal Services	A1470.1					
Equipment	A1470.2					
Contractual Exp.	A1470.4					
TOTAL	A1470.0					

GENERAL FUND APPROPRIATIONS
General Government Support

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>84</u>	BUDGET THIS YEAR AS AMENDED 19 <u>85</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>86</u>	PRELIMINARY BUDGET 19 <u>86</u>	ADOPTED 19 <u>86</u>
PUBLIC WORKS						
ADMINISTRATION						
Personal Services	A1490.1					
Equipment	A1490.2					
Contractual Exp.	A1490.4					
TOTAL	A1490.0					
BUILDINGS						
Personal Services	A1620.1	1,455	2,000.00	3,425.00	3,425.00	3,425.00
Equipment	A1620.2	650	2,500.00	2,500.00	2,500.00	2,500.00
Contractual Exp.	A1620.4	14,404	18,300.00	18,000.00	18,000.00	18,000.00
TOTAL	A1620.0	16,509	22,800.00	23,925.00	23,925.00	23,925.00
CENTRAL GARAGE						
Personal Services	A1640.1					
Equipment	A1640.2					
Contractual Exp.	A1640.4	740	1,000.00	1,000.00	1,000.00	1,000.00
TOTAL	A1640.0	740	1,000.00	1,000.00	1,000.00	1,000.00
CENTRAL COMMUNICATIONS SYSTEM						
Personal Services	A1650.1					
Equipment	A1650.2	744				
Contractual Exp.	A1650.4					
TOTAL	A1650.0	744				
CENTRAL STOREROOM						
Personal Services	A1660.1					
Equipment	A1660.2					
Contractual Exp.	A1660.4					
TOTAL	A1660.0					
CENTRAL PRINTING AND MAILING						
Personal Services	A1670.1					
Equipment	A1670.2	1,048	5,050.00	1,000.00	1,000.00	1,000.00
Contractual Exp.	A1670.4	3,033	3,800.00	5,000.00	5,000.00	5,000.00
TOTAL	A1670.0	4,081	8,850.00	6,000.00	6,000.00	6,000.00
CENTRAL DATA PROCESSING						
Personal Services	A1680.1					
Equipment	A1680.2					
Contractual Exp.	A1680.4					
TOTAL	A1680.0					
SPECIAL ITEMS						
Taxes on Town Prop.	A1950	2,439	3,330.00	3,500.00	3,500.00	3,500.00
Unallocated Ins.	A1910.4	18,620	26,000.00	85,000.00	85,000.00	85,000.00
Municipal Assn. Dues	A1920.4	596	750.00	750.00	750.00	750.00
Judgments and Claims	A1930.4	194	959.59	200.00	200.00	200.00
Contigent Account	A1990.4		15,000.00	15,000.00	15,000.00	15,000.00
Seminars	A1995.4	1,913				
Unclassified	A1989	7				
TOTAL		23,769	46,039.59	104,450.00	104,450.00	104,450.00
TOTAL GENERAL Govt. Support	A1999.0	175,452	225,624.59	294,475.00	294,475.00	294,475.00

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>84</u>	BUDGET THIS YEAR AS AMENDED 19 <u>85</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>86</u>	PRELIMINARY BUDGET 19 <u>86</u>	ADOPTED 19 <u>86</u>
PUBLIC SAFETY						
PUBLIC SAFETY ADM.						
Personal Services	A3010.1					
Equipment	A3010.2					
Contractual Exp.	A3010.4					
TOTAL	A3010.0					
POLICE AND CONSTABLE						
Personal Services	A3120.1					
Equipment	A3120.2					
Contractual Exp.	A3120.4	5,968	7,000.00	7,000.00	7,000.00	7,000.00
TOTAL	A3120.0	5,968	7,000.00	7,000.00	7,000.00	7,000.00
JAIL						
Personal Services	A3150.1					
Equipment	A3150.2					
Contractual Exp.	A3150.4					
TOTAL	A3150.0					
TRAFFIC CONTROL						
Personal Services	A3310.1					
Equipment	A3310.2					
Contractual Exp.	A3310.4	3,945	3,500.00	5,500.00	5,500.00	5,500.00
TOTAL	A3310.0	3,945	3,500.00	5,500.00	5,500.00	5,500.00
ON STREET PARKING						
Personal Service	A3320.1					
Equipment	A3320.2					
Contractual Exp.	A3320.4					
TOTAL	A3320.0					
FIRE FIGHTING						
Personal Services	A3410.1					
Equipment	A3410.2					
Contractual Exp.	A3410.4					
TOTAL	A3410.0					
CONTROL OF DOGS						
Personal Services	A3510.1	5,551	6,280.00	6,800.00	6,800.00	6,800.00
Equipment	A3510.2		200.00	700.00	700.00	700.00
Contractual Exp.	A3510.4	3,526	2,500.00	3,500.00	3,500.00	3,500.00
TOTAL	A3510.0	9,077	8,980.00	11,000.00	11,000.00	11,000.00
CONTROL OF OTHER ANIMALS						
Personal Services	A3520.1					
Equipment	A3520.2					
Contractual Exp.	A3520.4					
TOTAL	A3520.0					
EXAMINING BOARDS						
Personal Services	A3610.1					
Equipment	A3610.2					
Contractual Exp.	A3610.4					
TOTAL	A3610.0					

GENERAL FUND APPROPRIATIONS

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>84</u>	BUDGET THIS YEAR AS AMENDED 19 <u>85</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>86</u>	PRELIMINARY BUDGET 19 <u>86</u>	ADOPTED 19 <u>86</u>
PUBLIC SAFETY (CONTD.)						
**SAFETY INSPECTION						
Personal Services	A3620.1	6,195	6,800.00	9,100.00	9,100.00	9,100.00
Equipment	A3620.2					
Contractual Exp.	A3620.4	1,109	1,850.00	1,100.00	1,100.00	1,100.00
TOTAL	A3620.0	7,304	8,650.00	10,200.00	10,200.00	10,200.00
CIVIL DEFENSE						
Personal Services	A3640.1					
Equipment	A3640.2					
Contractual Exp.	A3640.4					
TOTAL	A3640.0					
DEMOLITION OF UNSAFE BUILDINGS						
Personal Services	A3650.1					
Equipment	A3650.2					
Contractual Exp.	A3650.4					
TOTAL	A3650.0					
SCHOOL ATTENDANCE OFFICER						
Personal Services	A3660.1					
Equipment	A3660.2					
Contractual Exp.	A3660.4					
TOTAL	A3660.0					
TOTAL PUBLIC SAFETY	A3999.0	26,294	28,130.00	33,700.00	33,700.00	33,700.00
HEALTH						
*BOARD OF HEALTH						
Personal Services	A4010.1					
Equipment	A4010.2					
Contractual Exp.	A4010.4					
TOTAL	A4010.0					
*REGISTRAR OF VITAL STATISTICS						
Personal Services	A4020.1					
Equipment	A4020.2					
Contractual Exp.	A4020.4	7	25.00	25.00	25.00	25.00
TOTAL	A4020.0	7	25.00	25.00	25.00	25.00
LABORATORY						
Personal Services	A4025.1					
Equipment	A4025.2					
Contractual Exp.	A4025.4					
TOTAL	A4025.0					
AIR POLLUTION						
Personal Services	A4060.1					
Equipment	A4060.2					
Contractual Exp.	A4060.4					
TOTAL	A4060.0					

*Town with Village - See explanation (1) on last page for charges to town - area outside of villages

**Town with Village - See explanation (2) on last page for charges to town - area outside of villages

GENERAL FUND APPROPRIATIONS

ACCOUNTS	CODE	ACTUAL	BUDGET	BUDGET	PRELIMINARY	ADOPTED
		LAST YEAR 19 84	THIS YEAR AS AMENDED 19 85	OFFICERS TENTATIVE BUDGET 19 86		
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	8,075	8,450.00	9,370.00	9,370.00	9,370.00
Equipment	A4540.2					
Contractual Exp.	A4540.4	16,424	17,905.00	24,600.00	24,600.00	24,600.00
TOTAL	A4540.0	24,499	26,355.00	33,970.00	33,970.00	33,970.00
MEDICAL HEALTH CENTER AND/OR PHYSICIAN						
Personal Services	A4560.1					
Equipment	A4560.2					
Contractual Exp.	A4560.4					
TOTAL	A4560.0					
<u>Mental Health</u>						
Personal Services	A4570.1					
Equipment	A4570.2					
Contractual Exp.	A4570.4		1,000.00	800.00	800.00	800.00
TOTAL	A4570.0		1,000.00	800.00	800.00	800.00
TOTAL HEALTH	A4999.0	24,506	27,380.00	34,795.00	34,795.00	34,795.00
TRANSPORTATION						
SUPT. OF HIGHWAYS						
Personal Services	A5010.1	22,717	23,850.00	25,000.00	25,000.00	25,000.00
Equipment	A5010.2					
Contractual Exp.	A5010.4	375	350.00	500.00	500.00	500.00
TOTAL	A5010.0	23,092	24,200.00	25,500.00	25,500.00	25,500.00
GARAGE						
Personal Services	A5132.1					
Equipment	A5132.2			200.00	200.00	200.00
Contractual Exp.	A5132.4	6,547	7,500.00	7,800.00	7,800.00	7,800.00
TOTAL	A5132.0	6,547	7,500.00	8,000.00	8,000.00	8,000.00

GENERAL FUND APPROPRIATIONS

ACCOUNTS	CODE	ACTUAL LAST YEAR 19_84	BUDGET THIS YEAR AS AMENDED 19_85	BUDGET OFFICERS TENTATIVE BUDGET 1986	PRELIMINARY BUDGET 1986	ADOPTED 1986
TRANSPORTATION (CONTD.)						
STREET LIGHTING Contractual Exp.	A5182.4	19,286	19,250.00	21,500.00	21,500.00	21,500.00
AIRPORT						
Personal Services	A5610.1					
Equipment	A5610.2					
Contractual Exp.	A5610.4					
TOTAL	A5610.0					
JOINT AIRPORT Contractual Exp.	A5615.4					
OFF STREET PARKING						
Personal Services	A5650.1					
Equipment	A5650.2					
Contractual Exp.	A5650.4					
TOTAL	A5650.0					
Personal Services	.1					
Equipment	.2					
Contractual Exp.	.4					
TOTAL	.0					
TOTAL TRANSPORTATION	A5999.0	48,925	50,950.00	55,000.00	55,000.00	55,000.00
ECONOMIC ASSISTANCE AND OPPORTUNITY						
SOCIAL SERVICES ADM.						
Personal Services	A6010.1					
Equipment	A6010.2					
Contractual Exp.	A6010.4					
TOTAL	A6010.0					
SOCIAL SERVICES HOME RELIEF Contractual Exp.	A6140.4					
SOCIAL SERVICES BURIALS Contractual Exp.	A6148.4					

GENERAL FUND APPROPRIATIONS

ACCOUNTS	CODE	ACTUAL	BUDGET	BUDGET	PRELIMINARY BUDGET	ADOPTED
		LAST YEAR 1984	THIS YEAR AS AMENDED 1985	OFFICERS TENTATIVE BUDGET 1986		
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	225	500.00	500.00	500.00	500.00
TOTAL	A6410.0	225	500.00	500.00	500.00	500.00

GENERAL FUND APPROPRIATIONS

ACCOUNTS	CODE	ACTUAL LAST YEAR 19__84	BUDGET THIS YEAR AS AMENDED 19 85	BUDGET OFFICERS TENATIVE BUDGET 19 86	PRELIMINARY BUDGET 19 86	ADOPTED 19 86
ECONOMIC ASSISTANCE AND OPPORTUNITY (CONTD.)						
INDUSTRIAL DEVEL. AGENCY						
Contractual Exp.	A6460.4					
*VETERANS SERVICES						
Personal Services	A6510.1					
Equipment	A6510.2					
Contractual Exp.	A6510.4					
TOTAL	A6510.0					
PROGRAMS FOR AGING						
Personal Services	A6772.1					
Equipment	A6772.2					
Contractual Exp.	A6772.4					
TOTAL	A6772.0					
TOTAL ECONOMIC ASSISTANCE AND OPPORTUNITY	A6999.0	225	500.00	590.00	500.00	500.00
CULTURE - RECREATION						
RECREATION ADM.						
Personal Services	A7020.1					
Equipment	A7020.2					
Contractual Exp.	A7020.4					
TOTAL	A7020.0					
*PARKS						
Personal Services	A7110.1		15,500.00	15,500.00	15,500.00	15,500.00
Equipment	A7110.2	1,526	2,000.00	1,500.00	1,500.00	1,500.00
Contractual Exp.	A7110.4	6,883	5,250.00	8,500.00	8,500.00	8,500.00
TOTAL	A7110.0	8,409	22,750.00	25,500.00	25,500.00	25,500.00
*PLAYGROUNDS AND REC- REATION CENTERS						
Personal Services	A7140.1					
Equipment	A7140.2					
Contractual Exp.	A7140.4					
TOTAL	A7140.0					
JOINT REC. PROJECT	A7145.4					
BEACH AND POOL						
Personal Services	A7230.1					
Equipment	A7230.2					
Contractual Exp.	A7230.4					
TOTAL	A7230.0					
MARINA AND DOCKS						
Personal Services	A7230.1					
Equipment	A7230.2					
Contractual Exp.	A7230.4					
TOTAL	A7230.0					

*Town with Village - See explanation (2) on last page for charges to town - area outside of villages.

GENERAL FUND APPROPRIATIONS

ACCOUNTS	CODE	ACTUAL LAST YEAR 1984	BUDGET THIS YEAR AS AMENDED 1985	BUDGET OFFICERS TENTATIVE BUDGET 1986	PRELIMINARY BUDGET 1986	ADOPTED 1986
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	23,355	20,951.00	33,990.00	33,990.00	33,990.00
Equipment	A7310.2					
Contractual Exp.	A7310.4	29,687	36,700.00	26,950.00	26,950.00	26,950.00
TOTAL	A7310.0	53,042	57,651.00	60,940.00	60,940.00	60,940.00
JOINT YOUTH PROJECT						
Contractual Exp.	A7320.4					
*LIBRARY						
Contractual Exp.	A7410.4					
MUSEUM						
Personal Services	A7450.1					
Equipment	A7450.2					
Contractual Exp.	A7450.4					
TOTAL	A7450.0					
HISTORIAN						
Personal Services	A7510.1					
Equipment	A7510.2		300.00	300.00	300.00	300.00
Contractual Exp.	A7510.4	330	700.00	735.00	735.00	735.00
TOTAL	A7510.0	330	1,000.00	1,035.00	1,035.00	1,035.00
HISTORICAL PROPERTY						
Personal Services	A7520.1					
Equipment	A7520.2					
Contractual Exp.	A7520.4	2,000	2,500.00	3,000.00	3,000.00	3,000.00
TOTAL	A7520.0	2,000	2,500.00	3,000.00	3,000.00	3,000.00
CELEBRATIONS						
Personal Services	A7550.1					
Equipment	A7550.2					
Contractual Exp.	A7550.4	386	600.00	600.00	600.00	600.00
TOTAL	A7550.0	386	600.00	600.00	600.00	600.00

*Town with Villages - See explanation (1) on last page for charges to town - area outside of villages.

GENERAL FUND APPROPRIATIONS

ACCOUNT	CODE	ACTUAL LAST YEAR 19 <u>84</u>	BUDGET THIS YEAR AS AMENDED 19 <u>85</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>86</u>	PRELIMINARY BUDGET 19 <u>86</u>	ADOPTED 19 <u>86</u>
CULTURE - RECREATION (CONTD.)						
ADULT RECREATION						
Personal Services	A7620.1					
Equipment	A7620.2					
Contractual Exp.	A7620.4	4,381	4,100.00	4,700.00	4,700.00	4,700.00
TOTAL	A7620.0	4,381	4,100.00	4,700.00	4,700.00	4,700.00
TOTAL CULTURE- RECREATION	A7999.0	68,548	88,601.00	95,775.00	95,775.00	95,775.00
HOME AND COMMUNITY SERVICES						
*ZONING						
Personal Services	A8010.1	48	150.00	150.00	150.00	150.00
Equipment	A8010.2					
Contractual Exp.	A8010.4	83	175.00	175.00	175.00	175.00
TOTAL	A8010.0	131	325.00	325.00	325.00	325.00
*PLANNING						
Personal Services	A8020.1	214	300.00	600.00	600.00	600.00
Equipment	A8020.2					
Contractual Exp.	A8020.4	1,051	2,000.00	5,500.00	5,500.00	5,500.00
TOTAL	A8020.0	1,265	2,300.00	6,100.00	6,100.00	6,100.00
HUMAN RIGHTS						
Personal Services	A8040.1					
Equipment	A8040.2					
Contractual Exp.	A8040.4					
TOTAL	A8040.0					
ENVIRONMENTAL CONTROL						
Personal Services	A8090.1	193	250.00	250.00	250.00	250.00
Equipment	A8090.2					
Contractual Exp.	A8090.4	640	800.00	800.00	800.00	800.00
TOTAL	A8090.0	833	1,050.00	1,050.00	1,050.00	1,050.00
**REFUSE AND GARBAGE						
Personal Services	A8160.1					
Equipment	A8160.2					
Contractual Exp.	A8160.4					
TOTAL	A8160.0					
COMMUNITY BEAUTIFICATION						
Personal Services	A8510.1					
Equipment	A8510.2					
Contractual Exp.	A8510.4					
TOTAL	A8510.0					
NOISE ABATEMENT						
Personal Services	A8520.1					
Equipment	A8520.2					
Contractual Exp.	A8520.4					
TOTAL	A8520.0					

*Town with Village - See explanation (1) on last page for charges to town-area outside of village.

**Town with village - See explanation (2) on last page for charges to town-area outside of village.

GENERAL FUND APPROPRIATIONS

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 84	BUDGET THIS YEAR AS AMENDED 19 85	BUDGET OFFICERS TENTATIVE BUDGET 19 86	PRELIMINARY BUDGET 19 86	ADOPTED 19 86
HOME AND COMMUNITY SERVICES (CONTD.)						
DRAINAGE						
Personal Services	A8540.1	147	200.00	200.00	200.00	200.00
Equipment	A8540.2					
Contractual Exp.	A8540.4	28	200.00	200.00	200.00	200.00
TOTAL	A8540.0	175	400.00	400.00	400.00	400.00
SHADE TREES						
Personal Services	A8560.1					
Equipment	A8560.2					
Contractual Exp.	A8560.4					
TOTAL	A8560.0					
CEMETERIES						
Personal Services	A8810.1					
Equipment	A8810.2					
Contractual Exp.	A8810.4					
TOTAL	A8810.0					
AGENCY-PREV. OF CRUELTY TO CHILDREN						
Contractual Exp.	A8820.4					
Other Home & Com Serv	A8989	79				
TOTAL HOME AND COMMUNITY SERVICES	A8999.0	2,483	4,075.00	7,875.00	7,875.00	7,875.00
UNDISTRIBUTED						
EMPLOYEE BENEFITS						
State Retirement	A9010.8	22,466	27,220.00	27,245.00	27,245.00	27,245.00
Fire and Police Retirement	A9015.8					
Social Security	A9030.8	12,509	14,450.00	15,500.00	15,500.00	15,500.00
Workmens Comp.	A9040.8	3,420	5,000.00	4,300.00	4,300.00	4,300.00
Life Insurance	A9045.8					
Unemployment Ins..	A9050.8					
Disability Ins.	A9055.8	122	215.00	215.00	215.00	215.00
Hospital and Medical Insurance	A9060.8	4,385	7,500.00	7,500.00	7,500.00	7,500.00
Total Employee Benefits	A9199.0	42,903	54,385.00	54,760.00	54,760.00	54,760.00

GENERAL FUND APPROPRIATIONS

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>85</u>	BUDGET THIS YEAR AS AMENDED 19 <u>85</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>86</u>	PRE- LIMINARY BUDGET 19 <u>86</u>	ADOPTED 19 <u>86</u>
UNDISTRIBUTED (CONTD.)						
DEBT SERVICE PRINCIPAL						
Serial Bonds	A9710.6					
Statutory Bonds	A9720.6					
Bond Anticipation	A9730.6	38,000	38,000.00	25,000.00	25,000.00	25,000.00
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		38,000	38,000.00	25,000.00	25,000.00	25,000.00
INTEREST						
Serial Bonds	A9710.7					
Statutory Bonds	A9720.7					
Bond Anticipation	A9730.7	11,997	11,900.00	11,220.00	11,220.00	11,220.00
Capital Notes	A9740.7					
Budget Notes	A9750.7					
Anticipation	A9760.7					
Revenue Anticipation	A9770.7					
Debt Payments to Public Authorities	A9780.7					
Installment Purchase	A9785.7					
TOTAL		11,997	11,900.00	11,220.00	11,220.00	11,220.00
INTERFUND TRANSFERS						
TRANSFER TO:						
Other Funds	A9901.9					
Capital Project Fund	A9950.9		5,000.00			
Contributions to Other Funds	A9961.9					
TOTAL			5,000.00			
TOTAL APPROPRIATIONS		439,332	534,545.59	613,100.00	613,100.00	613,100.00 ::
BUDGETARY PROVISIONS FOR OTHER USES	A962					
TOTAL APPROPRIATIONS AND OTHER USES		439,332	534,545.59	613,100.00	613,100.00	613,100.00
*Transfer to Page TB-1						

GENERAL FUND ESTIMATED REVENUES

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>84</u>	BUDGET THIS YEAR AS AMENDED 19 <u>85</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>86</u>	PRELIMINARY BUDGET 19 <u>86</u>	ADOPTED 19 <u>86</u>
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	11,688.	7,000.00	8,500.00	8,500.00	8,500.00
* Non-Property Tax						
Distribution by						
County	A1120	223,762	145,000.00	155,000.00	155,000.00	155,000.00
Franchises	A1170	8,021	5,750.00	8,000.00	8,000.00	8,000.00
DEPARTMENTAL INCOME						
Tax Collection Fees						
(Not Interest on Taxes)	A1232					
Clerk Fees	A1255	1,284	750.00	750.00	750.00	750.00
* Police Fees	A1520					
Public Pound Charges-						
Dog Control Fees	A1550	410	200.00	350.00	350.00	350.00
* Safety Insp. Fees	A1560					
Charges For Demolition						
of Unsafe Buildings	A1570					
* Health Fees	A1601					
Hospital Income	A1635					
Ambulance Charges	A1640					
Parking Lot and Garages	A1720					
On Street Parking Fees	A1740					
Airport Fees & Rentals	A1770					
Airport Commissions						
And Concessions	A1774					
Airport Sales of						
Supplies	A1776					
Repayments of						
Home Relief	A1840					
Repayments of Burials	A1848					
Park and Recreation						
Charges	A2001	11,534	9,000.00	9,500.00	9,500.00	9,500.00
Recreation Concessions	A2012					
Beach or Pool Fees	A2025					
Auditorium Charges	A2035					
Marina and Docks	A2040					
Golf Fees	A2050					
Ski Facility Charges	A2060					
Skating Rink Fees	A2065					
Museum Charges	A2090					
* Zoning Fees	A2110	750	300.00	300.00	300.00	300.00
* 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 1984	BUDGET THIS YEAR AS AMENDED 19_85	BUDGET OFFICERS TENTATIVE BUDGET 1986	PRELIMINARY BUDGET 1986	ADOPTED 19_86
		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	19,305	8,000.00	10,000.00	10,000.00	10,000.00
Rental of Real Property	A2410	1,272				
Rental of Real Property, Other Governments	A2412	24,775	24,600.00	24,600.00	24,600.00	24,600.00
Rental of Equipment, Other Governments	A2416					
Commissions	A2450	9				
LICENSES AND PERMITS						
Bus. & Occup. Lic.	A2501					
Games of Chance Lic.	A2530	30				
Bingo Lic.	A2540	1,641	1,600.00	1,600.00	1,600.00	1,600.00
Dog Licenses	A2544	7,071	7,000.00	7,000.00	7,000.00	7,000.00
Permits Other	A2549	1,675	1,600.00	1,575.00	1,575.00	1,575.00
Bingo Licenses Bingo and Amusement Permits	A2555	3,894	2,500.00	2,125.00	2,125.00	2,125.00
Fines & Forfeited Bail	A2610	16,431	11,000.00	13,000.00	13,000.00	13,000.00
Fines & Pen. Dog Cases	A2611					
Forfeiture of Deposits	A2620					
SALES OF PROPERTY AND COMPENSATION FOR LOSS						
Sales of Scrap and Excess Materials	A2650					
Minor Sales, Other	A2655					
Sales of Real Property	A2660					
Sales of Equipment	A2665					
Insurance Recoveries	A2680					

GENERAL FUND ESTIMATED REVENUES

ACCOUNTS	CODE	ACTUAL LAST YEAR 19_84	BUDGET THIS YEAR AS AMENDED 19_85	BUDGET OFFICERS TENTATIVE BUDGET 19_86	PRELIMINARY BUDGET 19_86	ADOPTED 1986
LOCAL SOURCES (CONTD.)						
MISCELLANEOUS						
Refunds of Prior						
Years Expenses	A2701	71				
Gifts and Donations	A2705					
Endowment and Trust						
Fund Income	A2755					
CETA - TITLE 2	A2762					
CETA - TITLE 3	A2763					
CETA - TITLE 4	A2764					
CETA - TITLE 6	A2766					
CETA - TITLE 7	A2767					
CETA - TITLE 8	A2768					
Other Unclassified						
Revenues (specify)						
Soc Sec Distr	A2770	378				
	A2770					
INTERFUND REVENUES						
Interfund Revenues	A2801					
TOTAL ESTIMATED						
Revenues From						
Local Sources	A2999	334,001	224,300.00	242,300.00	242,300.00	242,300.00

GENERAL FUND ESTIMATED REVENUES

ACCOUNTS	CODE	ACTUAL LAST YEAR 1984	BUDGET THIS YEAR AS AMENDED 19_85	BUDGET OFFICERS TENTATIVE BUDGET 19_86	PRELIMINARY BUDGET 19_86	ADOPTED 19_86
		STATE AID				
Per Capita	A3001	114,089	105,000.00	108,000.00	108,000.00	108,000.00
Mortgage Tax	A3005	29,188	15,000.00	20,000.00	20,000.00	20,000.00
Loss of Railroad Tax Revenue	A3007					
Loss of Public Utility Valuations	A3017					
Navigation Law Enforcement	A3315					
Snowmobile Law Enforcement	A3317					
Insect Control	A3468					
Narcotics Guidance Council	A3484					
Social Services Programs for Aging	A3660					
Youth Programs	A3801	2,000	2,000.00	2,000.00	2,000.00	2,000.00
TOTAL ESTIMATED REVENUES FROM STATE AID	A3820	8,948	9,200.00	10,500.00	10,500.00	10,500.00
	A3995	6,587	1,000.00	4,000.00	4,000.00	4,000.00
	A3999	160,812	132,200.00	144,500.00	144,500.00	144,500.00
		FEDERAL AID				
Civil Defense	A4305					
Public Works Employ- ment Antirecession Programs For Aging	A4750					
	A4772					
Emergency Disaster Assistance	A4960					
Total Estimated Federal Aid	A4999					
INTERFUND TRANSFER Interfund Transfer	A5031	15,000	15,000.00	7,200.00	7,200.00	7,200.00
TOTAL ESTIMATED Revenues-General Fund (Transfer to page 1)	A5000	509,813	371,500.00	394,000.00	394,000.00	394,000.00
		ESTIMATED UNEXPENDED BALANCE				
ESTIMATED GENERAL Fund Unexpended Balance (Transfer Total "ADOPTED" To Page 1)		85,000	120,000.00	150,000.00	150,000.00	150,000.00

HIGHWAY APPROPRIATIONS - TOWNWIDE

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>84</u>	BUDGET THIS YEAR AS AMENDED 19 <u>85</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>86</u>	PRELIMINARY BUDGET 19 <u>86</u>	ADOPTED 19 <u>86</u>
GENERAL REPAIRS						
Personal Services	DA5110.1	75,643	56,000.00	58,800.00	58,800.00	58,800.00
Contractual Exp.	DA5110.4	71,435	65,000.00	70,000.00	70,000.00	70,000.00
TOTAL		147,078	121,000.00	128,800.00	128,800.00	128,000.00
IMPROVEMENTS						
Capital Outlay	DA5112.2	21,872.	30,000.00	30,000.00	30,000.00	30,000.00
BRIDGES						
Personal Services	DA5120.1					
Capital Outlay	DA5120.2					
Contractual Exp.	DA5120.4					
TOTAL						
MACHINERY						
Personal Services	DA5130.1					
Equipment	DA5130.2	464	10,000.00	10,000.00	10,000.00	10,000.00
Contractual Exp.	DA5130.4	71,810	55,000.00	65,000.00	65,000.00	65,000.00
TOTAL		72,274	65,000.00	75,000.00	75,000.00	75,000.00
MISCELLANEOUS (BRUSH & WEEDS)						
Personal Services	DA5140.1		8,500.00	9,000.00	9,000.00	9,000.00
Contractual Exp.	DA5140.4		1,000.00	1,000.00	1,000.00	1,000.00
TOTAL			9,500.00	10,000.00	10,000.00	10,000.00
SNOW REMOVAL (TOWN HIGHWAYS)						
Personal Services	DA5142.1	50,769	48,500.00	50,500.00	50,500.00	50,500.00
Contractual Exp.	DA5142.4	36,748	30,000.00	30,000.00	30,000.00	30,000.00
TOTAL		87,517	78,500.00	80,500.00	80,500.00	80,500.00
SERVICES FOR OTHER GOVERNMENTS						
Personal Services	DA5148.1	30,000	48,500.00	50,500.00	50,500.00	50,500.00
Contractual Exp.	DA5148.4	12,082	25,000.00	30,000.00	30,000.00	30,000.00
TOTAL		42,082	73,500.00	80,500.00	80,500.00	80,500.00

HIGHWAY APPROPRIATIONS - TOWNWIDE

ACCOUNTS	CODE	ACTUAL LAST YEAR 1984	BUDGET THIS YEAR AS AMENDED 19 85	BUDGET OFFICERS TENTATIVE BUDGET 1986	PRE- LIMINARY BUDGET 19 86	ADOPTED 19 86
EMPLOYEE BENEFITS						
State Retirement	DA9010.8	23,583	29,382.00	27,518.00	27,518.00	27,518.00
Social Security	DA9030.8	11,058	12,000.00	12,070.00	12,070.00	12,070.00
Worker's Comp.	DA9040.8	2,854	3,700.00	6,200.00	6,200.00	6,200.00
Life Insurance	DA9045.8					
Unemployment Ins.	DA9050.8					
Disability Ins.	DA9055.8	335	300.00	300.00	300.00	300.00
Hospital & Medical Ins.	DA9060.8	11,027	11,000.00	11,000.00	11,000.00	11,000.00
TOTAL		48,857	56,382.00	57,088.00	57,088.00	57,088.00
DEBT SERVICE PRINCIPAL						
Serial Bonds	DA9710.6					
Statutory Bonds	DA9720.6					
Bond Anticipation	DA9730.6	13,000	8,000.00	12,000.00	12,000.00	12,000.00
Capital Notes	DA9740.6					
Budget Notes	DA9750.6					
Tax Anticipation	DA9760.6					
Revenue Anticipation	DA9770.6					
Debt Payments to Public Authorities	DA9780.6					
TOTAL		13,000	8,000.00	12,000.00	12,000.00	12,000.00
INTEREST						
Serial Bonds	DA9710.7					
Statutory Bonds	DA9720.7					
Bond Anticipation	DA9730.7	795	3,200.00	3,200.00	3,200.00	3,200.00
Capital Notes	DA9740.7					
Budget Notes	DA9750.7					
Tax Anticipation	DA9760.7					
Revenue Anticipation	DA9770.7					
Debt Payments to Public Authorities	DA9780.7					
TOTAL		795	3,200.00	3,200.00	3,200.00	3,200.00
INTERFUND TRANSFERS						
TRANSFER TO:						
Capital Project Fund	DA9950.9	309				
TOTAL INTERFUND TRANSFERS		309				
BUDGETARY PROVISIONS FOR OTHER USES	DA962					
TOTAL APPROPRIATIONS AND OTHER USES		433,784	445,082.00	477,088.00	477,099.00	477,088.00*
* Transfer to Page TB-1						

HIGHWAY REVENUES - TOWNWIDE

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>84</u>	BUDGET THIS YEAR AS AMENDED 19 <u>85</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>86</u>	PRE- LIMINARY BUDGET 19 <u>86</u>	ADOPTED 19 <u>86</u>
LOCAL SOURCES						
Non-Property Tax Distribution by County	DA1120	107,800	122,800.00	122,800.00	122,800.00	122,800.00
Services for Other Govt's. Snow Removal	DA2300	40,482	40,000.00	40,000.00	40,000.00	40,000.00
Interest & Earnings	DA2401	9,647	8,000.00	7,000.00	7,000.00	7,000.00
Rental of Equipment						
Other Govt's.	DA2416					
Interfund Revenues	DA2801	300				
Miscellaneous (Specify)	DA2770	100				
Refunds Prior Yr Exp.	DA2701	3,444				
STATE AID						
Consolidated Highway	DA3501	20,503	20,500.00	20,500.00	20,500.00	20,500.00
FEDERAL AID (Specify)						
	DA45					
	DA45					
Interfund Transfers	DA5031	10,000	10,000.00	8,000.00	8,000.00	8,000.00
TOTAL ESTIMATED REVENUES		192,276	201,300.00	198,300.00	198,300.00	198,300.00 ::
UNEXPENDED BALANCE						::
*Transfer to Page TB-1						

FEDERAL REVENUE SHARING FUND
APPROPRIATIONS

ACCOUNT	CODE	ACTUAL LAST YEAR 1984	BUDGET THIS YEAR AS AMENDED 1985	BUDGET OFFICERS TENTATIVE BUDGET 1986	PRELIMINARY BUDGET 1986	ADOPTED 1986
Parks						
Personal Services	CF7110.1					
Equipment	CF7110.2	11,522	10,000.00			
Contractual Exp.	CF7110.4			4,150.00	4,150.00	4,150.00
TOTAL	CF7110.0	11,522	10,000.00	4,150.00	4,150.00	4,150.00
Administration						
Personal Services	CF8686.1					
Equipment	CF8686.2					
Contractual Exp.	CF8686.4	257	250.00	250.00	250.00	250.00
TOTAL	CF8686.0	257	250.00	250.00	250.00	250.00
Drainage						
Personal Services	CF8540.1					
Equipment	CF8540.2					
Contractual Exp.	CF8540.4		10,000.00	4,800.00	4,800.00	4,400.00
TOTAL	CF8540.0		10,000.00	4,800.00	4,800.00	4,400.00
Buildings						
Personal Services	CF1620.1					
Equipment	CF1620.2		8,500.00			
Contractual Exp.	CF1620.4			5,500.00	5,500.00	5,500.00
TOTAL	CF1620.0		8,500.00	5,500.00	5,500.00	5,500.00
TRANSFER TO OTHER FUNDS						
General Fund	CF9901.9	15,000	15,000.00	7,200.00	7,200.00	7,200.00
Highway Fund	CF9901.9	10,000	10,000.00	8,000.00	8,000.00	8,000.00
	CF					
	CF					
Cent Com Sys	CF1650.0					
Personal Services	CF1650.1					
Equipment	CF1650.2			5,300.00	5,300.00	5,300.00
Contractual Exp.	CF1650.4					
Total	CF			5,300.00	5,300.00	5,300.00
	CF					
TOTAL APPROPRIATIONS		36,779	53,750.00	35,200.00	35,200.00	34,800.00
ESTIMATED REVENUES AND ESTIMATED UNEXPENDED BALANCE						
In terest and Earnings	CF2401	839				
Federal Revenue Sharing	CF4001	40,822	40,250.00	30,150.00	30,150.00	30,150.00
TOTAL ESTIMATED Revenues		41,661	40,250.00	30,150.00	30,150.00	30,150.00
Estimated Unexpended Balance			13,500.00	5,050.00	5,050.00	4,650.00

*Transfer to Page 1

COMMUNITY DEVELOPMENT FUND
APPROPRIATION

ACCOUNTS	CODE	ACTUAL LAST YEAR 1984	BUDGET THIS YEAR AS AMENDED 1985	BUDGET OFFICER TENTATIVE BUDGET 1986	PRELIMINARY BUDGET 1986	ADOPTED 1986
ACQUISITION OF REAL PROPERTY Capital Outlay	CD8660.3					
PUBLIC WORKS, FACILITIES SITE IMPROVEMENTS Capital Outlay	CD8662.3					
CODE ENFORCEMENT Personal Services	CD8664.1					
Equipment	CD8664.2					
Capital Outlay	CD8664.3					
Contractual Exp.	CD8664.4					
Fringe Benefits	CD8664.8					
TOTAL	CD8664.0					
CLEARANCE, DEMOLITION REHABILITATION Capital Outlay	CD8666.3					
REHABILITATION-LOANS AND GRANTS Capital Outlay	CD8668.3					
SPECIAL PROJECTS FOR ELDERLY AND HANDICAPPED Capital Outlay	CD8670.3					
PAYMENTS FOR LOSS OF RENTAL INCOME Contractual Exp.	CD8672.4					
DISPOSITION OF REAL PROPERTY Personal Services	CD8674.1					
Equipment	CD8674.2					
Capital Outlay	CD8674.3					
Contractual Exp.	CD8674.4					
Fringe Benefits	CD8674.8					
TOTAL	CD8674.0					
PROVISION OF PUBLIC SERVICES Capital Outlay	CD8676.3					
PAYMENT OF NON-FEDERAL SHARES Contractual Exp.	CD8678.4					
COMPLETION OF URBAN RENEWAL PROJECTS Capital Outlay	CD8680.3					
RELOCATION PAYMENTS AND ASSISTANCE Capital Outlay	CD8682.3					

COMMUNITY DEVELOPMENT FUND
APPROPRIATIONS

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>84</u>	BUDGET THIS YEAR AS AMENDED 19 <u>85</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>86</u>	PRELIMINARY BUDGET 19 <u>86</u>	ADOPTED 19 <u>86</u>
PLANNING AND MANAGEMENT DEVELOPMENT						
Capital Outlay	CD8684.3					
ADMINISTRATION						
Personal Services	CD8686.1					
Equipment	CD8686.2					
Capital Outlay	CD8686.3					
Contractual Exp.	CD8686.4					
Fringe Benefits	CD8686.8					
TOTAL	CD8686.0					
MODEL CITIES ACTIVITIES						
Personal Services	CD8688.1					
Equipment	CD8688.2					
Capital Outlay	CD8688.3					
Contractual Exp.	CD8688.4					
Fringe Benefits	CD8688.8					
TOTAL	CD8688.0					
CDA CONTINGENCIES	CD8690.4					
TOTAL COMMUNITY DEVELOPMENT APPROPRIATIONS	CD9900.0					
		ESTIMATED REVENUES				
COMMUNITY DEVELOPMENT Income	CD2170					
Interest and Earnings	CD2401					
Community Development Grant From County	CD2763					
Federal Aid	CD4910					
TOTAL ESTIMATED Revenues	CD5000					

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 19 <u>84</u>	BUDGET LAST YEAR AS AMENDED 19 <u>85</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>86</u>	PRELIMINARY BUDGET 19 <u>86</u>	ADOPTED 19 <u>86</u>
APPROPRIATIONS						
LIGHTING DIST. Street Lighting	SL-1-					
Contractual Exp.	5182.4	13,293	14,500.00	15,000.00	15,000.00	15,000.00
Judgement & Claims	SL1930.4	6	37.60	107.28	107.28	107.28
TOTAL		13,299	14,537.60	15,107.28	15,107.28	15,107.28
ESTIMATED REVENUES						
Interest & Earnings	SL2401	540	270.00	382.28	382.28	382.28
TOTAL		540	270.00	382.28	382.28	382.28
UNEXPENDED BALANCE						
ESTIMATED LIGHTING District Unexpended Balance						

LIGHTING DISTRICT

APPROPRIATIONS						
LIGHTING DIST. Street Lighting	SL-2-					
Contractual Exp.	5182.4					
TOTAL						
ESTIMATED REVENUES						
TOTAL						
UNEXPENDED BALANCE						
ESTIMATED LIGHTING District Unexpended Balance						

*Transfer Total "Adopted" To Page 1

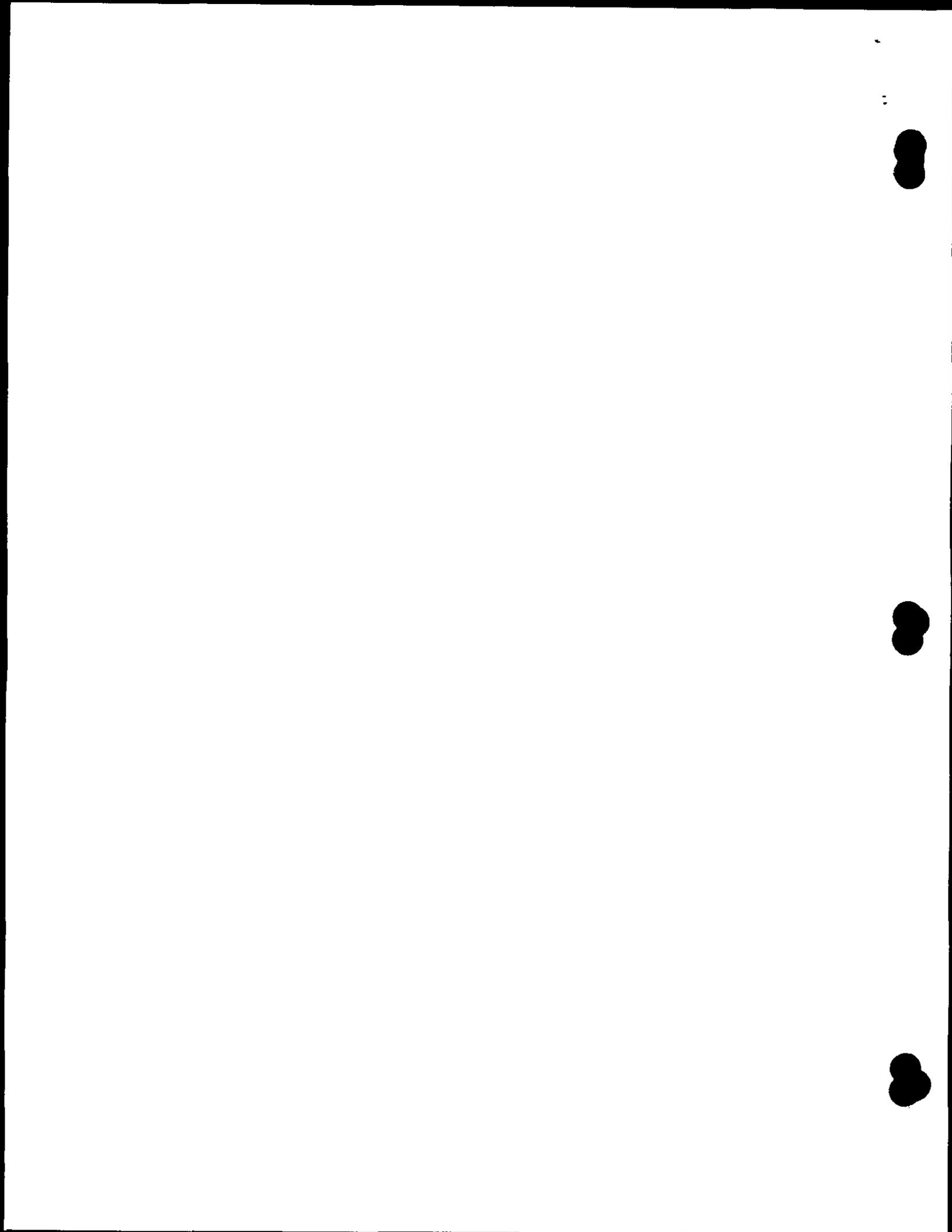
WATER DISTRICT APPROPRIATIONS
#1 WATER DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 1984	BUDGET THIS YEAR AS AMENDED 1985	BUDGET OFFICERS TENTATIVE BUDGET 19 86	PRELIMINARY BUDGET 1986	ADOPTED 1986
Judgement & Claims ADMINISTRATION	SW1930.4		87.80	324.66	324.66	324.66
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					
Taxes In Real Prop	sw1950.5	2				
TRANSMISSION AND DISTRIBUTION						
Personal Services	SW8340.1					
Equipment	SW8340.2	23,756				
Contractual Exp.	SW8340.4	6,589	20,000.00	21,000.00	21,000.00	21,000.00
TOTAL	SW8340.0	30,345	20,000.00	21,000.00	21,000.00	21,000.00
UNDISTRIBUTED						
EMPLOYEE BENEFITS						
State Retirement	SW9010.8					
Social Security	SW9030.8					
Compensation Ins.	SW9040.8					
Life Insurance	SW9045.8					
Unemployment Ins.	SW9050.8					
Disability Ins.	SW9055.8					
Hospital and Medical Insurance	SW9060.8					
TOTAL	SW9199.0					
INTERFUND TRANSFERS						
Transfer to:						
Other Funds	SW9901.9					
Capital Project Fund	SW9950.9	2,251				
TOTAL INTERFUND Transfer	SW9699.0	2,251				

ACCOUNTS	CODE	ACTUAL LAST YEAR 1984	BUDGET THIS YEAR AS AMENDED 1985	BUDGET OFFICERS TENTATIVE BUDGET 19 86	PRELIMINARY BUDGET 19 86	ADOPTED 19 86
Serial Bonds DEBT SERVICE PRINCIPAL	sw9710.6	UNDISTRIBUTED 20,000	20,000.00	20,000.00	20,000.00	20,000.00
Bond Anticipation Notes	SW9730.6					
Budget Notes	SW9750.6					
Revenue Anticipation Notes	SW9770.6					
TOTAL	SW9899.6	20,000	20,000.00	20,000.00	20,000.00	20,000.00
INTEREST Serial Bonds	sw9710.7	3,330	2,960.00	2,220.00	2,220.00	2,220.00
Bond Anticipation Notes	SW9730.7					
Budget Notes	SW9750.7					
Revenue Anticipation Notes	SW9770.7					
TOTAL	SW9899.7	3,330	2,960.00	2,220.00	2,220.00	2,220.00
BUDGETARY PROVISIONS For Other Uses	SW962					
TOTAL WATER DISTRICT Appropriations and Budgetary Provisions For Other Uses (Trans- fer Total "ADOPTED" To Page 1)	SW9900.0	55,928	43,047.80	43,544.66	43,544.66	43,544.66

WATER DISTRICT ESTIMATED REVENUES
#1 WATER DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>84</u>	BUDGET THIS YEAR AS AMENDED 19 <u>85</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>86</u>	PRELIMINARY BUDGET 19 <u>86</u>	ADOPTED 19 <u>86</u>
METERED SALES	SW2140					
Unmetered Sales	SW2142					
Water Connection Charge	SW2144					
Interest and Penalties On Water Rents	SW2148					
INTEREST AND EARNINGS	SW2401	3,319	1,500.00	1,200.66	1,200.66	1,200.66
Sales Of Scrap And Excess Materials	SW2650					
Minor Sales, Other	SW2655					
INSURANCE Recoveries	SW2680					
Other Compensation For Loss	SW2690					
Other (Specify)	SW					
<u>TOTAL WATER DISTRICT</u> Estimated Revenues (Transfer Total "ADOPTED" To Page 1)		3,319	1,500.00	1,200.66	1,200.66	1,200.66
		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>84</u>	BUDGET THIS YEAR AS AMENDED 19 <u>85</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>86</u>	PRELIMINARY BUDGET 19 <u>86</u>	ADOPTED 19 <u>86</u>
Judgement & Claims		160	150.00	290.00	290.00	290.00
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	1,088				
Contractual Exp.	SW8340.4	1,794	23,150.00	24,125.00	24,125.00	24,125.00
TOTAL	SW8340.0	3,042	23,150.00	24,125.00	24,125.00	24,125.00
			UNDISTRIBUTED			
EMPLOYEE BENEFITS						
State Retirement	SW9010.8					
Social Security	SW9030.8					
Compensation Ins.	SW9040.8					
Life Insurance	SW9045.8					
Unemployment Ins.	SW9050.8					
Disability Ins.	SW9055.8					
Hospital and Medical Insurance	SW9060.8					
TOTAL	SW9199.0					
INTERFUND TRANSFERS						
Transfer to:						
Other Funds	SW9901.9					
Capital Project Fund	SW9950.9	833				
TOTAL INTERFUND Transfer	SW9699.0	833				

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>84</u>	BUDGET THIS YEAR AS AMENDED 19 <u>85</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>86</u>	PRELIMINARY BUDGET 19 <u>86</u>	ADOPTED 19 <u>86</u>
Serial Bonds						
DEBT SERVICE PRINCIPAL	sw9710.6	7,000	8,000.00	8,000.00	8,000.00	8,000.00
Bond Anticipation Notes	SW9730.6	24,000				
Budget Notes	SW9750.6					
Revenue Anticipation Notes	SW9770.6					
TOTAL	Sw9899.6	31,000	8,000.00	8,000.00	8,000.00	8,000.00
INTEREST Serial Bonds	sw9710.7	10,575	10,200.00	9,800.00	9,800.00	9,800.00
Bond Anticipation Notes	SW9730.7	1,448				
Budget Notes	SW9750.7					
Revenue Anticipation Notes	SW9770.7					
TOTAL	SW9899.7	12,023	10,200.00	9,800.00	9,800.00	9,800.00
BUDGETARY PROVISIONS For Other Uses	SW962					
TOTAL WATER DISTRICT Appropriations and Budgetary Provisions For Other Uses (Trans- fer Total "ADOPTED" To Page 1)	SW9900.0	46,898	41,500.00	42,215.00	42,215.00	42,215.00

WATER DISTRICT ESTIMATED REVENUES
#2 WATER DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>84</u>	BUDGET THIS YEAR AS AMENDED 19 <u>85</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>86</u>	PRELIMINARY BUDGET 19 <u>86</u>	ADOPTED 19 <u>86</u>
METERED SALES	SW2140					
Unmetered Sales	SW2142					
Water Connection Charge	SW2144					
Interest and Penalties On Water Rents	SW2148					
INTEREST AND EARNINGS	SW2401	3,601	600.00	1,000.00	1,000.00	1,000.00
Sales Of Scrap And Excess Materials	SW2650					
Minor Sales, Other	SW2655					
INSURANCE Recoveries	SW2680					
Other Compensation For Loss	SW2690					
Other (Specify)	SW					
TOTAL WATER DISTRICT Estimated Revenues (Transfer Total "ADOPTED" To Page 1		3,601	600.00	1,000.00	1,000.00	1,000.00
UNEXPENDED BALANCE						
ESTIMATED WATER DISTRICT Unexpended Balance (Transfer Total "ADOPTED" To Page 1)						

FIRE PROTECTION DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>84</u>	BUDGET THIS YEAR AS AMENDED 19 <u>85</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>86</u>	PRELIMINARY BUDGET 19 <u>86</u>	ADOPTED 19 <u>86</u>
APPROPRIATIONS						
FIRE PROTECTION DIST. Payments On Fire Contracts Judge & Claims	SF1930.4	84	327.11	317.89	317.89	317.89
Contractual Exp.	SF-1- 3410.4	125,491	135,636.00	147,113.00	147,113.00	147,113.00
Comp Insurance	SF9040.8	4,959	11,250.00	14,000.00	14,000.00	14,000.00
TOTAL		130,534	147,213.41	161,430.89	161,430.89	161,430.89
ESTIMATED REVENUES						
Interest & Earnings	SF2401	1,431	650.00	317.89	317.89	317.89
Misc.	SF	55				
TOTAL		1,486	650.00	317.89	317.89	317.89
UNEXPENDED BALANCE						
ESTIMATED FIRE Protection Dist. Unexpended Balance		10,000	9,000.00			
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						

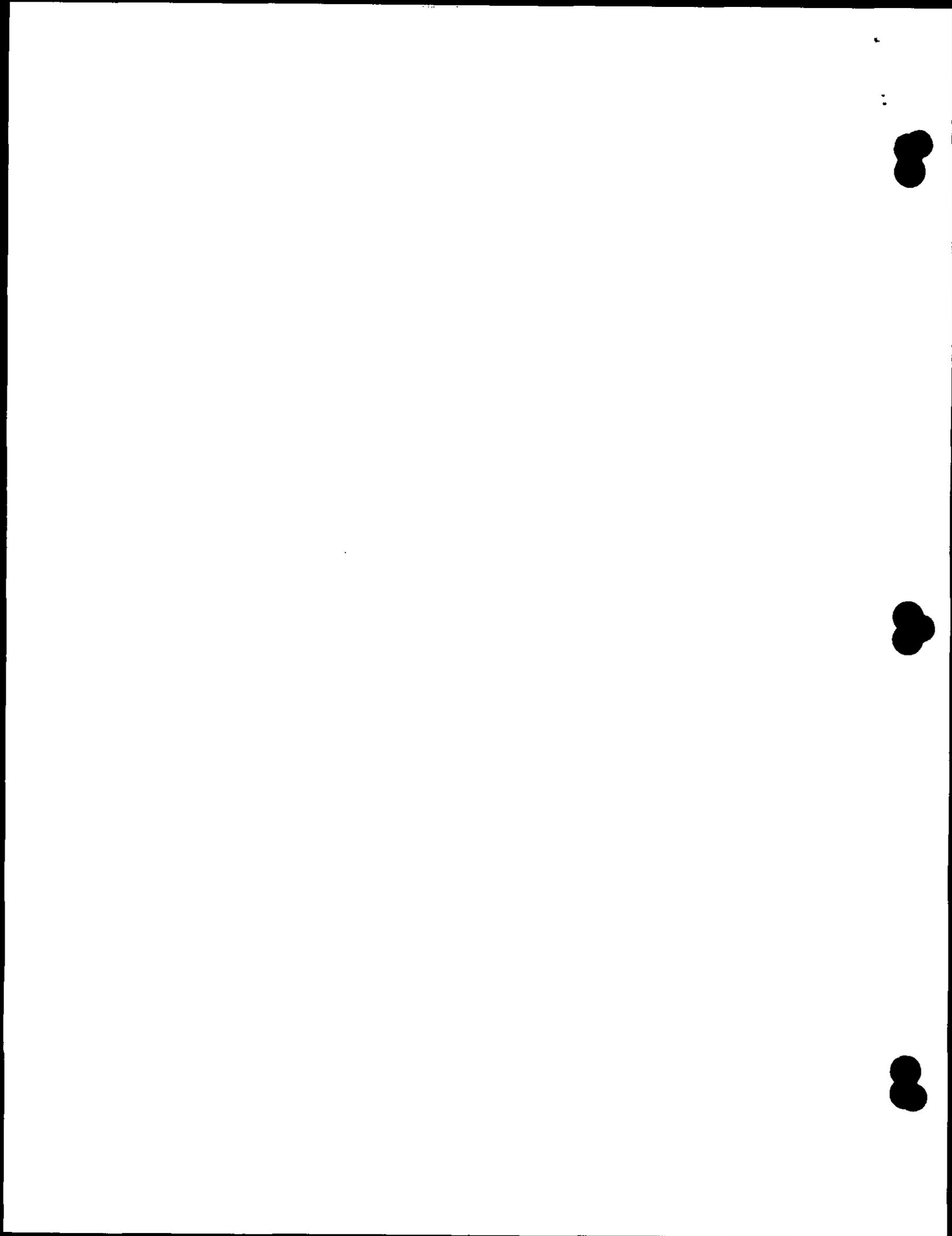
*Transfer Total "ADOPTED" To Page 1

SEWER FUND APPROPRIATIONS (CONTD.)

#1

SEWER DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 19_84	BUDGET THIS YEAR AS AMENDED 19_85	BUDGET OFFICERS TENTATIVE BUDGET 19_86	PRELIMINARY BUDGET 19_86	ADOPTED 19_86
		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)		466	1,000.00	1,000.00	1,000.00	1,000.00



SEWER DISTRICT APPROPRIATIONS
#2 SEWER DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>84</u>	BUDGET THIS YEAR AS AMENDED 19 <u>85</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>86</u>	PRELIMINARY BUDGET 19 <u>86</u>	ADOPTED 19 <u>86</u>
SPECIAL ITEMS						
Taxes On Sewer District Property Contractual Exp.	SS1950.4	416				
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	1,437	2,499.13	2,499.13	2,499.13	2,499.13
TOTAL	SS8130.0	1,437	2,499.13	2,499.13	2,499.13	2,499.13
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 Transfer	SS9699.0					

SEWER FUND APPROPRIATIONS (CONTD.)

#2

SEWER DISTRICT

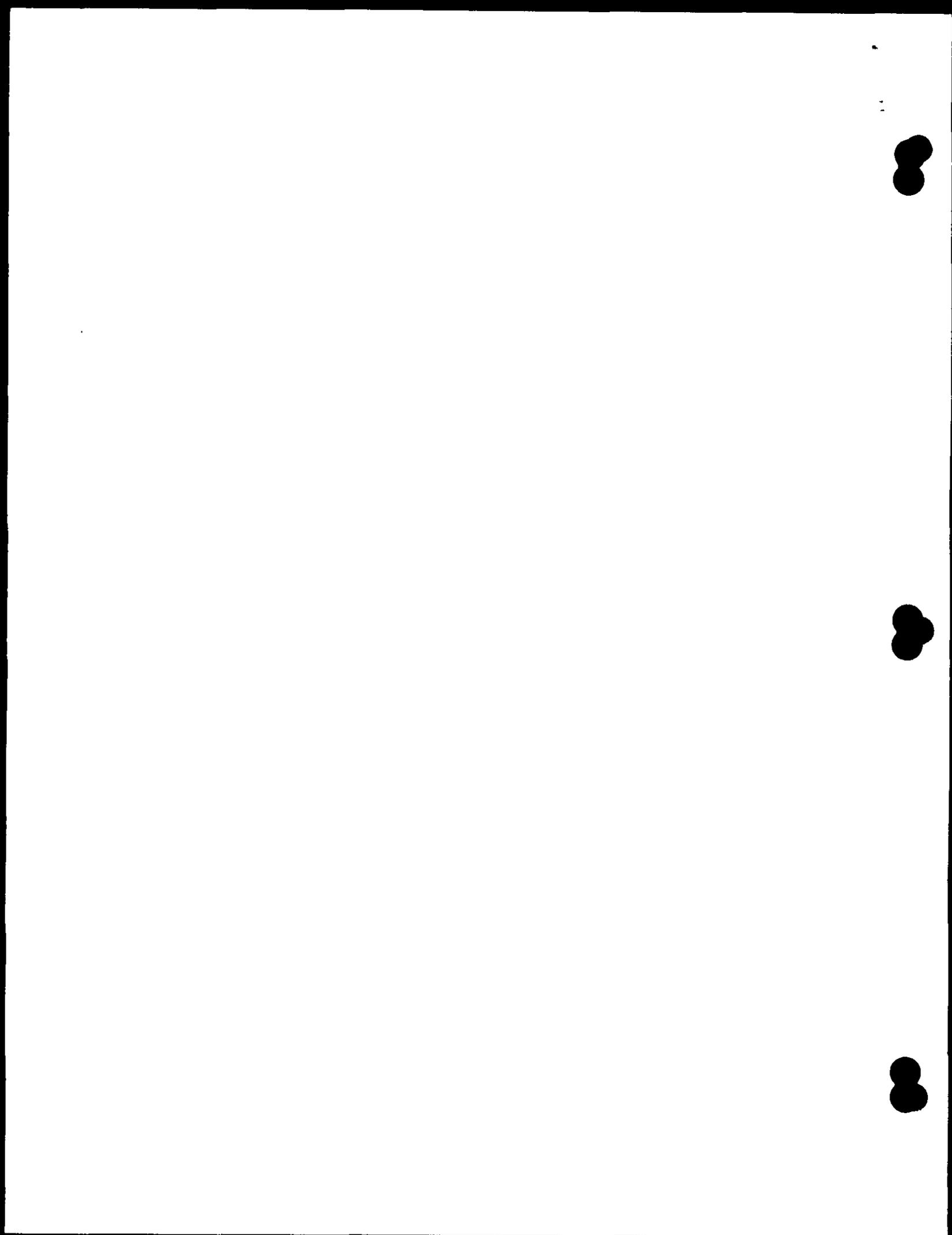
ACCOUNTS	CODE	ACTUAL LAST YEAR 1984	BUDGET THIS YEAR AS AMENDED 1985	BUDGET OFFICERS TENTATIVE BUDGET 19 86	PRELIMINARY BUDGET 19 86	ADOPTED 19 86
		UNDISTRIBUTED				
DEBT SERVICE PRINCIPAL						
Bond Anticipation Notes	SS9730.6					
Budget Notes	SS9750.6					
Revenue Anticipation Notes	SS9770.6					
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)		1,853	2,499.13	2,499.13	2,499.13	2,499.13

SEWER DISTRICT ESTIMATED REVENUES

#2

SEWER DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>84</u>	BUDGET THIS YEAR AS AMENDED 19 <u>85</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>86</u>	PRELIMINARY BUDGET 19 <u>86</u>	ADOPTED 19 <u>86</u>
Sewer Rents	SS2120					
Sewer Charges	SS2122					
Interest And Penalties On Sewer Rents	SS2128					
Interest And Earnings	SS2401	96				
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)		96				
UNEXPENDED BALANCE						
ESTIMATED SEWER DIST. Unexpended Balance (Transfer Total "ADOPTED" To Page 1)		1,000				



SEWER DISTRICT APPROPRIATIONS
#3 SEWER DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>84</u>	BUDGET THIS YEAR AS AMENDED 19 <u>85</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>86</u>	PRELIMINARY BUDGET 19 <u>86</u>	ADOPTED 19 <u>86</u>
SPECIAL ITEMS						
Taxes On Sewer District Property Contractual Exp.	SS1950.4	93				
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	67	1,200.00	450.00	450.00	450.00
TOTAL	SS8130.0	67	1,200.00	450.00	450.00	450.00
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 Transfer	SS9699.0					

SEWER FUND APPROPRIATIONS (CONTD.)

#3

SEWER DISTRICT

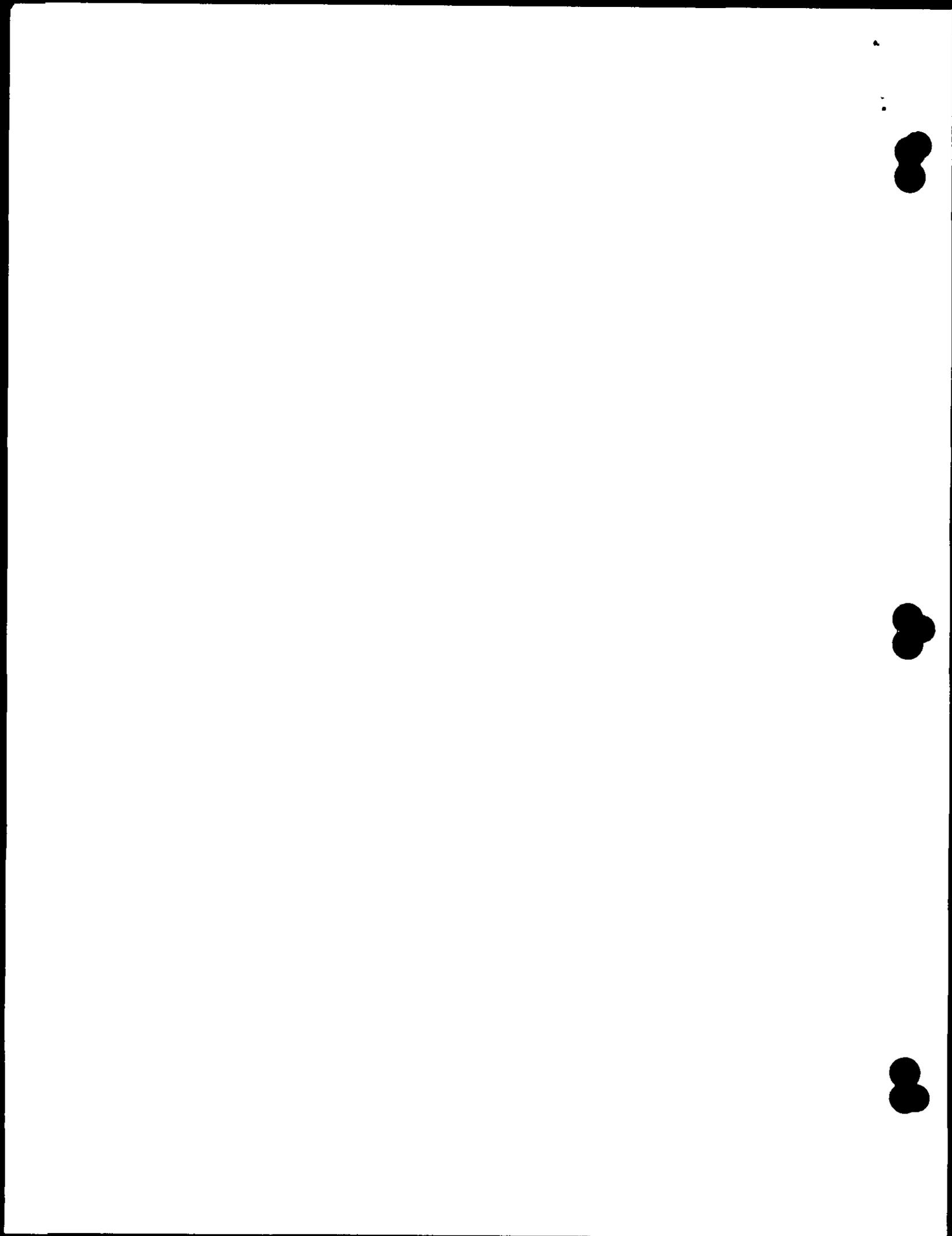
ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>84</u>	BUDGET THIS YEAR AS AMENDED 19 <u>85</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>86</u>	PRELIMINARY BUDGET 19 <u>86</u>	ADOPTED 19 <u>86</u>
		UNDISTRIBUTED				
DEBT SERVICE PRINCIPAL						
Bond Anticipation Notes	SS9730.6					
Budget Notes	SS9750.6					
Revenue 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)		160	1,200.00	450.00	450.00	450.00

SEWER DISTRICT ESTIMATED REVENUES

#3

SEWER DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>84</u>	BUDGET THIS YEAR AS AMENDED 19 <u>85</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>86</u>	PRELIMINARY BUDGET 19 <u>86</u>	ADOPTED 19 <u>86</u>
Sewer Rents	SS2120					
Sewer Charges	SS2122					
Interest And Penalties On Sewer Rents	SS2128					
Interest And Earnings	SS2401	75				
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)		75				
UNEXPENDED BALANCE						
ESTIMATED SEWER DIST. Unexpended Balance (Transfer Total "ADOPTED" To Page 1)				450.00	450.00	450.00



SEWER FUND APPROPRIATIONS (CONTD.)

#4

SEWER DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 84	BUDGET THIS YEAR AS AMENDED 19 85	BUDGET OFFICERS TENTATIVE BUDGET 19 86	PRELIMINARY BUDGET 19 86	ADOPTED 19 86
			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)		183	1,139.83	1,000.00	1,000.00	1,000.00

SEWER DISTRICT ESTIMATED REVENUES

#4

SEWER DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 1984	BUDGET THIS YEAR AS AMENDED 1985	BUDGET OFFICERS TENTATIVE BUDGET 19 86	PRELIMINARY BUDGET 1986	ADOPTED 1986
Sewer Rents	SS2120					
Sewer Charges	SS2122					
Interest And Penalties On Sewer Rents	SS2128					
Interest And Earnings	SS2401	66				
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)		66				
UNEXPENDED BALANCE						
ESTIMATED SEWER DIST. Unexpended Balance (Transfer Total "ADOPTED" To Page 1)				1,000.00	1,000.00	1,000.00

REFUSE AND GARBAGE DISTRICT APPROPRIATIONS
REFUSE AND GARBAGE DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>84</u>	BUDGET THIS YEAR AS AMENDED 19 <u>85</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>86</u>	PRELIMINARY BUDGET 19 <u>86</u>	ADOPTED 19 <u>86</u>
Judgement & Claims REFUSE AND GARBAGE	SR1930.4	10	28.18	1.64	1.64	1.64
Personal Services	SR8160.1					
Equipment	SR8160.2					
Contractual Exp.	SR8160.4	10,927	12,000.00	12,500.00	12,500.00	12,500.00
TOTAL	SR8160.0	10,937	12,028.18	12,501.64	12,500.00	12,500.00
EMPLOYEE BENEFITS						
State Retirement	SR9010.8					
Social Security	SR9030.8					
Compensation Ins.	SR9040.8					
Life Insurance	SR9045.8					
Unemployment Ins.	SR9050.8					
Disability Ins.	SR9055.8					
Hospital and Medical Insurance	SR9060.8					
TOTAL	SR9199.0					
INTERFUND TRANSFERS						
Transfer To:						
Other Funds	SR9901.9					
Capital Project Fund	SR9950.9					
TOTAL	SR9699.0					
DEBT SERVICE PRINCIPAL						
Bond Anticipation Notes	SR9730.6					
Budget Notes	SR9750.6					
Revenue Anticipation Notes	SR9770.6					
TOTAL	SR9899.6					
INTEREST						
Bond Anticipation Notes	SR9730.7					
Budget Notes	SR9750.7					
Revenue Anticipation Notes	SR9770.7					
TOTAL	SR9899.7					
BUDGETARY PROVISIONS						
For Other Uses	SR962					
TOTAL REFUSE AND Garbage District Appropriations And Budgetary Provisions For Other Uses (Transfer Total "ADOPTED" To Page 1)		10.937	12,028.18	12,501.64	12,501.64	12,501.64

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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.