

**AGENDA**  
**REGULAR MEETING - TOWN OF BOSTON**  
**FEBRUARY 5, 2020 - 7:30 P.M.**

**ITEM NO. I PRELIMINARY MATTERS**

1. Call Meeting to Order
2. Roll Call
3. Pledge of Allegiance
4. Other Preliminary Matters

**ITEM NO. II REGULAR BUSINESS**

1. Correction and Adoption of the Minutes 1/15/2020
2. Consideration of all Fund Bills

**ITEM NO. III CORRESPONDENCE**

1. Letter from Planning Board notification of election of 2020 Officers
2. Letter from Zoning Board of Appeals notification of February 6, 2020 meeting cancellation
3. Letter from LaBella Associates regarding Proposed Dollar General Site Plan

**ITEM NO. IV NEW BUSINESS**

1. Public Hearing to extend Boston EMS Contract
2. Resolution 2020-10 AUTHORIZING CONTRACT FOR GENERAL AMBULANCE SERVICE WITH BOSTON EMERGENCY SQUAD, INC.
3. Recognition of Thomas Kyle for 50 years of service to North Boston Volunteer Fire Company
4. Requests from the Floor (3 minute time limit per person)
5. Resolution 2020-11 AGREEMENT WITH BOSTON FREE LIBRARY ASSOCIATION
6. Resolution 2020-12 AUTHORIZING PURCHASE OF DUMP TRUCK FOR HIGHWAY DEPARTMENT USE
7. Resolution 2020-13 APPROVE THE CLEANING OF AIR DUCTS AT TOWN HALL AND STATE TROOPER BARRACKS
8. Resolution 2020-14 APPROVE THE CodeRED SERVICE AGREEMENT
9. Resolution 2020-15 APPROVE THE ZONING MAP PROJECT NO. P1903313
10. Resolution 2020-16 AUTHORIZATION FOR DELEGATE TO ANNUAL MEETING OF ASSOCIATION OF TOWNS

11. Resolution 2020-17 DENYING APPROVAL FOR SITE PLAN FOR THE BROADWAY GROUP, LLC'S DOLLAR GENERAL PROJECT AT 9287 BOSTON STATE ROAD
12. Resolution 2020-18 NOTICE OF INTENT TO DECLARE SEQR LEAD AGENCY STATUS AND DETERMINE THE SIGNIFICANCE OF THE ENVIRONMENTAL IMPACT – SITE PLAN FOR PROPOSED DOLLAR GENERAL STORE ON BOSTON STATE ROAD
13. Resolution 2020-19 AUTHORIZING PURCHASE OF UTILITY TRACTOR FOR HIGHWAY DEPARTMENT USE
14. Resolution 2020-20 ALLOCATING 2019 FUNDS TO THE AMBULANCE CAPITAL RESERVE FUND
15. Annual Refuse Licenses
16. Vince Mangino – Request for reappointment as Chairman of the Conservation Advisory Council
17. Sharon Stuart – Request for reappointment to the Conservation Advisory Council
18. Noah Quinlan – Request for reappointment to the Conservation Advisory Council
19. Use of Facility – Charlotte Ave Pre-K Graduation
20. Use of Facility – Fred Klepp – Drake Family Reunion
21. Use of Town Meeting Facility – Herb Klein – Hospice Bouquet Distribution
22. Use of Town Meeting Facility – Board of Elections
23. Use of Facility – Boston Arts Council Summer Concert Series

#### **ITEM NO. V OLD BUSINESS**

#### **ITEM NO. VI REPORTS AND PRESENTATIONS**

1. Supervisor
2. Town Clerk
3. Highway Superintendent
4. Councilmembers

#### **ITEM NO. VIII ADJOURNMENT OF MEETING**

1. Adjournment of Meeting

Present: Supervisor Jason Keding, Councilman Michael Cartechine, Councilwoman Jennifer Lucachik, Councilwoman Kelly Martin, and Councilwoman Kathleen Selby.

Also Present: Highway Superintendent Telaak, Attorney for the Town Costello, and Deputy Town Clerk Lois Jackson.

Regular business:

A motion was made by Councilwoman Lucachik and seconded by Councilwoman Martin to approve the minutes of the January 15, 2020 regular meeting.

Supervisor Keding	Yes	Councilman Cartechine	Yes
Councilwoman Lucachik	Yes	Councilwoman Martin	Yes
Councilwoman Selby	Yes		

five (5) Yes Carried

A motion was made by Councilwoman Selby and seconded by Councilman Cartechine, upon review by the Town Board, that fund bills in the amount of \$148,433.27 be paid.

Supervisor Keding	Yes	Councilman Cartechine	Yes
Councilwoman Lucachik	Yes	Councilwoman Martin	Yes
Councilwoman Selby	Yes		

five (5) Yes Carried

Supervisor Keding stated the following has been received and filed under correspondence:

Letter from Planning Board notification of election of 2020 Officers.

Letter from Zoning Board of Appeals notification of February 6, 2020 meeting cancellation.

Letter from LaBella Associates regarding Proposed Dollar General Site Plan.

Councilwoman Martin read the public hearing notice for the Boston Emergency Services:

PLEASE TAKE NOTICE that the Boston Town Board, Erie County, New York, will hold a Public Hearing at the February 5, 2020 Town Board Meeting to extend the Boston Emergency Services Contract for the purpose of furnishing Ambulance

Service to the Town of Boston in the amount of \$54,423 which will be allocated as follows: \$32,000 General Operating Costs, \$8,000 Liability Insurance and \$14,423 as the annual Installment due on September 29, 2020 to Evans Bank for Ambulance unit #815. Public Hearing will be held at Boston Town Hall, 8500 Boston State Road, Boston, New York, on Wednesday, February 5, 2020, at 7:30 p.m. All persons interested, in the matter shall be heard for or against at such time and place.

There were no comments from the public.

A motion was made by Councilwoman Martin and seconded by Supervisor Keding,

**RESOLUTION 2020-10                      AUTHORIZING CONTRACT FOR GENERAL  
AMBULANCE SERVICE WITH THE BOSTON  
EMERGENCY SQUAD, INC.**

WHEREAS, The Town of Boston desires to provide by contract for general ambulance service and first aid for those persons who require such services within the boundaries of the Town; and

WHEREAS, after due deliberation on the foregoing, the Town Board believes it to be in the best interests of the Town to execute the contract dated February 5, 2020;

NOW THEREFORE BE IT RESOLVED, that the Town of Boston hereby authorizes the contract dated February 5, 2020 for general ambulance service and first aid with Boston Emergency Squad, Inc.

Supervisor Keding	Yes	Councilman Cartechine	Yes
Councilwoman Lucachik	Yes	Councilwoman Martin	Yes
Councilwoman Selby	Yes		

five (5) Yes

Carried

New business:

Recognition of Thomas Kyle for 50 years of service to North Boston Volunteer Fire Company.

Proclamations were presented to Mr. Kyle from Legislator John Mills, Mitch Martin presenting for Senator Patrick Gallivan, Chris Couell Deputy Fire Commissioner of Erie County, and Councilman Cartechine on behalf of Assemblyman David DiPietro.

Supervisor Keding stated the floor is open for public comment.

There were no comments from the public.

Supervisor Keding stated the floor is closed.

A motion was made by Councilwoman Lucachik and seconded by Councilwoman Martin,

**RESOLUTION 2020-11                      AGREEMENT WITH BOSTON FREE LIBRARY ASSOCIATION**

RESOLVED, that the Supervisor hereby is authorized, on behalf of the Town of Boston, to enter into an agreement with the Boston Free Library Association for the period commencing January 1, 2020 through December 31, 2020 for the Boston Free Library to permit Town use of its Community Room and to serve as an additional Depository for documents filed for public inspection; and IT IS FURTHER RESOLVED, that in consideration of the above and to support the maintenance of the Library to provide meeting space and depository services for the Town, the Town hereby is authorized to pay to the Boston Free Library the sum of \$1,000.

Supervisor Keding	Yes	Councilman Cartechine	Yes
Councilwoman Lucachik	Yes	Councilwoman Martin	Yes
Councilwoman Selby	Yes		

five (5) Yes Carried

A motion was made by Supervisor Keding and was seconded by Councilwoman Lucachik,

**RESOLUTION 2020-12                      AUTHORIZING PURCHASE OF DUMP TRUCK FOR HIGHWAY DEPARTMENT USE**

WHEREAS, the Town of Boston Highway Superintendent has identified a need for a new dump truck to support highway operations and to replace a similar truck that was disposed of in 2019 after it reached the end of its useful life; and  
WHEREAS, the Highway Superintendent has identified a suitable replacement dump truck that the Town can procure by "piggybacking" pursuant to General Municipal Law § 103(16) off of Cattaraugus County Bid DPW #72, total price of \$168,659.

Motion Con't:

Supervisor Keding	Yes	Councilman Cartechine	Yes
Councilwoman Lucachik	Yes	Councilwoman Martin	Yes
Councilwoman Selby	Yes		

five (5) Yes Carried

A motion was made by Councilwoman Selby and was seconded by Councilman Cartechine,

**RESOLUTION 2020-13                      APPROVE THE CLEANING OF AIR DUCTS AT TOWN HALL AND STATE TROOPER BARRACKS**

WHEREAS, the Town of Boston Town Hall (located at 8500 Boston State Rd., Boston, New York 14025) and New York State Trooper Barracks (located at 8555 Boston State Rd., Boston, New York 14025) have many air ducts that are in need of cleaning; and

WHEREAS, the Town wants to promote a healthy work environment for its employees and any residents who enter these buildings; and

RESOLVED, that the Town of Boston authorizes the Supervisor to enter into a contract with Quinn’s Rug & Upholstery Cleaning at a cost of \$5,200.00.

Supervisor Keding	Yes	Councilman Cartechine	Yes
Councilwoman Lucachik	Yes	Councilwoman Martin	Yes
Councilwoman Selby	Yes		

five (5) Yes Carried

A motion was made by Councilwoman Martin and was seconded by Councilwoman Lucachik,

**RESOLUTION 2020-14                      APPROVE THE CodeRED SERVICE AGREEMENT**

WHEREAS, the Town of Boston has identified the CodeRED system provided by Onsolve, LLC as an effective way to communicate with persons located in the Town, as it is able to target notifications sent by email and SMS text by geographical area; and

WHEREAS, this will be the second year that the Town will be using this service; NOW THEREFORE BE IT RESOLVED, that the Town of Boston authorizes the Supervisor to enter into a contract with OnSolve, LLC for one year of CodeRED service at a cost of \$3,200.00.

Motion Con't:

Supervisor Keding	Yes	Councilman Cartechine	Yes
Councilwoman Lucachik	Yes	Councilwoman Martin	Yes
Councilwoman Selby	Yes		

five (5) Yes Carried

A motion was made by Councilwoman Lucachik and seconded by Councilwoman Selby,

**RESOLUTION 2020-15      APPROVE THE ZONING MAP PROJECT NO. P1903313**

WHEREAS, the Town has not had new Zoning maps made since 1991; and  
 WHEREAS, the Town Board, Planning Board, Zoning Board of Appeals, and Code Enforcement Officer see the need to be working from the most up to date zoning information; and  
 WHEREAS, on January 16<sup>th</sup>, 2020 LaBella Associates prepared a proposal for the Town Board (Proposal No. P1903313), which outlines plans to update and digitize the Zoning Map data for the Town; and  
 NOW THEREFORE BE IT RESOLVED, that the Town of Boston authorizes the Supervisor to enter into a contract with LaBella Associates for new Zoning Maps at a cost of \$6,500.00.

Supervisor Keding	Yes	Councilman Cartechine	Yes
Councilwoman Lucachik	Yes	Councilwoman Martin	Yes
Councilwoman Selby	Yes		

five (5) Yes Carried

A motion was made by Supervisor Keding and seconded by Councilwoman Lucachik,

**RESOLUTION 2020-16                      AUTHORIZATION FOR DELEGATE TO ANNUAL MEETING OF ASSOCIATION OF TOWNS**

WHEREAS, Town Prosecutor, Anna M. Kobialka attended the Association of Towns ("AOT") Annual Meeting and Training Session in New York City on February 16- 19, 2020, and  
 THEREFORE BE IT RESOLVED, that Anna M. Kobialka, Esq be designated nunc pro tunc as a delegate for the Town of Boston, and  
 BE IT RESOLVED, that in the absence of Jason A. Keding, be designated as the delegate for the Town of Boston.

**DRAFT**

Motion Con't:

Supervisor Keding	Yes	Councilman Cartechine	Yes
Councilwoman Lucachik	Yes	Councilwoman Martin	Yes
Councilwoman Selby	Yes		

five (5) Yes Carried

A motion was made by Councilwoman Lucachik and seconded by Councilwoman Martin,

**RESOLUTION 2020-17      DENYING APPROVAL FOR SITE PLAN FOR THE  
BROADWAY GROUP, LLC'S DOLLAR GENERAL  
PROJECT AT 9287 BOSTON STATE ROAD**

RESOLVED, that the Town Board hereby finds that the site plan fails to conform to Town Code §§ 97-10(B) and 123-167(A)(1); and

IT IS FURTHER RESOLVED, that the Town Board hereby finds that the proposed 8,960 square-foot retail store is out of character with the community in the proposed project location and is of a design mass, scale, and use that is not harmonious with the surrounding neighborhood; and

IT IS FURTHER RESOLVED, that the Town Board hereby adopts and incorporates as part this Resolution the Planning Board's finding's as set forth in the memorandum of Dr. Paul Ziarnowski, Planning Board Chairman, dated December 9, 2019, with attachments; and

IT IS FURTHER RESOLVED, that Town Board of the Town of Boston hereby disapproves the final site plan submitted by The Broadway Group, LLC, for development of a Dollar General retail store at 9287 Boston State Road.

Supervisor Keding	Yes	Councilman Cartechine	Yes
Councilwoman Lucachik	Yes	Councilwoman Martin	Yes
Councilwoman Selby	Yes		

five (5) Yes Carried

A motion was made by Councilwoman Lucachik and seconded by Supervisor Keding to table,

**RESOLUTION 2020-18      NOTICE OF INTENT TO DECLARE SEQR LEAD AGENCY  
STATUS AND DETERMINE THE SIGNIFICANCE OF THE  
ENVIRONMENTAL IMPACT - SITE PLAN FOR PROPOSED  
DOLLAR GENERAL STORE ON BOSTON STATE ROAD**

Supervisor Keding	Yes	Councilman Cartechine	Yes
Councilwoman Lucachik	Yes	Councilwoman Martin	Yes



DRAFT

Motion Con't:

Supervisor Keding	Yes	Councilman Cartechine	Yes
Councilwoman Lucachik	Yes	Councilwoman Martin	Yes
Councilwoman Selby	Yes		

five (5) Yes

Carried

A motion was made by Councilwoman Martin and seconded by Supervisor Keding to reappoint Vince Mangino as Chairman of the Conservation Advisory Council for one year, and to reappoint Sharon Stuart and Noah Quinlan as regular members of the Conservation Advisory Council for the term until March 1, 2022.

Supervisor Keding	Yes	Councilman Cartechine	Yes
Councilwoman Lucachik	Yes	Councilwoman Martin	Yes
Councilwoman Selby	Yes		

five (5) Yes

Carried

A motion was made by Councilwoman Selby and seconded by Councilman Cartechine to approve the Use of Facility application for Charlotte Avenue Pre K for June 19, 2020, 8:00 am - 3:00 pm, for graduation picnic, Boston Town Park, Lions Shelter, and bathroom facilities.

Supervisor Keding	Yes	Councilman Cartechine	Yes
Councilwoman Lucachik	Yes	Councilwoman Martin	Yes
Councilwoman Selby	Yes		

five (5) Yes

Carried

A motion was made by Councilman Cartechine and seconded by Councilwoman Lucachik to approve the Use of Facility application for Fred Klepp for August 22, 2020, 10:00 am - 7:00 pm, for Drake Family Reunion, Boston Town Park, Lions Shelter, and bathroom facilities.

Supervisor Keding	Yes	Councilman Cartechine	Yes
Councilwoman Lucachik	Yes	Councilwoman Martin	Yes
Councilwoman Selby	Yes		

five (5) Yes

Carried

A motion was made by Councilman Cartechine and seconded by Councilwoman Selby to approve the Use of Town Meeting Facility application for Herb Klein for March 4, 2020, 1:00 pm, for distribution of the Hospice Spring Bouquets, Community Room.

Supervisor Keding	Yes	Councilman Cartechine	Yes
Councilwoman Lucachik	Yes	Councilwoman Martin	Yes
Councilwoman Selby	Yes		

five (5) Yes Carried

A motion was made by Supervisor Keding and seconded by Councilman Cartechine to approve the Use of Town Meeting Facility application for Board of Elections Early Voting, April 18-26, 2020, June 13-21, 2020, and October 24-November 1, 2020, 11:30 am - 6:30 pm Weekends, 11:30 am - 9:30 pm Weekdays, Community Room.

Supervisor Keding	Yes	Councilman Cartechine	Yes
Councilwoman Lucachik	Yes	Councilwoman Martin	Yes
Councilwoman Selby	Yes		

five (5) Yes Carried

A motion was made by Councilman Cartechine and seconded by Councilwoman Selby to approve the Use of Facility application for Boston Arts Council Summer Concert Series, for July 7, 14, 21, 28, 2020, August 4, 11, 18, 25, 2020, 6:00 pm - 11:00 pm, Boston Town Park, Lions Shelter, and bathroom facilities.

Supervisor Keding	Yes	Councilman Cartechine	Yes
Councilwoman Lucachik	Yes	Councilwoman Martin	Yes
Councilwoman Selby	Yes		

five (5) Yes Carried

Supervisor Keding stated there is no Old business.

Reports and Presentations:

Highway Superintendent Telaak reported on the following:

Thanked the Town Board for authorizing the purchase of the dump truck and tractor. The tractor is for mowing the shoulders of the road and sweeper on the front for use on roads in the spring.

One of the Highway employees has been off due to illness since mid-December and hopes to return in March. Have been keeping up plowing the roads, most of the snow has been on the weekends.

Councilwoman Selby reported on the following:

Reached out to Erie County Soil and Water and will plan on revisiting the sites of drainage and erosion issues in the Spring.  
Contacted Nussbaumer & Clarke regarding early deterioration on water tank and contacting the company regarding the paint to try to resolve the issues.  
Attended the Boston Colden Chamber of Commerce and the Boy Scout Pancake Breakfast.

Councilman Cartechine reported on the following:

Thanked Legislator Mills, Mitch Martin, and Chris Couell for coming out to the Town tonight.  
Thanked North Boston Fire Company for the invitation to the Installation Dinner, and the years of service that the men and women have committed to this Town from all fire companies and emergency services.  
Thanked Boston Fire Company for the invitation to attend their Installation, was unable to attend, Councilwoman Martin attended instead.

Councilwoman Lucachik reported on the following:

Planning Board elected officers for the 2020 year; Paul Ziarnowski, Chairman, James Liegl, Vice Chairman, and Tara Lowry, Secretary.

Councilwoman Martin reported on the following:

It was an honor to attend the Boston Fire Company Installation Dinner and swear in Auxiliary officers.  
The Conservation Advisory Committee Snowshoe event is Saturday January 15<sup>th</sup>.

Town Clerk Quinlan reported on the following:

The Town Clerk's annual report for 2019 has been submitted to the Supervisor's office.  
Town Hall will be closed on Monday February 17<sup>th</sup>, in observance of Presidents' Day.

Kissing Bridge, Town of Boston Ski & Snowboard day, Saturday February 22<sup>nd</sup>, visit the kbski website for details.

Connect Life Blood Drive will be Monday February 24<sup>th</sup> in the Community Room.

Place order for Hospice Spring Bouquet with Herb Klein for delivery on Wednesday March 4<sup>th</sup>.

Tree & Shrub Seeding Program order forms from the Erie County Soil & Water Conservation District are available in the foyer.

Erie County Department of Real Property Tax Services has published a News Release regarding the incorrect 2020 Town and County Tax Bills, it is posted on the Town Clerk board. No Town of Boston tax bills were mailed prior to Erie County finding the error. I have received the corrected 2020 tax bills. The bills will be mailed mid-February, taxes are due March 16th.

Thanked Legislator Mills for his support of the Town Clerk's during this time of working out the issue with the tax bills and Erie County.

Supervisor Keding reported on the following:

The 2020 Census is here, if you are interested in being a Census worker, information is available on social media and Town website.

2020-2021 Executive Budget from the State has been released regarding funding for CHIPS, Bridge and Pave NY, and AIM.

FEMA Grant awarded to Boston Emergency Squad for AED equipment.

JCAP Grant awarded for audio system, and file cabinets.

Sign up for CodeRED for emergency notifications.

A motion was made by Supervisor Keding and seconded by Councilwoman Lucachik to adjourn the meeting at 8:11 p.m.

Supervisor Keding	Yes	Councilman Cartechine	Yes
Councilwoman Lucachik	Yes	Councilwoman Martin	Yes
Councilwoman Selby	Yes		

five (5) Yes

Carried

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SANDRA L. QUINLAN, BOSTON TOWN CLERK