

REGULAR BOARD MEETING
FEBRUARY 7, 2024

COPY

TOWN HALL
7:30 P.M.

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 Derk.

Supervisor Keding stated there are no Preliminary matters.

Supervisor Keding read the public hearing notice at 7:37 p.m.

TOWN OF BOSTON
NOTICE OF PUBLIC HEARING

A public hearing shall be held by the Town Board of the Town of Boston on February 7, 2024, at 7:35 p.m., at Boston Town Hall, 8500 Boston State Road, Boston, New York, to hear any and all persons either for or against 2024 Local Law Intro. No. 1, entitled: "A LOCAL LAW To amend the Boston Town Code to add Chapter 94 "Short-Term Rentals" to require owners of Short-Term Rentals to obtain a Short-Term Rental permit." This Local Law preserves and protects the health, character, safety and general welfare of the residential neighborhoods and rural areas where Short-Term Rentals are operated and to mitigate the adverse effects of Short-Term Rentals.

Copies of the proposed law, sponsored by Councilmember Lucachik, are on file in the Town Clerk's Office, Monday through Friday, from 9:00 a.m. to 4:00 p.m.

Supervisor Keding stated the floor is open, anyone that would like to speak in regard to the local law.

There were no comments from the public.

Supervisor Keding stated the public hearing is closed.

There was a second public hearing scheduled for this evening, that has been cancelled. The applicant had sent correspondence to the Town hall today requesting the removal of their special use permit application for live entertainment for Foxhole Farm Winery, 8325 Cole Road.

One piece of correspondence was received from Jean Shanahan, regarding Foxhole Farm Winery, that is on file in the Code Enforcement office.

Regular business:

A motion was made by Councilwoman Lucachik and was seconded by Councilwoman Martin to approve the minutes of the January 17, 2024 regular meeting.

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

Motion Con't:

five (5) Yes Carried

A motion was made by Councilman Cartechine and was seconded by Councilwoman Selby upon review by the Town Board, that fund bills in the amount of \$215,444.79 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:

- NYSEG Completes State's Future Grid Challenge Press Release
- 2024 Annual DCO/ACO Conference Information
- Dog Control Officer Report for January 2024
- Letter from Buffalo Niagara Partnership & 2024 Advocacy Agenda
- Association of Towns presentation of 2024-2025 Executive Budget
- Code Enforcement Office Monthly Reports for 2023
- Letter from Erie County Department of Environment and Planning - Erie County Community Climate Action Plan (CCAP)
- Draft minutes from NEST January 2024 meeting
- Erie County Sewer District No. 3, Board of Managers meeting minutes January 31, 2024

New business:

Supervisor Keding stated the floor is open for public comment.

The following persons were heard:

- Jeff Persanti
- Richard Bohrer
- Jean Shanahan

Supervisor Keding stated the floor is closed.

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

COPY

REGULAR BOARD MEETING
FEBRUARY 7, 2024

TOWN HALL
7:30 P.M.

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Boston for a public hearing to be held by said Town Board on February 7, 2024 at 7:35 p.m. at Boston Town Hall, 8500 Boston State Road, Boston, New York, to hear all interested parties on a proposed Local Law entitled "A LOCAL LAW To amend the Boston Town Code to add Chapter 94, Short-Term Rentals, to require owners of Short-Term Rentals to obtain a Short-Term Rental permit;" and

WHEREAS, notice of said public hearing was duly advertised in the Springville Journal, the official newspaper of said Town, on January 18, 2024; and

WHEREAS, said public hearing was duly held on February 7, 2024 at 7:35 p.m. at Boston Town Hall, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof; and

WHEREAS, the Boston Town Board, after due deliberation, finds it in the best interest of the Town of Boston to adopt said Local Law;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Boston hereby adopts said 2024 Local Law No. 1 entitled "A LOCAL LAW To amend the Boston Town Code to add Chapter 94, Short-Term Rentals, to require owners of Short-Term Rentals to obtain a Short-Term Rental permit;" a copy of which is attached hereto and made a part of this resolution, and be it

FURTHER RESOLVED, that the Town Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Boston, and to give due notice of the adoption of said Local Law to the Secretary of State of New York.

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

five (5) Yes

Carried

**LOCAL LAW TO BE ENACTED BY
THE BOSTON TOWN BOARD
TOWN OF BOSTON, NEW YORK**

2024 LOCAL LAW NO. 1

A LOCAL LAW of the Town of Boston amending the Town Code of the Town of Boston to add Chapter 94 "Short-Term Rentals".

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF BOSTON AS FOLLOWS:

A LOCAL LAW to amend the Boston Town Code to add Chapter 94, "Short-Term Rentals", to require owners of Short-Term Rentals to obtain a Short-Term Rental Permit"

Section 1. Title

This local law shall be known as and may be cited as Local Law No. 1-2024 to amend the Boston Town Code to add Chapter 94 “Short-Term Rentals” requiring owners to obtain a Short-Term Rental permit from the Town of Boston in order to continue or commence operation of a Short-Term Rental.

Section 2. Authorization

The adoption of this Local Law is in accordance with Section 264 of New York Town Law and Chapter 10 of the New York Municipal Home Rule Law.

Section 3. Legislative Intent and Purpose

The Town of Boston recognizes that it would be beneficial for the Town to control and regulate the use of Short-Term Rentals within the Town of Boston. The provisions of this section are intended to preserve and protect the health, character, safety and general welfare of the residential neighborhoods and rural areas where Short-Term Rentals are operated and to mitigate the adverse effects of Short-Term Rentals.

Section 4. Amendment

The Boston Town Code shall be amended to add Chapter 94 “Short-Term Rentals” as follows:

94.1 Definitions

As used in this chapter, the following term shall have the meaning indicated:

Short-Term Rental - Any portion of real property having the required frontage on a public street per Section 123-122 and rented for compensation in exchange for lodging for a period of not more than 31 consecutive days. For the purpose of this Chapter, the term “Short-Term Rental” shall not include boarding/lodging houses, hotels, motels or ongoing month to month tenancies.

94.2 Presumption of Dwelling Unit as Short-Term Rental Property

A. The presence of the following shall create a presumption that all or part of the property is being used as a Short-Term Rental.

(1) All or a part of the property is offered for lease on a short-term rental website, including but not limited to Airbnb, Home Away and VRBO, for a rental period of less than 31 days and/or

(2) All or a part of the property is offered for lease for a period of 31 days or less through any form of advertising.

(3) Any indication of frequent change of residents and/or type and number of vehicles observed from month to month.

B. The foregoing presumptions may be rebutted by evidence presented to the Code

Enforcement Officer that the premises is not operated as a Short-Term Rental.

94.3 Required Permit

- A. Owners shall not use their property as a Short-Term Rental without obtaining a revocable Short-Term Rental permit.
- B. A Short-Term Rental permit shall be valid for two (2) years and must be renewed 30 days prior to expiration of the current permit if the premises is to continue to operate as a Short-Term Rental.
- C. A Short-Term Rental permit is not transferable to a new owner. The new owner of the premises subject to a Short-Term Rental must file a new permit application.
- D. Notwithstanding the foregoing, those properties with Short-Term Rental commitments existing on the date this section takes effect shall be permitted to honor such existing commitments and continue to make commitments for Short-Term Rentals but must apply for a permit within 90 days of the Local Law's effective date for all future Short-Term Rental commitments. In the event such application is denied, all future commitments for rentals after the date the application is denied shall be cancelled.

94.4 Short-Term Rental Permit Application Requirements

- A. Applications for a Short-Term Rental permit may be obtained at the Town of Boston Town Clerk's office. The Short-Term Rental permit shall be submitted to the Code Enforcement Officer, accompanied by payment of a nonrefundable permit fee to be determined from time to time by resolution of the Town Board. The application shall include the following:
 - (1) The signatures of all owners and their designated agents.
 - (2) A statement authorizing the Code Enforcement Officer to inspect the property to ensure compliance with all requirements and standards contained within this chapter.
 - (3) An acknowledgement of present and ongoing compliance with the Short-Term Rental standards as defined in this chapter including, but not limited to, the demonstration of adequate off-road parking spaces for the proposed Short-Term Rental.
 - (4) A list of each property owner and the name of any manager or management agency managing the property including name, address, telephone number and email address of each.
 - (5) The name, address, phone number and email address of the most local contact person who shall be responsible and authorized to act on the owner's behalf to promptly remedy any violation of the standards outlined in this section. The contact person may be an owner or an agent designated by the

owner to serve as a contact person and shall respond to any communication from the Town Code Enforcement Officer within 24 hours.

(6) An accurate suitable floor plan for each level of the dwelling that can be occupied measuring at least 8.5" X 11" drawn to scale and certified by the applicant. The floor plan does not need to be prepared by a professional, but must include the following:

- a. The location of buildings and required parking (at least 350 sq. ft. per parking space is required)
- b. The location of house utilities and all rooms including bedrooms, windows, exits and any heating/cooling units on each level of the dwelling that can be occupied.
- c. If an attic is to be occupied, the entire dwelling must be sprinkled.

(7) A statement that none of the owners of the subject property has had a Short-Term Rental permit revoked within the previous year for any rental properties owned individually or together with others.

(8) County Health Department approval of the property's septic system, if appropriate.

(9) Certification that the property's well has been tested or inspected by the New York State Health Department.

94.5 Short-Term Rental Standards

A. Property Requirements

- (1) Property must comply with and meet all current New York State Building Codes.
- (2) There shall be one (1) working smoke detector in each sleeping room and one (1) additional smoke detector on each floor. Smoke detectors shall be interconnected. Carbon monoxide detectors shall be installed as required by the New York State Fire Prevention and Building Code.
- (3) Evacuation procedures must be posted in each sleeping room to be followed in the event of a fire or smoke condition or upon activation of a fire or smoke-detecting or other alarm device.
- (4) There shall be an ABC fire extinguisher on each floor and in the kitchen. Fire extinguishers shall be inspected prior to a renter occupying the property and no less than monthly by the permit holder to ensure each contains a full charge. A record of the date inspected initialed by the permit holder shall be maintained and made available to the Code Enforcement Officer upon request.

- (5) The house number shall be located at the road and on the dwelling so that it is clearly visible from both the road and the driveway.
- (6) Exterior doors shall be operational and all passageways to exterior doors shall be clear and unobstructed.
- (7) Electrical systems shall be in good operating condition, labeled, unobstructed and visible for the Code Enforcement Officer during the permitting process. Any defects found shall be corrected prior to permit issuance.
- (8) All fireplaces shall comply with all applicable laws and regulations.
- (9) The property must have a minimum of one (1) off-street parking space for every bedroom shown on the floor plan included with the application. No parking on the street is permitted.
- (10) Maximum occupancy for each Short-Term Rental unit shall not exceed two (2) people per bedroom shown on the floor plan included with the application. The Maximum occupancy of the Short-Term Rental unit shall not exceed eight (8) people including permanent residents and renters.
- (11) If the property has a septic system, the maximum occupancy shall be defined by the capabilities of the septic system but in no event shall overnight occupancy for a Short-Term Rental unit exceed eight (8) people total.

B. Insurance Standards

All applicants and permit holders must provide Evidence of Property insurance and a Certificate of Liability insurance indicating that the premises is rated as a Short-Term Rental and maintain such insurance throughout the term of the Short-Term Rental permit.

C. Rental Contract. All applicants and permit holders must have a rental contract that includes the following:

- (1) Maximum property occupancy
- (2) Maximum on-site parking provided
- (3) Good Neighbor Statement stating:
 - a. The Short-Term Rental is in a residential area in the Town of Boston and renters should be considerate of the residents in neighboring homes.
 - b. Quiet hours are between 11:00 PM and 8:00 AM.
 - c. All guests will be subject to New York Penal Law Section 240.20 or any successor statute regarding disorderly conduct.
 - d. Littering is illegal.

94.6 Procedure Upon Filing Application

- A. Short-Term Rental permit applications shall be filed with the Town of Boston Code Enforcement Officer with all supporting documentation and the nonrefundable permit fee. Only completed applications will be accepted. The Code Enforcement Officer may decline to accept an application for consideration for any of the following reasons:
- (1) The application or documentation required by this Section was not included or the full permit fee was not paid.
 - (2) A previously issued Short-Term Rental permit was revoked within the past year and defects and/or violations have not been corrected and inspected by the Code Enforcement Officer.
- B. Upon receipt of a completed Short-Term Rental permit application, property owners within 100 feet of all property lines of the subject parcel will be notified of the application by the Town of Boston and given the opportunity to comment.
- C. Upon the Code Enforcement Officer's acceptance of the completed permit application, all documents and information required by this Section and the permit fee, the Code Enforcement Officer shall have 30 days to conduct a property inspection to certify that all Short-Term Rental requirements have been met.
- D. Upon approval of the Short-Term Rental application by the Code Enforcement Officer, a Short-Term Rental permit will be issued. Short-Term Rental permits issued pursuant to this Section shall state the following:
- (1) The name, address, phone number and email address of each person or entity that has an ownership interest in the Short-Term Rental property.
 - (2) The name, address, phone number and email address of the primary contact person who shall be available during the entire time the Short-Term Rental is being rented.
 - (3) The maximum occupancy and vehicle limits for the Short-Term Rental property.
 - (4) Identification of the number and location of available parking spaces.
 - (5) Any conditions imposed by the Board of Zoning Appeals and/or the Code Enforcement Official.

94.7 Conformity and Display of Permit

- A. Short-Term Rental permits are subject to continued compliance with the requirement of these regulations.
- (1) If the Code Enforcement Officer has probable cause to believe that the homeowner is not in compliance with the provisions of this Law, he may

conduct an inspection of the Short-Term Rental property for purposes of ensuring compliance with this Section. If the property owner refuses to permit the Code Enforcement Officer to inspect the property, the permit will be revoked. If an inspection authorized herein is conducted, the Code Enforcement Officer shall use the results of such inspection in determining whether to revoke the permit.

- (2) The Short-Term Rental permit, maximum occupancy limit, maximum parking, contact form and standards shall be prominently displayed inside and near the front entrance of the Short-Term Rental.
- (3) The Short-Term Rental permit holder shall ensure that current and accurate information is provided to the Code Enforcement Officer and that he or she notifies the Code Enforcement Officer immediately of any change in the information displayed on the permit. If, based upon such changes, the Code Enforcement Officer issues an amended Short-Term Rental permit, the owner must immediately post the amended permit inside and near the front entrance of the Short-Term Rental.
- (4) The Short-Term Rental permit holder must conspicuously display the Short-Term Rental permit number in all advertisements for the applicable Short-Term Rental.

94.8 Compliance and Penalties

- A. Violations of this Section or of any Short-Term Rental permit issued pursuant to this Section shall be subject to enforcement and penalties prescribed in this Section.
- B. If the Code Enforcement Officer either witnesses or receives a written complaint of an alleged violation of this Section or of any Short-Term Rental permit issued pursuant to this Section, the Code Enforcement Officer shall properly record such complaint and immediately investigate the report thereon. If the Code Enforcement Officer determines there is a violation of this Law, the owners and/or agent(s) shall be notified in writing of said violations and the Code Enforcement Officer may take any or all of the following actions:
 - (1) Attach conditions to the existing Short-Term Rental permit.
 - (2) Suspend the Short-Term Rental permit. The Notice of Suspension shall be provided to the property owner and a copy filed with the Town Clerk.
 - (3) Require corrective action that remedies the violation(s). The corrective action must be completed and approved within 30 days of notice from the Code Enforcement Officer or the owner risks revocation of the permit.
 - (4) Issue a court appearance ticket for violation of a Town law.

- (5) Revoke the Short-Term Rental permit. In this event, the building shall be posted as such. Should a permit be revoked, all owners of the Short-Term Rental are prohibited from obtaining a Short-Term Rental permit on the property for one (1) year after the date of revocation. The Code Enforcement Officer shall send the Notice of Revocation to the property owners and shall file a copy with the Town Clerk.

94.9 Application for Renewal of Permit. Renewal permits will be granted for an additional two-year term if the following conditions are met:

- A. Applications for renewal shall be made 30 days prior to expiration of the current permit and require payment of a renewal fee.
- B. At the time of application for renewal, the owner must present the previous permit for Short-Term Rental.
- C. The property must have undergone an inspection performed by the Code Enforcement Officer.
- D. Any violations must be remedied prior to renewal of a Short-Term Rental permit.
- E. If a Short-Term Rental permit holder fails to apply for renewal of the permit by the time it expires, a new Short-Term Rental permit must be obtained.

94.10 Grounds for Suspension or Revocation of Permit

- A. The Code Enforcement Officer may immediately suspend a Short-Term Rental permit based on any of the following grounds:
 - (1) Applicant has falsified or failed to provide information in the application for a permit or the application for permit renewal.
 - (2) Applicant failed to meet or comply with any of the requirements of this Chapter.
 - (3) Owner is in violation of any provisions of the Code of the Town of Boston.
 - (4) Owner has violated any provision of the Penal Code of the State of New York that occurred at or was related to the occupancy of the Short-Term Rental.
 - (5) Any conduct on the premises that disturbs the health, safety, peace or comfort of the neighborhood or that otherwise creates a public nuisance.

94.11 Appeals and Hearings

The property owner is entitled to appeal the Code Enforcement Officer's determination to the Town Board when his or her application for a Short-Term Rental permit or a Short-Term Rental permit renewal is denied or a Short-Term Rental permit is revoked. A Notice of Appeal shall be filed with the Town Clerk and the Town Board within 60 days of the Code Enforcement

Officer's filing of the denial or revocation with the Town Clerk. A public hearing shall be held by the Town Board not more than 45 days after the filing of the Notice of Appeal.

Section 5. Validity and Severability

Should any word, section, clause, paragraph, sentence, part of provision of this Local Law be declared invalid by a Court of competent jurisdiction, such determination shall not affect the validity of any other part hereof.

Section 6. Repeal, Amendment and Supersession of Other Laws

All other ordinances or local laws of the Town of Boston that are in conflict with the provisions of this local law are hereby superseded or repealed to the extent necessary to give this local law force and effect during its effective period.

Section 7. Effective Date

This Local Law will take effect upon filing in the office of the New York State Secretary of State.

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

RESOLUTION 2024-20

**AUTHORIZING PAYMENT AND BUDGET
AMENDMENT FOR REPLACEMENT OF EAST HILL
PUMPING STATION VARIABLE FREQUENCY DRIVES**

WHEREAS, the Town of Boston ("Town") and Erie County Water Authority ("ECWA") are parties to a Lease Management Agreement pursuant to which ECWA manages the Town's water distribution system and related sales and distribution of water to customers in Town water districts; and

WHEREAS, ECWA alerted the Town that on November 22, 2022, one of the two variable frequency drives ("VFDs") at the East Hill Pumping Station on Cole Road failed; and

WHEREAS, there are two pumps at the East Hill Pumping Station, and without a functional VFD there would be no automatic emergency backup should the remaining pump that has a functional VFD fail; and

WHEREAS, the VFDs on both pumps were of the same vintage and considered obsolete, and in a memorandum dated December 7, 2022 ECWA recommended that the Town replace both VFDs as well as the VFD controls, which although more costly than replacement of just the one VFD which had failed was recommended to improve operational control, reduce maintenance, and extend the life of the replacement VFDs; and

WHEREAS, Town Engineer Clark Patterson Lee reviewed the options presented by ECWA and concurred with the recommendation to replace both VFDs and their controls; and

WHEREAS, in a December 2022 Resolution, the Town agreed to reimburse ECWA for the actual cost to perform the necessary work as per the terms of the

lease management agreement, and ECWA assumed responsibility for the procurement and installation of the replacement VFDs and controls, including following applicable procurement laws; and

WHEREAS, the VFD and control replacement work was completed in 2023, and the total amount now due to ECWA in an invoice dated November 28, 2023 is \$73,924.64; and

WHEREAS, this pump station services Water District 3 and subsequently the District 3 extension; and

WHEREAS, the adopted budget for the year ending December 31, 2023 did not include the full cost of this repair;

NOW THEREFORE BE IT RESOLVED, that the Town Supervisor hereby is authorized to pay to Erie County Water Authority the sum of \$73,924.64 for East Hill Pumping Station variable frequency drive upgrades, with said sum to be paid with the funds of Water District 3 and District 3 Extension allocated based on parcel count; and

FURTHER RESOLVED, that a budget amendment is authorized to appropriate an additional \$70,576 of fund balance in Water District 3 to account HC0-8340-0400 and \$1,165 of fund balance in Water District 3 Extension to account HF0-8340-0400.

| | | | |
|-----------------------|-----|-----------------------|-----|
| 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 was seconded by Councilwoman Lucachik to approve new member of North Boston Volunteer Fire Company, Erik Filkorn.

| | | | |
|-----------------------|-----|-----------------------|-----|
| 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 Supervisor Keding to approve applications for annual refuse licenses: MRC Disposal Inc., Modern Disposal Services, Inc, and Waste Management of NY, LLC.

| | | | |
|-----------------------|-----|-----------------------|-----|
| 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 Selby to approve the Use of Facility application from Boston Democratic Social Club, for Easter Egg Hunt, March 30, 2024, 10:00 am to 4:00 pm, Community room with kitchen, bathroom facilities, and Town fields.

| | | | |
|-----------------------|-----|-----------------------|-----|
| 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 Supervisor Keding to approve the Use of Facility application from Conservation Advisory Council, for Snowshoe and Snowmen Event, February 17, 2024, 8:00 am to 3:00 pm, Community room with kitchen, and bathroom facilities.

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

five (5) Yes Carried

Old business:

A motion was made by Supervisor Keding and was seconded by Councilwoman Martin to appoint Donnalyn Nuernberger as part-time Assessment Clerk, \$19.92 per hour.

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

five (5) Yes Carried

Reports and Presentations:

Highway Superintendent Telaak reported on the following:

Highway department will be around cleaning out ditches. If any residents that live on Town roads and would like their ditch cleaned out, give us a call. In the subdivisions we don't clean out too many ditches because people don't like their ditches cleaned out. We will be around doing clean up from plow damage. If there is any damage to your lawn, we do clean that up too. This past week we had our first pothole show up on Shero Road. It was about six inches in diameter. I took like one shovel of a cold patch to fix. When I first started, the roads were in poor condition, we used to get truckloads of cold patch. There are a lot of Christmas trees still out by the road. They need to be picked up by Waste Management not the highway department. Brush-pick up will begin on April 1st, if we get paid for our brush pickup from last year, which we have not got totally paid for, hopefully that will be taken care of before April 1st.

Councilwoman Selby reported on the following:

Thanked the Town Clerk's office for working with me and Jared Blake from Waste Management on some issues that we have had lately. Waste Management was very responsive and compromising in helping those people where there were some safety issues with garbage on a certain road in the Town, I think we got it resolved. I don't see anybody from that road here tonight, so I guess it is good.

Councilman Cartechine reported on the following:

Thanked the North Boston Fire Company for the invitation to their installation dinner where we installed their officers for the new year. It was a really nice evening. Thanked the Boston Fire Company for the invitation for their installation dinner this past Saturday. Installed the new officers and have a meal. It was a nice evening as well. I have the blood drive numbers. We set a record yesterday, the ConnectLife blood drive here in Town, we collected 108 units of blood. Which is a big record for this local blood drive. I knew it was big because I donated, and I've never seen it as busy as it was yesterday. The ConnectLife group really do a nice job, we are grateful to have them here. Good job to everybody who participated.

Councilwoman Lucachik reported on the following:

We had a question regarding the fee for a short-term rental. That could have been brought up during the public hearing. We really cannot set up a fee until we know what you are asking for, that is what the number of pages in the law provides. What are we setting up, what are we asking for? If I were to rent out my location, my house, I would want my neighbors to feel comfortable that it has been vetted by professionals. This is what this law is for. If we heard anything from the public hearing that needed to be revisited, then we would have held off and tabled this item. We didn't hear anything, so we continued. The next step is to address the fees and usually they are not extravagant. The permit will be good for two years. The Planning Board is scheduled to meet on the second Tuesday, February 13th.

Councilwoman Martin reported on the following:

Great job Jen on that local law, is a very important law. I was witness to a Town that did not have a local law in place. There was a short-term rental next to the rental we were at. A fire started because there was a barbecue grill on the wood deck, the whole house burned down, putting other properties in jeopardy. A lot of people are doing that now, VRBO and Airbnb, great job being proactive. The Conservation Advisory Council always puts a lot of effort into the Snowshoe and Snowmen event. It is a free event for families. They pass out snowshoes and we are supposed to get some snow next week. Hopefully there will be enough snow that families come out on February 17th.

COPY

Town Clerk Quinlan reported on the following:

Thanked the Boston Emergency Squad for the invitation to their installation dinner, it was an honor to attend. My office is in the process of preparing the 2024 Town and County tax bills to be mailed next week, mid-February. At that time tax bills will be available on the Town of Boston website. Payments may be made by mail, in person, and online. Credit card is accepted for online payments. Tax payments are due March 15th.

Supervisor Keding reported on the following:

Next Town Board meeting scheduled for February 21st will be cancelled due to a lack of quorum. It is a Winter break for some of us that have children in school, and they will be enjoying time with their families. At that time, I will be at the Association of Towns annual conference in New York City. Our next regularly scheduled meeting will be March 6th.

I did ask Allison in my office to put it out there on the Town's social media that Erie County is doing some improvements up at the Boston Forest County Park. We do have a county park here in the Town of Boston. They are putting in drainage and widening the parking lot, it has been a mud pit for years. It will be a nice amenity for our community.

One of the other things that is coming from Erie County Senior Services. The community room is where the congregate dining lunch program is. We do have a kitchen for those of you if you are not aware. We do have some appliances that have been there probably since the day that the kitchen was originally operational. Erie County has come up with some additional funds and they are reaching out to communities across Erie County. Boston being one of them and we are looking at potentially getting funding for a new subzero refrigerator and a new range, and potentially a new dish washing machine. It will be a nice amenity as that congregate lunch dining program grows. There has been kind of an increasing demand or ask of would the Town of Boston consider getting into an evening dining program, that's for the Town Board to decide how we want to move forward with that. The next Comprehensive Plan meeting is next Monday February 12th, in the community room for the Comprehensive Plan committee members.

These members are residents of our community. Tomorrow, myself, my assistant, some of the team from CPL, as well as one of the consultants, we will be going to Hamburg Schools doing outreach with the participant in government teachers and doing a survey to identify what the younger generation wants in the community of Boston.

Thanked the Board for allowing me to attend the Association of Towns annual conference. Code enforcement is a hot topic these days and there will be a lot weighing heavy on that this year.

Highway Superintendent, the Town Board will look at the documentation supplied, the Town Board, all five of us, makes the decision to amend the budget if we want to go over the budgeted amount for additional funds to appropriate additional taxpayer money for services.

REGULAR BOARD MEETING
FEBRUARY 7, 2024

COPY

TOWN HALL
7:30 P.M.

A motion was made by Supervisor Keding and was seconded by Councilman Cartechine to adjourn the meeting at 8:18 p.m.

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

five (5) Yes

Carried

SANDRA L. QUINLAN, BOSTON TOWN CLERK