

AGENDA
REGULAR BOARD MEETING - TOWN OF BOSTON
May 6, 2026 – 7:30 P.M.

ITEM NO. I PRELIMINARY MATTERS

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

ITEM NO. II REGULAR BUSINESS

1. Correction and Adoption of the Minutes from March 18, 2026
2. Correction and Adoption of the Minutes from April 1, 2026
3. Correction and Adoption of the Minutes from April 22, 2026
4. Consideration of all Fund Bills

ITEM NO. III CORRESPONDENCE

1. Town Clerk's Report for March 2026
2. Dog Control Officer Report for March 2026
3. Code Enforcement Officer Report March 2026
4. March Income Statement & Cash Balances
5. 2025 Annual Financial Report
6. Comparative Year-End Fund Balances
7. Capital Projects Summary as of 12/31/25
8. 2025 Capital Projects – Expenditures by Funding Source
9. SLFRF Closeout Report – 2025
10. 2025 Energy Benchmarking Report & Associated Energy Use Charts
11. Appointment of Karla Mead, Deputy Town Clerk, FT
12. Erie County Department of Environment and Planning, Re: Community Development Block Grant Report – 4/01/2025-3/31/2026
13. Erie County Department of Environment and Planning, Re: Fair Housing Training opportunities
14. Dispatch Call Summary Reports – January, February, and March 2026
15. NYSEG and RG&E Encourage Customers to Call UDig Before You Dig

16. Application for Use of Meeting Facility – Town of Boston, Compliance Training, Day and Evening
17. Application for Use of Meeting Facility – Town of Boston – Board of Assessment Review
18. Application for Use of Meeting Facility – Boston Democratic Social Club

ITEM NO. IV NEW BUSINESS

1. Requests from the Floor (3-minute time limit per person)
2. Resolution 2026 - 33 Allocating Excess 2025 Sales Tax & Budget Amendments
3. Resolution 2026 - 34 2025 Year-End Budget Amendments
4. Resolution 2026 - 35 2025 Year-End Budget Transfers
5. Resolution 2026 - 36 Authorizing Upgrade to the Highway Garage's Fire Alarm System
6. Resolution 2026 - 37 Approval of Change Order – Fuel Tank Removal (SWAF #2)
7. Resolution 2026 - 38 Adoption of the Application for Display of Fireworks
8. Resolution 2026 - 39 Approval to Retain Deuel Archeology & Cultural Resource Management
9. Resolution 2026 – 40 Classifying Boston Water Improvement Phase 2 in the Town of Boston as a Type I Action, Establishing Lead Agency and Determining the Significance of Such Action, and Directing that the Negative Declaration be Published in Accordance with SEQRA
10. Resolution 2026 – 41 Adoption of Lateral Restrictions - Water/Sewer Service Within Agricultural Districts
11. Schedule a Public Hearing – Extending for an Additional Six (6) Months a Moratorium Prohibiting the Review and Approval of Applications and Issuance of Permits for Battery Energy Storage Systems
12. Approval of new member of Boston Fire Company, Carlos Ziminsky
13. Approval of new member of Boston Fire Company, Junior Firefighter Program, Robert Meyer
14. Approval of new members of Patchin Fire Company, Aidan Holmes and Ayven Malloy
15. Approve Leave of Absence – Tina Weisedel (7/20/26 – 8/28/26)
16. Approve Leave of Absences – Vera Langhans (7/10/26 – 7/20/26, 8/26/26 – 8/28/26, 9/2/26 – 9/4/26)

ITEM NO. V OLD BUSINESS

ITEM NO. VI REPORTS AND PRESENTATIONS

1. Highway Superintendent
2. Councilmembers

3. Town Clerk

4. Supervisor

ITEM NO. VII ADJOURNMENT OF MEETING

1. Adjournment of Meeting

TOWN HALL
7:30 P.M.

Also Present: Highway Superintendent Telaak, Attorney for the Town McCann,
Town Clerk Sandra Quinlan

Deacon Robb Ciezki, St. John the Baptist Catholic Church, opened the meeting with a prayer.

Supervisor Keding stated there are no other Preliminary matters.

A motion was made by Councilman Penders and was seconded by Supervisor Keding to approve the minutes of the March 18, 2026 regular meeting.

three (3) Yes	two (2) Abstain	Carried
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five (5) Yes	Carried
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[illegible]

five (5) Yes	Carried
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MAY 6, 2026

TOWN HALL
7:30 P.M.

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

Town Clerk's Report for March 2026

Dog Control Officer Report for March 2026

Code Enforcement Officer Report March 2026

March Income Statement & Cash Balances

2025 Annual Financial Report

Comparative Year-End Fund Balances

Capital Projects Summary as of 12/31/25

2025 Capital Projects - Expenditures by Funding Source

SLFRF Closeout Report - 2025

2025 Energy Benchmarking Report & Associated Energy Use Charts

Appointment of Karla Mead, Deputy Town Clerk, FT

Erie County Department of Environment and Planning, Re: Community Development Block Grant Report - 4/01/2025-3/31/2026

Erie County Department of Environment and Planning, Re: Fair Housing Training opportunities

Dispatch Call Summary Reports - January, February, and March 2026

NYSEG and RG&E Encourage Customers to Call UDig Before You Dig

Application for Use of Meeting Facility - Town of Boston, Compliance Training, Day and Evening

Application for Use of Meeting Facility - Town of Boston - Board of Assessment Review

Application for Use of Meeting Facility - Boston Democratic Social Club

New business:

Requests from the Floor:

Supervisor Keding stated the floor is open for public comment.

The following persons were heard:

Jay Jackson

Roy McLean

Rich Hawkins

Deputy Miller, Community Engagement Team, Erie County Sheriff's Office

Supervisor Keding stated the floor is closed.

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

RESOLUTION 2026 -33

**ALLOCATING EXCESS 2025 SALES TAX &
BUDGET AMENDMENTS**

WHEREAS, the Town of Boston received total sales tax revenues for 2025 in the amount of \$1,610,754; which exceeded the 2025 estimated revenues of \$1,500,000 (\$975,000 General, \$275,000 Highway, \$180,000 Fire, and \$70,000 Ambulance) by \$110,754; and

WHEREAS, actuarial analysis and reporting by Firefly Admin, Inc., suggests that the Fire Protection District's Length of Service Award Program (LOSAP) may be underfunded by \$3.1 million with the funded ratio at 45.7% as of January 1, 2025, and Firefly Admin Inc. recommended a 2025 contribution of \$390,803, whereas the Town budgeted a contribution of \$325,000 to the LOSAP program that year; and

WHEREAS, the 2026 actuarial determined contribution is set at \$409,952 compared to the Town's 2026 budget of \$400,000 leaving a gap of \$75,755 below the required contributions across the 2 years suggesting a potential further decline in the LOSAP funding ratio;

NOW THEREFORE BE IT RESOLVED, that the Town of Boston will allocate the excess \$110,754 of 2025 sales tax to the Fire Fund to be used towards an additional 2026 LOSAP contribution; and

IT IS FURTHER RESOLVED, that the 2026 Budget for the General Fund be amended to increase appropriation account A00-9901-0900 Transfers to Other Funds by \$110,754 using the sales tax that rolled into fund balance at 2025 year-end; and

IT IS FURTHER RESOLVED, that the 2026 Budget for the Fire Fund be amended effective immediately to increase the revenue line SF0-5031-000 Interfund Transfers and appropriation line SF0-9025-0800 Service Award Program - Benefits to account for the additional \$110,754 contribution to be made to the Fire LOSAP account.

Supervisor Keding	Yes	Councilwoman Martin	Yes
Councilman Penders	Yes	Councilwoman Selby	Yes
Councilman Stephan	Yes		

five (5) Yes

Carried

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

RESOLUTION 2026 - 34

2025 YEAR-END BUDGET AMENDMENTS

WHEREAS, the Town of Boston is in the process of closing the accounting records for the fiscal year ended December 31, 2025; and

WHEREAS, certain appropriation accounts have exceeded original budget estimates, requiring additional funding, mainly from an additional use of fund balance;

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes the budget amendments for the year ending December 31, 2025 as shown in the below chart:

Change	Classification	Acct. No.	Acct. Description	Amount	Reason for Budget Amendment
Increase	Appropriation	A 9950.9	Transfers to Capital Projects Fund	\$ 293,000	Resolution 2025-104 awarded the Fuel Tank Bid, noting it would be funded out of the Town's fund balance
Increase	Revenue	A 2705	Gifts and Donations	\$ 500	Donations towards holiday lights received in 2025 totalled \$500.
Increase	Appropriation	A 9950.9	Transfers to Capital Projects Fund	\$ 500	This will be used towards the capital project.
Increase	Appropriation	L30 5182.4	Lighting Contractual	\$ 1,400	Utility rates increases exceeded budget. Deficit to come out of fund balance.

Supervisor Keding	Yes	Councilwoman Martin	Yes
Councilman Penders	Yes	Councilwoman Selby	Yes
Councilman Stephan	Yes		

five (5) Yes

Carried

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

RESOLUTION 2026 - 35 2025 YEAR-END BUDGET TRANSFERS

WHEREAS, the Town of Boston is in the process of closing the accounting records for the fiscal year ended December 31, 2025; and
WHEREAS, certain appropriation accounts were noted to need adjustments to allow for appropriate closing of accounts; and
WHEREAS, the funding for these adjusted appropriations is available within other appropriation accounts in the Town's 2025 budget;
NOW THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes the amending of the Town's 2025 budget as shown on the attached page:

General Fund

1) Transfer Appropriations From:

Account No.	A 1355.1	Assessor - Per Svc	\$ 14,000
Account No.	A 1380.4	Fiscal Agent - Contr.	\$ 10,000
Account No.	A 1620.2	Buildings - Equip.	\$ 47,000
Account No.	A 1620.40	Buildings - Cont.	\$ 9,500
Account No.	A 1990	Contingent Account	\$ 10,000
Account No.	A 3620.1	Safety Inspection - Per Svc	\$ 70,000
Account No.	A 7110.1	Parks - Per Svc	\$ 25,000
Account No.	A 9030.8	Social Security	\$ 4,500
Account No.	A 9060.8	Hospital & Medical Insurance	\$ 10,000
			<u>\$ 200,000</u>

2) Transfer Appropriations To:

Account No.	A 1110.1	Town Justice - Per Svc	\$ 900
Account No.	A 1355.2	Assessor - Equip	\$ 700
Account No.	A 1420.4	Attorney - Contr.	\$ 13,000

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Account No.	A 1620.43	Buildings - Contr. - Highway	\$ 6,500
Account No.	A 1620.44	Buildings - Contr. - Trooper Brks	\$ 3,000
Account No.	A 1910	Unallocated Insurance	\$ 300
Account No.	A 1930	Judgement & Claims	\$ 100
Account No.	A 1989.4	Other General Gov't Support (Grant Writing)	\$ 1,200
Account No.	A 3620.4	Safety Inspection - Contr.	\$ 500
Account No.	A 5010.1	Highway Supt - Per Svc	\$ 100
Account No.	A 5182.4	Street Lighting - Cont.	\$ 3,800
Account No.	A 7110.2	Parks - Equipment	\$ 900
Account No.	A 8989.4	Other Home/Comm Svc - Cont.	\$ 3,500
Account No.	A 9040.8	Worker's Compensation	\$ 500
Account No.	A 9950.9	Transfers to Capital Projects Fund	\$ 165,000
			<u>\$ 200,000</u>

Highway Fund

1) Transfer Appropriations From:

Account No.	DB 5142.1	Snow Removal - Per Svc	\$ 35,000
Account No.	DB 5142.4	Snow Removal - Contr.	<u>\$ 5,000</u>
			<u>\$ 40,000</u>

2) Transfer Appropriations To:

Account No.	DB 5110.1	General Repairs - Per Svc	\$ 35,000
Account No.	DB 9050.8	Unemployment Insurance	<u>\$ 5,000</u>
			<u>\$ 40,000</u>

Fire Fund

1) Transfer Appropriations From:

Account No.	SF 9025.4	Service Award Program - Contr.	<u>\$ 1,000</u>
			<u>\$ 1,000</u>

2) Transfer Appropriations To:

Account No.	SF 3410.4	Fire Contractual	<u>\$ 1,000</u>
			<u>\$ 1,000</u>

Supervisor Keding	Yes	Councilwoman Martin	Yes
Councilman Penders	Yes	Councilwoman Selby	Yes
Councilman Stephan	Yes		

five (5) Yes

Carried

A motion was made by Councilman Stephan and was seconded by Councilwoman Martin,

RESOLUTION 2026 - 36

**AUTHORIZING UPGRADE TO THE HIGHWAY
GARAGE'S FIRE ALARM SYSTEM**

WHEREAS, the Town of Boston Highway Garage requires a reliable and up-to-date fire alarm system to ensure the safety of personnel, equipment, and property; and

WHEREAS, the existing Fire Alarm system is under a contract between Johnson Controls Fire Protection LP ("Johnson Controls") and the Town; and

WHEREAS, Johnson Controls identified that the Town's existing Simplex 4006 fire alarm panel has reached the end of its supported life cycle, making it hard to find replacement parts; and

WHEREAS, Johnson Controls provided a proposal dated April 7, 2026 for the replacement of the existing panel with a Simplex 4007ES Hybrid Addressable Fire Alarm System which will be installed in the same location as the current panel and will work with the existing field devices and wiring; and
WHEREAS, the proposal includes the equipment, material, and skilled labor to complete the upgrade as well as the removal of existing panel, installation of the new Simplex 4007ES, circuit terminations, system programming, testing, and final certifications in accordance with applicable codes; and
WHEREAS, a Starlink cellular communicator will be provided to replace the failed communication device and enable full event reporting to the Johnson Controls Central Station at an annual cost of \$180 added to the current monitoring agreement between Johnson Controls and the Town; and
WHEREAS, the price of the proposal totals \$6,670.32 as available under NYS Contract #PT68816, Group #77201, Award #23150 as well as an additional \$180 a year added to the current monitoring contract;
NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Boston authorizes the upgrade and installation of the fire alarm system in the Highway Garage in an amount not to exceed \$6,670.32 to be appropriated from A-1620-0200 Buildings - Equipment; and
BE IT FURTHER RESOLVED, that the Town Board approves the addition to the monitoring contract for cellular monitoring services in an amount of \$180/year.

Supervisor Keding	Yes	Councilwoman Martin	Yes
Councilman Penders	Yes	Councilwoman Selby	Yes
Councilman Stephan	Yes		

five (5) Yes

Carried

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

RESOLUTION 2026 - 37

**APPROVAL OF CHANGE ORDER - FUEL TANK
REMOVAL (SWAF #2)**

WHEREAS, on January 1, 2025, the Town Board adopted Resolution No. 2025-12, authorizing the Town to enter into a contractual relationship for the closure and removal of underground storage tanks; and
WHEREAS, the Town Board of the Town of Boston authorized the Town Supervisor to accept LaBella Associates, D.P.C.'s Proposal No. P2500740 for the closure and removal of the underground storage tanks for a total cost not to exceed \$46,900.00; and
WHEREAS, the Town Board has been advised that additional work was required due to the discovery of petroleum-impacted soils during construction, necessitating additional labor, equipment, transportation, disposal, laboratory analysis, and reporting; and
WHEREAS, a Supplemental Work Authorization Form (SWAF #2) dated April 7, 2026, was provided to the Town Board outlining the additional scope of work to be performed by LaBella Associates, D.P.C. and associated fees totaling \$11,950.00; and
WHEREAS, due to exigent circumstances relating to compliance with regulations of the New York State Department of Environmental Conservation, the Town

Supervisor was required to approve the Supplemental Work Authorization Form prior to the adoption of this Resolution;
NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Boston hereby authorizes the Town Supervisor to accept, nunc pro tunc, Supplemental Work Authorization Form (SWAF #2) dated April 7, 2026, for an additional cost not to exceed \$11,950.00.

Supervisor Keding	Yes	Councilwoman Martin	Yes
Councilman Penders	Yes	Councilwoman Selby	Yes
Councilman Stephan	Yes		

five (5) Yes Carried

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

RESOLUTION 2026 - 38

***ADOPTION OF THE APPLICATION FOR
DISPLAY OF FIREWORKS***

WHEREAS, the Town Board of the Town of Boston adopted Local Law Intro No. 2, entitled "A Local Law Adding Chapter 58 of the Boston Town Code, 'Fireworks', on October 15th, 2025 which requires all anticipated firework displays in the Town of Boston to have a fireworks permit on file at least thirty (30) days prior to the scheduled event.
NOW THEREFORE BE IT RESOLVED, that the Town of Boston does hereby adopt the *Application for Display of Fireworks* permit.

Supervisor Keding	Yes	Councilwoman Martin	Yes
Councilman Penders	Yes	Councilwoman Selby	Yes
Councilman Stephan	Yes		

five (5) Yes Carried

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

RESOLUTION 2026 - 39

***APPROVAL TO RETAIN DEUEL ARCHAEOLOGY
& CULTURAL RESOURCE MANAGEMENT***

WHEREAS, the Town of Boston is undertaking the Water System Improvements Phase 2 project; and
WHEREAS, as part of the project review process, the New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP) has required the completion of archaeological investigations, including a Phase IA literature search and sensitivity assessment and, if warranted, a Phase IB field investigation; and
WHEREAS, the Town, through its engineering consultant CPL, solicited proposals for the required archaeological services; and
WHEREAS, Deuel Archaeology & Cultural Resource Management submitted proposals dated April 10, 2026 for both Phase IA and Phase IB services for the project; and

WHEREAS, the Phase IA proposal includes environmental and historical research, site file review, field reconnaissance, archaeological sensitivity assessment, and preparation of a report for submission to NYSOPRHP, the Town, and CPL, at a cost of \$4,795.00;

WHEREAS, the Phase IB proposal includes subsurface field investigation, including shovel test pits, artifact processing and analysis, site documentation, and preparation of a report for submission to NYSOPRHP, the Town, and CPL, at a base cost of \$2,395.00 plus \$25.00 per shovel test pit, with total cost dependent upon field conditions;

WHEREAS, a competing proposal was received from Chronicle Heritage at a significantly higher cost; and

WHEREAS, CPL has recommended the retention of Deuel Archaeology & Cultural Resource Management based upon its qualifications, experience, and cost-effectiveness;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Boston hereby authorizes the Town Supervisor to accept the proposals of Deuel Archaeology & Cultural Resource Management dated April 10, 2026, for Phase IA and Phase IB archaeological services for the Water System Improvements Phase 2 project; and be it further

RESOLVED, that the total cost for Phase IA services shall not exceed \$4,795.00, and the cost for Phase IB services shall consist of a base fee of \$2,395.00 plus \$25.00 per shovel test pit, as required; and be it further

RESOLVED, that the Town Supervisor is authorized to execute any and all documents necessary to effectuate the foregoing.

Supervisor Keding	Yes	Councilwoman Martin	Yes
Councilman Penders	Yes	Councilwoman Selby	Yes
Councilman Stephan	Yes		

five (5) Yes

Carried

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

**RESOLUTION 2026 - 40 CLASSIFYING BOSTON WATER IMPROVEMENT
PHASE 2 IN THE TOWN OF BOSTON AS A TYPE I ACTION,
ESTABLISHING LEAD AGENCY AND DETERMINING THE SIGNIFICANCE OF SUCH
ACTION, AND DIRECTING THAT THE NEGATIVE DECLARATION BE PUBLISHED
IN ACCORDANCE WITH SEQRA**

WHEREAS, the Town Board of Boston, New York is considering the financing and construction of improvements for Boston Water District 1, Boston Water District 2. The project will include the installation and replacement of approximately 31,886 linear feet of 8, 10, and 12-inch water main (the "project"). These improvements will take place along portions of Boston State Road (County Road 227), Back Creek Road (County Road 438), Boston Colden Road (County Road 222), Cole Road (CR 442), Old Orchard Drive, and Lango Road to serve residential properties and commercial properties. Additionally, a new water main will be installed along Cole Road and Boston Colden Road to provide a second water source for the Town water system. Currently, the Town's water supply is provided by the Erie County Water Authority; however, the existing infrastructure experiences frequent water

main breaks, resulting in periods during which residents are left without an adequate supply of safe drinking water.

WHEREAS, to aid the Board in determining whether such Project, financing and other actions of the Board in connection therewith (the "action") might have a significant effect on the environment, the Board caused to be prepared an environmental assessment form or similar information ("EAF"), a copy of which it attached hereto; and

WHEREAS, the Board duly reviewed the EAF and related documents with respect to the above-referenced project and duly considered the impacts which may be expected to result from the proposed action with the criteria set forth in the State Environmental Quality Review Act and the applicable regulations promulgated thereunder ("SEQRA"); and

WHEREAS, the Board determined that the project was a "Type I Action" pursuant to SEQRA; and

WHEREAS, the Board determined that the project involved one or more involved agencies, mandating a coordinated review; and

WHEREAS, the Board duly notified the other involved agencies pursuant to 6 NYCRR 617.6(3)(i) and indicated its willingness to be designated Lead Agency status; and

WHEREAS, all of the involved agencies have consented to the Board's request to be designated Lead Agency status;

NOW, THEREFORE, BE IT RESOLVED, BY THE TOWN BOARD OF BOSTON DECLARES TO BE LEAD AGENCY FOR THE PROJECT FOR THE PROPOSED ACTION AND THEREFORE RESPONSIBLE FOR DETERMINING WHETHER AN ENVIRONMENTAL IMPACT STATEMENT IS REQUIRED IN CONNECTION THEREWITH AND OTHERWISE COMPLYING WITH THE PROCEDURAL AND SUBSTANTIVE REQUIREMENTS OF SEQRA;

AND BE IT FURTHER RESOLVED, BY THE TOWN BOARD OF BOSTON, NEW YORK AS FOLLOWS:

1. Based upon the review by the Board of the EAF and other necessary criteria, the Board hereby finds and determines that the proposed action is an "Type I Action" under SEQRA and will result in no significant impacts and therefore, such action is not one which "may include the potential for at least one significant adverse environmental impact," (b) "there will be no significant adverse environmental impacts," and (c) no "environmental impact statement" need be prepared, as such quoted terms are defined in SEQRA. Reasons supporting this determination are attached hereto and hereby made a part of this resolution for the purposes of SEQRA. This determination constitutes a negative declaration for purposes of SEQRA and it has been prepared in accordance with Article 8 of the Environmental Conservation Law.
2. A copy of this resolution shall be placed on file in the office of the Town Clerk, where the same shall be available for public inspection during business hours and such notice of negative declaration shall be filed in such offices, posted in such places and published in such manner as shall be necessary to conform to the requirements of SEQRA.

This resolution shall take effect immediately.

Supervisor Keding	Yes	Councilwoman Martin	Yes
Councilman Penders	Yes	Councilwoman Selby	Yes
Councilman Stephan	Yes		

five (5) Yes

Carried

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

**RESOLUTION 2026 - 41 ADOPTION OF LATERAL RESTRICTIONS -
WATER/SEWER SERVICE WITHIN AGRICULTURAL DISTRICTS**

WHEREAS, the Town of Boston is undertaking water system improvements within ECWA Boston Water District No. 1 and may establish future water districts along portions of Lango Road, Boston Colden Road (County Road 222), and Cole Road (County Road 442); and

WHEREAS, portions of the project area are located within a county adopted, State certified agricultural district; and

WHEREAS, the New York State Department of Agriculture and Markets requires the imposition of lateral restrictions on water and sewer service within agricultural districts in order to protect agricultural lands and limit non-farm development; and

WHEREAS, the Town Board of the Town of Boston desires to adopt such lateral restrictions consistent with State guidance and applicable law, including Public Health Law §1115;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Boston imposes the following conditions, as warranted or recommended, on the management of water/sewer lines located within ECWA Boston Water District No. 1 and future-created Water Districts along portions Lango Road, Boston Colden Road (County Road 222), and Cole Road (County Road 442) within an agricultural district:

- (1) The only land and/or structures which will be allowed to connect to the proposed waterline or sewer within an agricultural district will be existing structures at the time of construction, future agricultural structures, and land and structures that have already been approved for development by the local governing body prior to the filing of the Final Notice of Intent by the municipality.

Land and structures that have been approved for development refer to those properties/structures that have been brought before a local governing body where approval (e.g., subdivision, site plan, and special permit) is needed to move forward with project plans, and the governing body has approved the action. If no local approval is required for the subdivision of land and/or the construction of structures, the municipality accepts the limitation under Public Health Law §1115 that defines a “subdivision,” in part, as “any tract of land which is divided into five or more parcels.” Water and/or sewer service will not be extended to the fifth and subsequent parcels where no local approval is required, and the land is located within a county adopted, State certified agricultural district.

- (2) If a significant hardship can be shown by an existing resident, the lateral restriction on the resident's property may be removed by the municipality upon approval by the Department. It is the responsibility of the resident landowner to demonstrate that a hardship exists relative to his or her existing water supply or septic system and clearly demonstrate the need for public water or sewer service. The municipality shall develop a hardship application to be filed with the municipality, approved by the County Department of Health, and agreed to by the Department of Agriculture and Markets.
- (3) If it can be demonstrated to the Department's satisfaction that the landowner requested the county to remove his or her land from an agricultural district at the time of district review and the county legislative body refused to do so, lateral restrictions may be removed by the municipality if the Department determines that the removal of the restriction for the subject parcel(s) would not have an unreasonably adverse effect on the agricultural district.
- (4) If land is removed from a county adopted, State certified agricultural district and the district have been reviewed by the county legislative body and certified by the Commissioner for modification, lateral restrictions imposed by the municipality are no longer in effect for the parcels of land that have been removed from the agricultural district.

AND BE IT FURTHER RESOLVED, that the Town Supervisor and any other appropriate Town officials are hereby authorized to take all actions necessary to implement and enforce the foregoing lateral restrictions.

Supervisor Keding	Yes	Councilwoman Martin	Yes
Councilman Penders	Yes	Councilwoman Selby	Yes
Councilman Stephan	Yes		

five (5) Yes Carried

A motion was made by Supervisor Keding and was seconded by Councilwoman Selby to schedule a public hearing for June 3, 2026 at 7:35 pm, Extending for an Additional Six (6) Months a Moratorium Prohibiting the Review and Approval of Applications and Issuance of Permits for Battery Energy Storage Systems.

Supervisor Keding	Yes	Councilwoman Martin	Yes
Councilman Penders	Yes	Councilwoman Selby	Yes
Councilman Stephan	Yes		

five (5) Yes Carried

A motion was made by Councilman Penders and was seconded by Councilwoman Martin to approve new member of Boston Fire Company, Carlos Ziminsky; approve new member of Boston Fire Company - Junior Firefighter Program, Robert Meyer; and approve new members of Patchin Fire Company, Aidan Holmes and Ayven Malloy.

REGULAR BOARD MEETING
MAY 6, 2026

TOWN HALL
7:30 P.M.

Supervisor Keding	Yes	Councilwoman Martin	Yes
Councilman Penders	Yes	Councilwoman Selby	Yes
Councilman Stephan	Yes		

five (5) Yes Carried

A motion was made by Councilman Stephan and was seconded by Councilwoman Martin to approve the leave of absence request from Tina Weisedel, Congregate Dining/Nutrition department from 7/20/2026 to 8/28/2026.

Supervisor Keding	Yes	Councilwoman Martin	Yes
Councilman Penders	Yes	Councilwoman Selby	Yes
Councilman Stephan	Yes		

five (5) Yes Carried

A motion was made by Councilwoman Martin and was seconded by Councilman Stephan to approve to approve the leave of absence requests from Vera Langhans, Congregate Dining/Nutrition department from 7/10/26 - 7/20/26, 8/26/26 - 8/28/26, 9/2/26 - 9/4/26.

Supervisor Keding	Yes	Councilwoman Martin	Yes
Councilman Penders	Yes	Councilwoman Selby	Yes
Councilman Stephan	Yes		

five (5) Yes Carried

Old business:

Supervisor Keding stated that there is no Old business.

Reports and Presentations:

Highway Superintendent Telaak reported on the following:

The second spring brush pickup started on Friday, May 1. Every road will be done once in May and date will be recorded as each road is serviced. A significant volume of wood chips will be available; residents may fill out a request sheet. Street sweeping on all Town roads has been completed. Fill material is available to any resident in need. Ditching work and plow damage cleanup about finished. Drainage pipe on Pin Oak Drive going down to Boston State Road is going to be changed where it ties into the receiver on Boston State Road on the south side, pending coordination with the gas company on their utility location. Paving is scheduled to begin next Thursday, weather permitting. NovaChip work planned for Shero Road and Valley Circle. Hillcroft drainage issues remain ongoing, with easement work in progress. Marksman Fence donated replacement rail materials to repair fence damage caused by snow plowing operations. The fuel tank project is progressing and is expected to be complete within two to three weeks. The new 2025 plow truck, which has been out of service due to mechanical issues, appears to be nearing resolution. Confirmed to Mr. Hawkins that the creek stabilization project behind the fire hall — between the power line and

the fire hall — that is scheduled for one of the creek stabilization for this year. Regarding Boston State Road, Erie County has indicated a June timeline for milling and paving. During an inspection of the National Grid power line, the culvert pipes appeared to be largely clear and in good condition, with only minor blockage at one location. Reiterated concern about Resolution 2026-37, noting that the \$11,950 charge from LaBelle for soil testing lacked any supporting documentation.

Councilwoman Selby reported on the following:

Acknowledged Jay Jackson and Shane for their work. 10 years for boston-ny.com and expressed appreciation for the service rendered to the community. Anticipating the upcoming fishing derby on Saturday, the little grandchildren enjoy it every year.

Councilman Penders reported on the following:

Attended the fire chiefs meeting at the Patchin Fire Hall and was impressed by the professional and cooperative exchange of information among all attendees in preparation for coordinated large-fire response. Very good meeting and appreciate that we have good volunteer fire companies in Boston.

Councilman Stephan reported on the following:

Addressed the ongoing drainage concerns, with all the rain we've had, waiting for conditions to dry sufficiently before work is actively coordinated.

Councilwoman Martin reported on the following:

Offered congratulations and recognized that Tom Edington was honored for 50 years of service to the North Boston Volunteer Fire Company and the Town of Boston. Jay Jackson, thank you for your faithful service to the Town for the last 10 years. Reminded residents of the Conservation Advisory Council fishing derby on Saturday at the Town pond.

Town Clerk Quinlan reported on the following:

Upcoming Erie County Department of Health free rabies vaccination clinic, scheduled for Saturday, May 9th, from 9:00 AM to 1:00 PM at Buffalo Public School No. 84, 462 Grider Street. The service is free of charge and available for dogs, cats, and ferrets. Encouraged residents to take advantage of the clinic as proof of rabies vaccination is required for dog licensing.

Announced the appointment of Karla Mead, a lifelong resident of the Town of Boston, as the new full-time Deputy Town Clerk, the addition will be a positive development for the office. The Town of Boston Memorial Day service will be held on Monday, May 25th, from 1:00 to 2:00 PM under the Lions shelter.

Supervisor Keding reported on the following:

Wurtz Funeral Home: A youth gained unauthorized entry into the Wurtz Funeral Home property. State troopers addressed the minor and secured the site; Code Enforcement has since re-boarded the building and provided

photographic documentation of the interior condition to the Board. The property carries approximately \$500,000 in back taxes. The Town will continue unsafe structure procedures and that a resolution to place the cost of re-boarding onto the property's taxes is anticipated.

Holiday Lighting: The AIA contract with Loudon has been signed. Loudon was the low bidder on both the fuel tank and holiday lighting projects. A planning meeting is anticipated in the coming weeks. We have the contract, \$20,000 donation from Erie County Legislature, Legislator Mills provided; minor language corrections were sent back to the County attorney's office and the contract is expected to be ready for the next meeting.

Dig Safe/811: Strongly urge all residents and contractors to call 811 before any digging. Property owners are not to relocate the utility flags to facilitate lawn mowing. Moving those flags can have serious consequences and that penalties for violations are significant. Urged motorists to obey flaggers in all work zones, noting that flaggers supersede all other traffic control devices.

Traffic Cameras: Clarified that the black box device observed near Fairlane Road is a traffic counting device, not a surveillance camera. He also noted that the New York State DOT will be installing traffic counting cameras at the intersection of Boston State Road and Zimmerman/Herman Hill Roads, with devices mounted on poles near NBT Bank and the adjacent salon and CVS building.

Sky Lanterns: Informed the Board and public that Erie County has prohibited the sale and use of sky lanterns countywide due to fire hazard risks to homes, farms, animals, and public safety. Violations are to be reported to local fire departments or law enforcement.

ErieNet Broadband: The project remains on schedule. Two Internet service providers — GoNetspeed and Cognet — are the first to participate in the middle-mile dark fiber buildout. Last-mile providers such as Spectrum and Verizon are expected to follow.

MS4 Stormwater: At the April 22nd Western New York Stormwater Coalition meeting, new MS4 (Municipal Separate Storm Sewer Systems) regulations and community outfall inspection requirements were discussed. Code

Enforcement and Highway/DPW personnel are responsible for inspecting outfalls to ensure they remain clear and free from prohibited discharges.

Erie County Helicopters: Reported on press conference with Congressman Langworthy, who announced \$4,200,000 secured funding for two new helicopters for the Erie County Sheriff's Office. The current Air 1 helicopter is frequently grounded due to age and FAA maintenance requirements. The two new aircraft are intended to serve the County for up to 30 years on an offset maintenance rotation to ensure continuous availability.

Battery Energy Storage: In response to the public comment from Mr. McLean, provided extended remarks on the battery energy storage moratorium. The moratorium was enacted because a developer proposed placing a 22-acre battery energy storage facility on residential property near the Cobble Hill substation on Dunn Road, and the Town had no applicable code in place.

The draft code is essentially complete but is being held pending the outcome of ongoing litigation concerning a solar project on Feddick Road, as battery storage and solar code language are interrelated under NYSEDA guidelines. Once the court rules, the moratorium can be lifted, a public hearing held, and the code adopted.

REGULAR BOARD MEETING
MAY 6, 2026

TOWN HALL
7:30 P.M.

Drainage: Acknowledged the Town's constraints when drainage infrastructure crosses private property, the legal requirement for either temporary or permanent deeded easements before expending public funds on private land. Referencing Erie County's authority over Boston State Road and explained that the County's engineering team has assessed the culvert in question and determined it does not warrant replacement. Confirmed that the 18 Mile Creek project near the Patchin Fire Hall is being funded through LUPA funding and coordinated with Mark Gaston.

A motion was made by Supervisor Keding and was seconded by Councilwoman Martin to adjourn the meeting at 8:38 p.m.

Supervisor Keding	Yes	Councilwoman Martin	Yes
Councilman Penders	Yes	Councilwoman Selby	Yes
Councilman Stephan	Yes		

five (5) Yes

Carried

Open Meetings Law, Public Officers Law, Article 7, §106. Minutes.

Minutes shall be taken at all open meetings of a public body which shall consist of a record or summary of all motions, proposals, resolutions and any other matter formally voted upon and the vote thereon.

These minutes are an unofficial copy unless the original signature of the Town Clerk is affixed below. The original official paper minutes are stored in the Town's vault.

SANDRA L. QUINLAN, BOSTON TOWN CLERK