

AGENDA
REGULAR BOARD MEETING - TOWN OF BOSTON
FEBRUARY 4, 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 January 21, 2026
2. Consideration of all Fund Bills

ITEM NO. III CORRESPONDENCE

1. Erie County Sewer District No. 3, Supervisor reappointment to Board of Managers
2. Erie County Department of Public Works – Notice of Shoulder Closure, Boston State Road between Thornwood Road and Wildwood Road
3. Dispatch Call Summary Reports – July to December 2025
4. Town of Concord – SEQR Negative Declaration
5. Application for Use of Meeting Facility – Hillside Riders
6. Application for Use of Meeting Facility – Southtown's Homeschoolers

ITEM NO. IV NEW BUSINESS

1. Requests from the Floor (3-minute time limit per person)
2. Resolution 2026-15 A Resolution Adopting the Pro-Housing Communities Pledge
3. Resolution 2026-16 Authorizing and Ratifying Engagement of Barclay Damon LLP for Retained Land Use and Zoning Matters Including Erie County Agricultural District No. 15
4. Resolution 2026-17 Approving Geotechnical Investigation Services for Phase 2 Water Main Improvements
5. Resolution 2026-18 Approving Wetland Delineation and Permitting Assistance Services for Phase 2 Water Main Improvements
6. Referral to Planning Board for Land Use Consideration

7. Approval of 2025 Service Award Points – Boston EMS
8. Approve Applications for Annual Refuse Licenses: MRC Disposal Inc., Modern Disposal Services, Inc., and Waste Management of NY, LLC

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

REGULAR BOARD MEETING
FEBRUARY 4, 2026

TOWN HALL
7:30 P.M.

Present: Supervisor Jason Keding, Councilman Robert Penders, Councilwoman Kathleen Selby, and Councilman Max Stephan.

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

Reverend Ted Brelsford, Faith United Church of Christ, opened the meeting with a prayer.

Supervisor Keding called the meeting to order at 7:40 pm.

Pledge of Allegiance.

Supervisor Keding stated there are no other Preliminary matters.

Regular business:

A motion was made by Councilwoman Selby and was seconded by Councilman Penders to approve the minutes of the January 21, 2026 regular meeting.

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

four (4) Yes Carried

A motion was made by Councilman Penders and was seconded by Councilwoman Selby upon review by the Town Board, that fund bills in the amount of \$178,275.55 be paid.

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

four (4) Yes Carried

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

Erie County Sewer District No. 3, Supervisor reappointment to Board of Managers

Erie County Department of Public Works – Notice of Shoulder Closure, Boston State Road between Thornwood Road and Wildwood Road

Dispatch Call Summary Reports – July to December 2025

Town of Concord – SEQR Negative Declaration

Application for Use of Meeting Facility – Hillside Riders

Application for Use of Meeting Facility – Southtown’s Homeschoolers

New business:

Supervisor Keding stated the floor is open for public comment.
The following persons were heard:

Alan Haungs
Dave Magill
Jay Jackson
Deputy Miller, Community Engagement Team, Erie County Sheriff's Office

Supervisor Keding stated the floor is closed.

A motion was made by Councilman Stephan and was seconded by Councilman Penders,

RESOLUTION 2026 -15

**A RESOLUTION ADOPTING THE PRO-HOUSING
COMMUNITIES PLEDGE**

WHEREAS, the Town of Boston (hereinafter "Local Government") believes that the lack of housing for New York residents of all ages and income levels negatively impacts the future of New York State's economic growth and community well-being;

WHEREAS, the housing crisis has negative effects at regional and local levels, the Local Government believes that every community must do their part to contribute to housing growth and benefit from the positive impacts a healthy housing market brings to communities;

WHEREAS, the Local Government believes that supporting housing production of all kinds in the community will bring multiple benefits, including increasing housing access and choices for current and future residents, providing integrated accessible housing options that meet the needs of people with sensory and mobility disabilities, bringing economic opportunities and vitality to our communities, and allowing workers at all levels to improve their quality of life through living closer to their employment opportunities;

WHEREAS, the Local Government believes that evidence showing that infill development that reduces sprawl and supports walkable communities has significant environmental and public health benefits; and

WHEREAS, the Local Government believes that affirmatively furthering fair housing and reducing segregation is not only required by law, but is essential for keeping our community strong and vibrant;

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Town of Boston, in order to take positive steps to alleviate the housing crisis, adopts the Pro-Housing Communities pledge, which will have the Local Government endeavor to take the following important steps:

1. Streamlining permitting for multifamily housing, affordable housing, accessible housing, accessory dwelling units, and supportive housing.
2. Adopting policies that affirmatively further fair housing.
3. Incorporating regional housing needs into planning decisions.
4. Increasing development capacity for residential uses.
5. Enacting policies that encourage a broad range of housing development, including multifamily housing, affordable housing, accessible housing, accessory dwelling units, and supportive housing.

REGULAR BOARD MEETING
FEBRUARY 4, 2026

TOWN HALL
7:30 P.M.

Supervisor Keding
Councilwoman Selby

Yes
Yes

Councilman Penders
Councilman Stephan

Yes
Yes

four (4) Yes

Carried

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

**RESOLUTION 2026 -16 AUTHORIZING AND RATIFYING ENGAGEMENT OF
BARCLAY DAMON LLP FOR RETAINED LAND USE AND ZONING MATTERS
INCLUDING ERIE COUNTY AGRICULTURAL DISTRICT NO. 15**

WHEREAS, the Town of Boston is involved in ongoing and potential land use, zoning, and regulatory matters, including matters arising under or related to Erie County Agricultural District No. 15 and proceedings before the New York State Department of Agriculture and Markets pursuant to Agriculture and Markets Law § 305-a; and

WHEREAS, such matters require specialized legal expertise in municipal land use regulation and Agriculture and Markets Law; and

WHEREAS, Barclay Damon LLP has previously represented the Town of Boston in connection with zoning and agricultural district matters and has demonstrated familiarity with the Town's codes, procedures, and regulatory framework; and

WHEREAS, the Town Supervisor has received an engagement letter from Barclay Damon LLP dated January 20, 2026, for representation of the Town in connection with retained land use and zoning matters, together with the Firm's Standard Terms of Engagement for Legal Services; and

WHEREAS, the Town Board finds it to be in the best interests of the Town to authorize and ratify the engagement of Barclay Damon LLP in order to ensure continuity of counsel and efficient representation in ongoing and related land use and zoning matters, including those involving Erie County Agricultural District No. 15;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Boston hereby authorizes and ratifies the engagement of Barclay Damon LLP pursuant to the engagement letter dated January 20, 2026, for the provision of legal services in connection with retained land use and zoning matters, including but not limited to matters involving Erie County Agricultural District No. 15 and proceedings under Agriculture and Markets Law § 305-a; and be it further RESOLVED, that legal services provided by Barclay Damon LLP shall be billed on an hourly basis in accordance with the terms and rates set forth in the January 20, 2026 engagement letter; and be it further

RESOLVED, that no Town officer, employee, board member, or representative shall request or authorize legal services from Barclay Damon LLP pursuant to this engagement unless such request or authorization is made with the prior approval of either the Town Supervisor or the Town Attorney; and be it further RESOLVED, that the Town Supervisor is hereby authorized to execute any and all documents necessary to effectuate this engagement on behalf of the Town consistent with this resolution.

REGULAR BOARD MEETING
FEBRUARY 4, 2026

TOWN HALL
7:30 P.M.

Supervisor Keding
Councilwoman Selby

Yes
Yes

Councilman Penders
Councilman Stephan

Yes
Yes

four (4) Yes

Carried

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

RESOLUTION 2026 -17

**APPROVING GEOTECHNICAL INVESTIGATION
SERVICES FOR PHASE 2 WATER MAIN IMPROVEMENTS**

WHEREAS, the Town of Boston is undertaking Phase 2 of its water main improvement project at various locations within the Town of Boston, Erie County, New York; and

WHEREAS, CPL Architects, Engineers, Landscape Architects & Surveyors, D.P.C. ("CPL"), as the Town's consulting engineer, solicited proposals for geotechnical investigation services in connection with said project; and

WHEREAS, proposals were received and reviewed from Whitestone Associates Engineering & Geology NY, PLLC ("Whitestone"), NW Contracting, and Atlantic Testing; and

WHEREAS, CPL evaluated the proposals and recommended that the Town proceed with Whitestone Associates' Alternate Bid (Hollow Stem Auger Borings Only), which provides enhanced subsurface data to better evaluate drilling risks associated with horizontal directional drilling; and

WHEREAS, Whitestone submitted a written proposal dated December 19, 2025, Proposal No. PRY38639G.R25, for a lump sum cost of Seventy-Seven Thousand Nine Hundred Dollars (\$77,900.00), which proposal includes express limitations on scope and requires written approval for any additional services; and

WHEREAS, the Town Board finds that acceptance of the Whitestone proposal, as recommended by CPL, is in the best interests of the Town;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Boston hereby approves the engagement of Whitestone Associates Engineering & Geology NY, PLLC to perform geotechnical investigation services for the Phase 2 Water Main Improvements project pursuant to its Alternate Bid (Hollow Stem Auger Borings Only), at a total cost not to exceed \$77,900.00; and be it further RESOLVED, that no additional rock coring, consultation, or engineering services outside the approved scope of work shall be undertaken without prior written approval of CPL and authorization by the Town; and be it further

RESOLVED, that the Town Supervisor is hereby authorized and directed to execute the Whitestone proposal and any related documents consistent with this resolution; and be it further

RESOLVED, that this resolution shall take effect immediately.

Supervisor Keding
Councilwoman Selby

Yes
Yes

Councilman Penders
Councilman Stephan

Yes
Yes

four (4) Yes

Carried

A motion was made by Supervisor Keding and was seconded by Councilman Stephan,

RESOLUTION 2026 -18 APPROVING WETLAND DELINEATION AND PERMITTING ASSISTANCE SERVICES FOR PHASE 2 WATER MAIN IMPROVEMENTS

WHEREAS, the Town of Boston is undertaking Phase 2 of its water main improvement project at various locations within the Town of Boston, Erie County, New York; and

WHEREAS, CPL Architects, Engineers, Landscape Architects & Surveyors, D.P.C. ("CPL"), as the Town's consulting engineer, solicited proposals for wetland delineation and permitting assistance in connection with said project; and

WHEREAS, proposals were received and reviewed from CC Environment & Planning ("CC Environment"); and

WHEREAS, CPL evaluated the proposals and recommended that the Town proceed with CC Environment & Planning Alternate Bid, which provides Wetland and Delineation and Permitting Assistance; and

WHEREAS, CC Environment submitted a written proposal dated December 16, 2025, for a contract total lump sum cost of Eleven-thousand, Seven-Hundred and Three Dollars (\$11,703.00), which proposal includes express limitations on scope and requires written approval for any additional services; and

WHEREAS, the Town Board finds that acceptance of the CC Environment & Planning proposal, as recommended by CPL, is in the best interests of the Town;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Boston hereby approves the engagement of CC Environment & Planning to perform wetland delineation and permitting assistance services for the Phase 2 Water Main Improvements project pursuant to its Bid at a total cost not to exceed \$11,703.00; and be it further

RESOLVED, that no additional consultation, or engineering services outside the approved scope of work shall be undertaken without prior written approval of CPL and authorization by the Town; and be it further

RESOLVED, that the Town Supervisor is hereby authorized and directed to execute the CC Environment & Planning proposal and any related documents consistent with this resolution; and be it further

RESOLVED, that this resolution shall take effect immediately.

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

four (4) Yes

Carried

A motion was made by Councilwoman Selby and was seconded by Councilman Penders to refer to the Planning Board for land use consideration the petition that the Town Board had received, the area in question around Pin Oak where there may be future development.

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

four (4) Yes

Carried

A motion was made by Councilman Penders and was seconded by Supervisor Keding to approve the 2025 Service Award Points for Boston EMS.

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

four (4) Yes Carried

A motion was made by Councilman Stephan and was seconded by Councilwoman Selby to approve the Annual Refuse Licenses for MRC Disposal Inc., Modern Disposal Services Inc., and Waste Management of NY, LLC.

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

four (4) Yes Carried

Old business:

Supervisor Keding stated that there is no Old business.

Reports and Presentations:

Highway Superintendent Telaak reported on the following:

Reported that some highway departments in Erie County had already used up their salt quota for the year and were having trouble obtaining more. He assured the Town Board that Boston's salt barn was filled and they still had 300-400 tons that they could order, putting them in good shape for the remainder of winter. Two of the newest plow trucks were experiencing mechanical issues - one with transmission problems and another with an undiagnosed problem that had been sent to the dealer.

Councilwoman Selby reported on the following:

Nothing to report.

Councilman Penders reported on the following:

Nothing to report.

Councilman Stephan reported on the following:

Nothing to report.

Town Clerk Quinlan reported on the following:

February ConnectLife blood drive collected 25 units, helping save 75 local patients. Next blood drive will be March 3rd from 2-7 PM in the community room. My office has been preparing for the 2026 County and Town Tax collection, bills expected to be mailed mid-February and payments due by Monday, March 16th. There is an opening for a full-time deputy in my office,

if anyone is interested, see me after the meeting for the job posting, which will also be available on the town website.

Supervisor Keding reported on the following:

Holiday Lights Project: The Town's engineer, La Bella, completed design specifications and the project will go out to bid by the end of the week. The bid opening is scheduled for March 5th at 2 PM.

Legislative Funding: Acknowledging Mr. Jackson's question about Erie County funding, Legislator Mills is not seeking reelection, he had confirmed verbally that funds were coming to the Town, likely for the holiday light project. Waiting for written confirmation before announcing the amount.

Solid Waste Totes: Requested residents keep their totes off the roadway during snow removal operations to prevent damage. The Town was working with WM to ensure their drivers properly return totes after emptying them.

Water Phase 2: The resolutions passed tonight will help advance this project, with the goal of getting it out to bid by late summer.

Road Projects: While Back Creek Road resurfacing was delayed until after water lines are installed, Boston State Road (from the convenient store 7-11) to West Tillen would be milled and paved this year. National Fuel would also be conducting line work along Boston State Road, making for a busy construction season.

Emergency Management: Reported completing updated disaster land training, which allows the Town to request assets during emergencies.

Lower Crestwood Circle: In response to Mr. Magill's comments, understood the concerns, records from the Zoning Board of Appeals indicated that when Mr. Magill's property was built, the road would not be maintained to Town standards. He stated that decisions about road maintenance fall under the Highway Superintendent's authority per NYS Highway Law 104, and that the Town Board's role would be to appropriate funds if the Highway Superintendent decided to pursue maintenance.

A motion was made by Supervisor Keding and was seconded by Councilwoman Selby to adjourn the meeting at 8:14 p.m.

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

four (4) 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