

## **Town Board Minutes July 14, 2004**

Present were Councilman Brien M. Hopkins, Councilman Karl J. Simmeth Jr., Councilman Dennis J. Mead, Councilman Richard K. Hawkins, Supervisor William A. Eagan, Town Attorney Kelly A. Vacco and Highway Superintendent Richard A. Poore.

Reverend Laun of Churchill Memorial United Methodist Church opened the meeting with a prayer.

Supervisor Eagan read a letter from Mark R. Downey, 5348 Keller Road regarding building a second accessory building on his property.

Councilman Hawkins asked if Mr. Downey put up a building of this size, would the building he already has on the property still be needed.

Councilman Hopkins stated that approval for a second building would not be necessary if Mr. Downey were to remove the existing building.

A motion was made by Councilman Mead and seconded by Councilman Hopkins to approve Mr. Downey's request to build a second accessory building at 5348 Keller Road.

five (5) Ayes    Carried

**RESOLUTION 2004-20    AMENDING BOND RESOLUTION INCREASING THE AMOUNTS OF SERIAL BONDS AUTHORIZED FOR THE ESTABLISHMENT OF EAST HILL WATER DISTRICT NO. 3**

A motion was made by Supervisor Eagan and seconded by Councilman Simmeth to authorize the Town Engineer to begin the Request For Expressed Interest process for the new State Police Barracks project.

five (5) Ayes Carried

A motion was made by Councilman Mead and seconded by Councilman Simmeth to adopt the minutes of the June 16, 2004 regular meeting.

five (5) Ayes Carried

A motion was made by Councilman Mead and seconded by Councilman Simmeth upon review by the Town Board that fund bills on the Abstract dated July 8, 2004 in the amount of \$333,049.55 be paid.

five (5) Ayes Carried

Received and filed Erie County Sheriff's Report for May 2004.

Received and filed letter from Kathleen Andolina, 4748 Keller Road, regarding problems with code violations in her home.

Supervisor Eagan read a letter from Northside Drive, West End residents regarding the renewal of Couzins Live Entertainment permit.

Supervisor Eagan read a letter from Rick Hayden, Owner of Couzins regarding his current noise situation.

Supervisor Eagan asked Deputy Town Attorney Metzger if there was litigation regarding Couzins.

Deputy Town Attorney Metzger: It is my understanding that Mr. Lisowski has cited Couzins on three different code sections, none of which include any decibel meter reading. So, the answer to the question is yes.

Supervisor Eagan: That being the case, I think we should table this.

Councilman Simmeth: We should read the letter from Deputy Code Enforcement Officer Lisowski.

Supervisor Eagan read the letter from Deputy Code Enforcement Officer Lisowski regarding the problems at Couzins Restaurant.

Received application for a Special Permit renewal of Live Entertainment from Rick Hayden, Couzins Restaurant, 7115 Boston St. Road.

A motion was made by Councilman Mead and seconded by Supervisor Eagan to schedule the public hearing for August 18, 2004 at 7:45 p.m. to consider the Special Permit for Live Entertainment for Couzins Restaurant.

five (5) Ayes Carried

Supervisor Eagan informed the attending public that they should attend the August 18th Public Hearing to voice their concerns/opinions regarding Couzin?s Restaurant/Bar.

At 7:45 p.m. a Public Hearing was held regarding Renewal of the cable television franchise agreement by and between the Town of Boston and Parnassos, L.P., d/b/a Adelphia Cable Communications.

Supervisor Eagan read the legal notice.

Patricia Hacker, 8636 Backcreek Road: We purchased property on Backcreek Road about eight years ago. We were told there would be Adelphia coverage in our area. Since we?ve built, we have been unable to get any service. I was told that there was a limit of homes per mile for coverage. In our area, we have ten residents in an .8-mile service area and we are unable to get this service unless we pay for it ourselves. I would like to find out why it cannot be continued. I have personally paid for the poles that are there. We would like to see if we could get service to the end of the road.

Jeanne Coleman, General Manager, Adelphia Cable: Because of the cost of construction, we generally need 20-25 homes per mile, if it's less than that, those who are interested will make an aid to contribution and then we will share the costs on that. It's mostly so that we can recover our costs within five years.

We will take a note of that address and look at it again. It doesn't sound like it meets that density requirement. Adelphia is still a major employer in the area. We do maintain about 1,700 employees in WNY and have continued to make a lot of investments in our products, services and in our infrastructure. We have also invested in a number of new products so we can continue to serve the needs of our customers, whether it's digital video recorders or high definition programming. We have that commitment and we will continue to provide a service that we think serves the residents of the Town of Boston. We would ask that you renew the franchise and relative to the specific question asked.

Town Attorney Vacco: There are a particularly high number of Senior citizens that reside in the Town of Boston.

Town Attorney Vacco Cont'd: Previously, they had a difficult time getting their exemption or their rate decreased because they physically had to go to Buffalo. I know that we had discussed remedying that situation.

Jeanne Coleman: We do want to make that process easier for them. We can handle it all via mail. We re-qualify them only every couple of years.

Councilman Simmeth asked Jeanne Coleman if Adelphia could accommodate the homeowner if they were willing to pay for that line.

Jeanne Coleman: Yes, the other thing that we do is spread it over all the homes. There is a New York State Aid contribution formula that we follow that says your share would be this amount.

Councilman Simmeth: My only other concern is that Mrs. Hacker would pay for the cost and then the homes from the line starts to her home are going to be able to get in for free. Can Adelphia stop those homeowners that didn't pay from connecting?

Jeanne Coleman: We won't connect them unless they pay for it. For example, if one person paid for the whole thing, we would be required to reimburse them.

Patricia Hacker: We were quoted \$3,800, with no reimbursement available. That is not of interest to me. I know that as soon as I pay for it, others will want to sign up then.

Councilman Simmeth: What Jean is saying is that they will be billed.

Supervisor Eagan asked if there were any other questions regarding the Adelphia Franchise agreement.

A motion was made by Supervisor Eagan and seconded by Councilman Simmeth to close the public hearing at 7:54 p.m.

five (5) Ayes    Carried

#### REQUESTS FROM FLOOR

Mr. Mihok, Omphalius Road: I'm concerned about what is going on with the water and the road dig up. I don't understand where the 33 feet comes from. I'm really confused on what the Town has done to this road.

Supervisor Eagan: First of all, the Town hasn't done anything to the road; It is a county road and project. We have a contract with the County to plow several of the county roads. The water project is well into construction. The tank is near completion. Waterlines are being installed and they are almost near the end of Eddy Road. Two years ago the County asked us when we were putting in the water line because they wanted to start a road project. So, we entered into an agreement with them that they would lay

the water line in the path of their construction so that we wouldn't have to go back in the interest of saving money. As of this date, only a portion of the county's contract with us has been fulfilled as far as the waterline goes. I understand from speaking to Wayne Skybor, Erie County Highway Department that the contractor will start his construction by July 14th to finish up that water line. Residents should start getting water in the Fall.

Mr. Mihok: This is what I'm confused about. You sent me a letter stating near side and far side addresses. The County is coming up on the North side of the road, which makes my property a far side address.

Supervisor Eagan: The letter that you received was given to me in basic format that was followed when they did the water #2 extension. We adopted it for this area.

Supervisor Eagan Cont'd: The County played a major role in the decisions on where the waterline was going when it got to Omphalius Road. The County wanted us to shift the waterline at a certain point on Omphalius as you get above Eddy to the Southside. I consulted with the County and said if the County causes any additional cost to our project, we would expect them to pick up that cost. During a meeting they agreed there would not be any additional charges from our Engineering point or anything else because there has been so many design changes and concessions made to meet the county's requirements with the alleged road construction. We didn't want to be confronted later on with more increases to this water project, which in turn is an increase to you. They agreed they would pay any increase. The letters went out based on the engineering plan as to where the water lines were going.

Supervisor Eagan read a letter from Engineers, Nussbaumer & Clarke, Inc. dated July 13, 2004 regarding East Hill Water District No. 3.

Supervisor Eagan: What this is saying is that they are going to move it back to where it was originally proposed. I see this as being a hardship for the residents that are in that immediate area due to this change. We have only given the county a partial payment on the work they have done on the water line so far. And they will not receive the remainder of the payment if they don't make adjustments in the costs that we have incurred, due to their changes in construction plans. We have received applications from people that are on the near side who paid the minimum. Many people have applied for a grant

through the county. We are doing everything we can to make sure it does not cost anybody any more money that was first intended.

Mr. Mihok: I just don't understand, if they wanted my trees, they would come along and take them down. They are in their right-of-way. Why are they so concerned about my trees?

Supervisor Eagan: I think part of the reason also is that when the county went up that first stretch of Omphalius a lot of trees were taken out. I think that they are being very cautious now and don't want to bring attention to a bad situation.

At 8:00 p.m. a Public Hearing was held review the Annexation Petition of Ronald P. Smith and Mary Clare Smith for certain vacant land on Woodlee Court, SBL's 197.00-5-2 & 197.00-5-3 in the Town of Orchard Park.

Supervisor Eagan read the legal notice.

Supervisor Eagan read the notice sent to the Smith's, Orchard Park Town Clerk, Hamburg and Orchard Park School Superintendent's, North Boston and Hillcrest Fire Chief's.

Supervisor Eagan asked if there were any comments regarding this petition.

David Early, Omphalius Road: Has Orchard Park agreed to this annexation?

Town Attorney Vacco: Yes, they adopted a Resolution and agreed to the annexation in June.

Councilman Hawkins: Would that mean North Boston Fire Company would pick up that area to be covered.

Town Attorney Vacco: Whoever currently serves Woodlee Court.

Town Clerk Shenk: The State Law said that I have to notify the school districts and the fire companies. The Fire companies? district line is probably just the North of the Town of Boston. If the Board does adopt this it would affect the area that they cover. They would have to assume this area as well. Hillcrest would lose it. With regard to the school district boundaries, the Boards action tonight and the action of Orchard Park Town Board would not change the school district boundaries. Those two agencies would have to take their own action if they chose to.

A motion was made by Councilman Mead and seconded by Supervisor Eagan to close the public hearing at 8:09 p.m.

five (5) Ayes Carried

RESOLUTION 2004-19 ANNEXATION OF PROPERTY FROM THE TOWN OF ORCHARD PARK, NEW YORK TO THE TOWN OF BOSTON AS REQUESTED BY RONALD AND MARY SMITH VACANT LAND ON WOODLEE COURT

REQUESTS FROM FLOOR CONT?D:

Kathleen Andolina, 4748 Keller Road: I built a home in 2002 and received a Certificate of Occupancy in December 2002. My home has multiple code violations and I feel the Code Enforcement Official is not addressing them. I have no interest in suing the town, but I do need my problems fixed. I need the builder, Tamaron Homes held accountable for his violations of New York State Code. In February 2003, the floor joists split and cracked. I called a Structural Engineer for an evaluation and he noted that the floor joists would not support the design workload and the foundation anchors were not appropriate, and did not meet New York State Code. The attached garage was not anchored to the foundation. I hired George Watson from Home Pro Inspections and he noted many other problems. I called the builder and the Town Code Enforcement Officer Kramer came back to my home around April. He had the builder anchor the garage but not the house. The builder took a piece of wood and bent the pipe away from the wood floor joists but it still doesn't meet proper clearance. In 2003, Mr. Kramer issued the builder a letter stating that my house met code and I am now unable to get the builder to make any

further repairs because of it. I filed a complaint with the New York State Department of Code Enforcement for Modular Homes. They made the Modular Company come out and repair their issues but they can't do anything to the on site builder because they don't regulate that, the town does. In October 2003, I continued to have problems with the garage. Mr. Kramer made the builder make some repairs to the garage but they weren't sufficient. Stromicki Engineers returned and looked at the garage and said repairs weren't sufficient and also noted the builder did not anchor the two beams in the attic like the plans called for. The builder left out necessary 2 by 4 braces that were in the plans. He just omitted many steps. The builder won't fix any of these problems because the town said I the house meet code. I had those things fixed myself. There are many other issues that are still not addressed. I filed a complaint to the Division of Code Enforcement for the Town Inspector. The State notified Mr. Kramer and sent him back to do another inspection on my home. Again he notified them that my house met code. I couldn't get the builder to make repairs based on this information. I called Supervisor Eagan and he came over and suspected that there might be issues so he called Mr. Pippine, Regional Code Enforcement Official for the area, and he noted that there were code violations. Mr. Kramer was then sent back to my house again. He did not address the builder he addressed the manufacturer. I need him to address the builder and make him accountable for the on-site issues that don't meet code. Mr. Kramer came back in June and I showed him the response from the manufacturer who said that they are not responsible because these are on-site issues. One of the things that Mr. Pippine found that the other engineer did not find is that the floor framing of the house is larger than the foundation. I need somebody to make him accountable to do his job.

Kathleen Andolina Cont'd: When he came back in June he said my Certificate of Occupancy might be revoked because my house doesn't meet code. If this is the fact, I have to make plans to get these violations corrected because this is going to be held up in court for years. I would like somebody to address that the Code Enforcement Official is not doing what he needs to do.

Supervisor Eagan: In the February 4th letter to Code Enforcement Officer Kramer from the Department of State pointing to the issues that you just addressed, there was a response on February 20th from Mr. Kramer to the State, and I know that there is an Engineer mentioned here, ?in my opinion this is consistent (speaking to the straps vs. the bolts)?..

Kathleen Andolina: This is not my engineer, he is not certified and he has never been to my home. It is a fraudulent letter.

Supervisor Eagan: So in other words this man gave an opinion without an inspection?

Kathleen Andolina: He gave an opinion without an inspection and he doesn't have an engineer's license.

Supervisor Eagan: I have inspected her home that is why I called Mr. Pippine and asked him to communicate with Code Enforcement Officer Kramer. Mr. Kramer did respond. The letter came to him from the State on February 4th and he inspected the home on February 14th. This woman's garage literally was splitting at the roof peak.

Kathleen Andolina: I can see daylight right now through my garage roof. I need somebody to make him do his job. Is he appointed?

Supervisor Eagan: Has Mr. Pippine inspected this property?

Kathleen Andolina: He has inspected the property and it doesn't meet code.

Supervisor Eagan: And he doesn't concur with Mr. Kramer?

Kathleen Andolina: He doesn't concur with Mr. Kramer.

Supervisor Eagan: I would suggest that Mr. Pippine write this Board a letter confirming his position and his differences of opinion between himself and our Code Enforcement Officer.

Kathleen Andolina: I was told to talk to your manufacturer because these things differ from the plans. The manufacturer has addressed the issues because I wrote a letter to the Department of State and they made them address the issues and fix the things they are responsible for. The builder needs to be addressed by the Town Code Enforcement Officer so I can get my house fixed. I have a mortgage and I am a single mom. This is extremely difficult. I already put \$6,000 in the roof and it is a brand new home.

Town Attorney Vacco: You did state at the end of your letter that the Code Enforcement Officer is suggesting that he may have to revoke your CO because your house does not meet code.

Kathleen Andolina: Right but he has not responded. He has just verbally told me that.

Town Attorney Vacco: You want it in writing. It sounds like he has acknowledged the fact that there are code deficiencies to you but not in writing.

Kathleen Andolina: I need something. He won't address it to the builder and he won't address it in writing. It is on the side, it is this or it is that. I need something concrete. I am going forward with this deposition. The builder has cancelled this deposition four or five times already on me. It has been going on since 2002 and I have a lot of problems.

Kathleen Andolina Cont'd: Is there any way to bring Mr. Kramer up on charges?

Supervisor Eagan: I think in order to ask the Board this question we would have to concur with our attorney. There is no doubt in my mind that you are speaking the truth regarding the condition of your home. I read the your engineer's reports, the unlicensed engineer's report and reviewed the plans. I agreed with you and called Mr. Pippine. It is my personal opinion that to help us move forward with this you need to give to us something from Mr. Pippine in disagreement with Mr. Kramer. Perhaps our Town Attorney should ask him about that.

Town Attorney Vacco: I will talk to the Code Enforcement Officer.

David Early, 7125 Omphalius Road: You made a statement toward the end of your discussion about Omphalius Road that the cost is not going to be more than the original plan. Now are you going to see that the individuals on Omphalius Road are told again as to what their costs are going to be and what the deadline is for having the monies in for this?

Supervisor Eagan: It is this month but I don't know the specific date.

Audience Member???: July 23rd.

David Early: There is going to be a number of people that aren't going to realize what is happening between now and July 23rd.

Supervisor Eagan: Absolutely but you have to differentiate between two issues here. It is a county road when you speak about a county project. The road project is County. The water project is Boston. The county is responsible for the road and the road project. The town is installing the water and it just so happens to be on a county road. The issue with the county is that with all the changes that they tell us they are making to their construction plans concerning the road, my concern was immediately was that if you think that you are going to cause us any additionally financial hardship to this project, I am going to expect you to pick up that cost. We had a meeting and they said that they would. Now this is before any switching of water lines from one side to the other actually took place. They said whatever redesign work that we needed to pay our engineers that they would reimburse us. Now that was several months ago. Recently, and just recently as I read the letter, it is dated yesterday, July 13th, the county and the engineers met and decided, and this is after all our letters went out, after everybody agreed on this, that now we have to send out another letter to the homeowners telling them that those that thought that they were on the near side are now on the far side and just the opposite. This isn't something that any of us did.

David Early: I am just asking if a letter will be coming out with our costs. There are some people that have already paid which may require a refund but I think that this ought to get out relatively soon if we still have to have it in by July 23rd. Is that still going to be a requirement?

Supervisor Eagan: Mr. Early, the last thing I would ever want to do is put information out before I knew if everything was correct.

David Early: The only reason we are down here is because today they put the water on the Northside of Omphalius Road. That is the first time that anybody up there had any idea of what was happening. There was never anything said about it changing. I would have had my money down here for the far side. My other neighbors are concerned. Is there going to be something in writing as to what the cost is going to be?

Supervisor Eagan: Yes, We are still gathering information on this. We are the third party. Before we inform the homeowner, we have to make sure we are giving you the right information. When the letter first went out, our engineers signed off on it. The Water Authority signed off on it.

David Early: If we didn't tap in by the 23rd, at that cost, it was going to be for a later tap in.

Supervisor Eagan: That was an old schedule of fees that were originally approved to be used. Within four days of sending our letters out, Paul Becker calls and tells us those were the wrong numbers.

David Early: I believe that there should be an extension on this. Based on the time frame, it would seem ridiculous unless you have an extension for the people on this road for payment.

Supervisor Eagan: I assure you that anyone who is involved with this change that the county is allowing us to do will not in any way cause any further hardship in terms of missing any deadlines. For anyone who is financially qualified to tap in, there are funds out there. The county cannot possibly process the applications by our deadline.

David Early: I understand that. I just wanted to make it clear that there are some tight deadlines.

Vincent Cooley, 7659 Wohlhueter Road: I was wondering what was going on about being hooked up to water? I talked to the Erie County Water Authority, Paul Becker, and he said it's possible that I might not have to get the water line put across the length of my property. Have they said anything to you about it?

Supervisor Eagan: Yes. We looked at that and it was priced out at about \$8,000 for the engineers. Now, it's being looked into. What Mr. Becker said is that the tariffs reads that the water line is supposed to go to the far side of your property. Now there has been discussion in trying to deal with your issue because of the amount of frontage you have, and see if we can make an exception that is acceptable to the Erie County Water Authority.

Vincent Cooley: Paul Becker said that his boss said that it was possible that they could do something about it. He didn't say officially that they would agree to it.

Supervisor Eagan: That is in the works. Perhaps between now and next Wednesday we will have a definite answer for you.

Vincent Cooley: I don't know anything about applying for the grants, what would I have to do for that?

Supervisor Eagan: I can give you a number to contact someone in the county.

Donna Huson, 7105 Boston State Road: I know we are tabling the Couzins issue, but I was wondering, that is for the music. What can be done about the loud mufflers and burning rubber in the parking lot? You can see the skid marks on the road. Can these issues be addressed?

Supervisor Eagan: I will call the State Police after this meeting and inform them. We have had parking issues there also.

Donna Huson: Should we continue to call them whenever we hear these things.

Councilman Mead: Is this usually when there is a band?

Donna Huson: Yes, but they are now having band's on Sunday afternoon's. There is drinking going on outside. I don't know if that is legal either. Is that covered under their liquor license?

Supervisor Eagan: I believe it is for the entire property.

Donna Huson: I just wondered if this issue could also be addressed.

Councilman Hopkins: It would be beneficial for you to be here for the public hearing.

Donna Huson: Would this be incorporated into that public hearing?

Supervisor Eagan: Yes.

A motion was made by Councilman Mead and seconded by Supervisor Eagan to refer to the Planning Board for review and recommendation, the Site Plan for Joseph DeMarco, 5647 Herman Hill Road.

five (5) Ayes Carried

Supervisor Eagan read a request from Highway Superintendent Poore requesting an additional part time Clerk Typist.

Councilman Hawkins asked if it was a competitive position.

Supervisor Eagan stated that a call was put in to Bill Bartos, Erie County Department of Personnel and the appropriate paperwork was completed in anticipation of this request. The County stated that approval would be a two-week process.

Councilman Simmeth: Does the Town have a position open already?

Supervisor Eagan: No.

A motion was made by Councilman Mead and seconded by Councilman Hawkins to table the request until approval from the county was received.

five (5) Ayes Carried

A motion was made by Councilman Hopkins and seconded by Councilman Mead to approve the application for use of facility from Nicole Brown for the South Boston Park on Saturday, July 24, 2004.

five (5) Ayes Carried

A motion was made by Supervisor Eagan and seconded by Councilman Hawkins to approve the Transfer of Appropriations as follows:

General Fund:

FROM: Acct.

Appropriation	A 960	60,000.00
Contingency	1990	60,000.00
Estimated Revenues	A 510	13,389.00
Mortgage Tax	3005	13,389.00
Total	73,389.00	73,389.00

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TO: Acct.

Appropriation	A 960	73,389.00
Purchase of Land	1940	10,053.00
Code Enforcement-Contr.	3620.4	500.00
Parks-Equipment	7110.2	55,500.00
Drainage ? Contractual	8540.4	7,000.00
Worker?s Comp.	9040.8	336.00

73,389.00      73,389.00

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MOTION Cont?d:

Highway Fund

FROM: Acct.

Appropriation D960      1,281.00

Machinery-Equipment 5130.2 1,281.00

1,281.00      1,281.00

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TO:    Acct.

Appropriation D960      1,281.00

Worker?s Comp.      9040.8 1,281.00

1,281.00      1,281.00

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five (5) Ayes Carried

RESOLUTION 2004-18 TO APPROVE THE TRANSFERRING OF THE ASSETS OF THE BOSTON SEWER DISTRICT NOS. 1, 3 & 4 TO THE COUNTY OF ERIE AND AUTHORIZING THE SUPERVISOR TO DIRECT AND NEGOTIATE SAID TRANSFER OF SAID ASSETS.

Councilman Mead stated that during discussions with the Klump's it was the hope that the memorial would be dedicated at the opening of the first Boston Patriots Football game.

A motion was made by Supervisor Eagan and seconded by Councilman Hopkins to approve the placement of a memorial honoring the late Jody Metzger in the Town Park near the flagpole.

five (5) Ayes Carried

Councilman Mead stated that the letter from Paul Becker, Erie County Water Authority regarding the water main crossing Eighteen Mile Creek should be forwarded to Highway Superintendent Poore. Highway Superintendent Poore should contact Foit-Albert and Paul Becker.

Highway Superintendent Poore stated that he will be meeting with Foit-Albert tomorrow and would contact Paul Becker after receiving information from the Engineers.

A motion was made by Councilman Mead and seconded by Councilman Simmeth to approve the Boston Hills Homes and Estates Mobile Home Park license renewal.

five (5) Ayes Carried

Supervisor Eagan asked Deputy Town Attorney Metzger if there was continuing litigation on the Sprague Mobile Home Park.

Deputy Town Attorney Metzger: On June 5, Mr. and Mrs. Boyd were sentenced for five violations that Justice Bender found with regard to this Mobile Home Park. We received a notice of appeal from Boyd's lawyer. Town Attorney Vacco and I have had discussion regarding the appeal and to go forward on this matter. So, the answer to the question is yes.

Supervisor Eagan stated that a letter was received from Code Enforcement Officer Kramer regarding the Mobile Home Park inspections. Supervisor Eagan noted that the issue with the fencing has not been addressed.

Town Attorney Vacco recommended that the board table approving the license renewal.

Town Attorney Vacco stated that Mr. Boyd has two months from June 11, 2004 to make sure that the fencing barrier issue is resolved once and for all.

A motion was made by Councilman Mead and seconded by Councilman Hawkins to table the Sprague Mobile Home Park license renewal until such time that the fencing issue is resolved.

five (5) Ayes Carried

#### SUPERVISOR REPORT

A) The Supervisor's Financial Report for June 2004 was received and is on file in the Town Clerk's Office.

Supervisor Eagan stated that final bids are expected for the concrete work for the new snack shack/storage facility. Supervisor Eagan stated that the public has been very complimentary of the new snack shack facility.

#### TOWN CLERK REPORT

A motion was made by Supervisor Eagan and seconded by Councilman Hawkins to approve the Town Clerk's monthly report for June 2004.

five (5) Ayes Carried

A motion was made by Councilman Simmeth and seconded by Councilman Mead to approve the Tax Collector's monthly report for June 2004.

five (5) Ayes Carried

Town Clerk Shenk stated that he received notice from the New York State Archive and Records Administrations that both grants applied for in February were approved. The first grant is to enhance the Town's website. The second grant is to restore two historic record books in the Town Clerk's office. This will mark the end of the book restoration project, which he began in 1998.

#### COUNCILMAN REPORTS

Councilman Mead thanked Town Clerk Shenk and his staff in working with the grants. The web page is coming along very well.

Councilman Hopkins congratulated Patchin Fire Company for receiving a \$65,219 grant for new equipment.

Supervisor Eagan stated that Deputy Code Enforcement Officer Lisowski has indicated that he has pursued a New York State Certification.

A motion was made by Supervisor Eagan and seconded by Councilman Simmeth to approve Deputy Code Enforcement Officer Lisowski to attend the New York State certification classes on August 10-12 and August 31-September 2.

five (5) Ayes Carried

Councilman Simmeth stated that the Boston Conservation Advisory Council is putting out a pamphlet called "Discover Beautiful and Historic Boston". It's more of a map with a scenic drive. The Conservation Advisory Council is selling ad space to pay for this pamphlet. They have asked the Town if they wanted to purchase an ad.

Town Clerk Shenk asked if the Conservation Advisory Council budget was paying for the brochure was the Board going to pay for the ad out of their pockets. If Town funds are going to be used, a motion is not needed.

Councilman Hopkins noted that the North Boston Fire Company was having their 100th year anniversary and are setting up a booklet and asked if the town wanted to purchase an ad.

Town Clerk Shenk instructed Councilman Hopkins to send the information to him and he would take care of it.

Councilman Simmeth stated he received letters from Hickory Meadows residents looking for streetlights. Councilman Simmeth stated that he spoke with the Board members and Town Engineers and specs will be drawn up and the job will be put out to bid. The whole subdivision will have streetlights in the near future.

Councilman Simmeth commented to Mrs. Andolina that after seven years of being councilman he has never heard anyone criticize Code Enforcement Officer Kramer's work and is very interested in what Mr. Pippine has to say.

Councilman Hawkins stated that at the last Board Meeting he requested a letter be sent to the State Police requesting they patrol our parks.

Town Attorney Vacco stated she contacted the State Troopers and they responded that they would do what they could with the manpower they have.

Councilman Hawkins stated that there is not one speed zone sign on Feddick Road. Highway Superintendent Poore stated that road is a county road. Councilman Hawkins stated he would contact the county to put up some signs to slow vehicles down.

Councilman Mead asked Councilman Hawkins to ask the county about guardrails also.

Councilman Hawkins informed the Board and attending residents that Hog Weed has been discovered in Boston on Glen Terrace. Councilman Hawkins stated that the sap inside this weed is very dangerous. An agricultural person from Buffalo did come out and confirmed that it is Hog Weed.

Highway Superintendent Poore stated that he has a seminar scheduled tentatively for the 27th of July at 10:00 a.m. He will be sending out a memo confirming this seminar.

Councilman Hawkins stated that he was approached this week regarding the flags in the Town Park and the Boston Commons should be lit.

Town Clerk Shenk stated that he is in charge of the Town Flags and would take care of the lighting problem on those.

#### ASSESSOR'S REPORT

· The Assessor's monthly report for June 2004 was received and is on file in the Town Clerk's Office.

#### TOWN JUSTICE REPORT

· The Town Justice monthly report for June 2004 was received and is on file in the Town Clerk's Office.

#### CODE ENFORCEMENT OFFICER'S REPORT

· The Code Enforcement Officer's monthly reports for June 2004 were received and are on file in the Town Clerk's Office.

#### DOG CONTROL OFFICER'S REPORT

· The Dog Control Officer's Report for June 2004 was received and is on file in the Town Clerk's Office.

A motion was made by Councilman Mead and seconded by Councilman Hawkins to adjourn the meeting at 9:04 p.m.

five (5) Ayes Carried

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DAVID J. SHENK, TOWN CLERK