### **AGENDA**

### REGULAR MEETING - TOWN OF BOSTON July 7, 2021 - 7:30 P.M.

### ITEM NO. I PRELIMINARY MATTERS

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

### ITEM NO. II REGULAR BUSINESS

- 1. Correction and Adoption of the Minutes from 6/16/2021
- 2. Consideration of all Fund Bills

### ITEM NO. III CORRESPONDENCE

1. Letter of Support for Western NY Stormwater Coalition: Vac Truck Project Grant Proposal

### ITEM NO. IV NEW BUSINESS

- 1. Requests from the Floor (3 minute time limit per person)
- 2. Application for Use of Meeting Facility Boston EMS
- 3. Application for Use of Facility Boston Town Band
- 4. Application for Use of Facility Conservation Advisory Council
- 5. Resolution 2021-39 Installation of Sign for Public Library In County Right of Way
- 6. Resolution 2021-40 Approving Minor Amendments to Brookfield Patio Homes Site Plan

### ITEM NO. V OLD BUSINESS

Town of Boston Fill Permit Application

### ITEM NO. VI REPORTS AND PRESENTATIONS

- 1. Supervisor
- 2. Town Clerk
- 3. Highway Superintendent
- 4. Councilmembers
- 5. Code Enforcement Officers
- 6. Dog Control Officer

### ITEM NO. VIII ADJOURNMENT OF MEETING

1. Adjournment of Meeting



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

Also Present: Highway Superintendent Telaak, Deputy Supervisor Richard Hawkins, Attorney for the Town Costello, and Deputy Town Clerk Derk.

Meeting of the Town Board of the Town of Boston, in the County of Erie, New York June 16, 2021

A regular meeting of the Town Board of the Town of Boston, in the County of Erie, New York, was held at the Town Hall, 8500 Boston State Road, Boston, New York, on June 16, 2021.

There were present:

**Board Members:** 

Jason A. Keding, Supervisor

Michael Cartechine, Councilman Jennifer Lucachik, Councilwoman Kathleen Selby, Councilwoman

There were absent:

Kelly Martin, Councilwoman

Also present:

Robert Telaak, Highway Superintendent

Sean Costello, Attorney for the Town

Sandra Quinlan, Town Clerk

\* \* \*

The Supervisor stated that a public hearing had been called for this meeting at the Town Hall, 8500 Boston State Road, Boston, New York at 7:35 o'clock P.M. (Prevailing Time) to consider the increase and improvement of facilities of Water District Nos. 1, 2 and 3 (the "Districts"), as described in the Map, Plan and Report for the Town of Boston Wohlhueter, Crestwood and Rice Hill Tank Improvements dated May 2021 and prepared by CPL Engineers, at the estimated total cost of \$1,825,000, consisting of improvements to (i) the Wohlhueter Water Tank located within Water District No. 3 and covering and serving Water District 3, at the estimated maximum cost of \$815,000; (ii) Crestwood Water Tank located in Water District No. 3 and

# REGULAR BOARD MEETING JUNE 16, 2021



TOWN HALL 7:30 P.M.

servicing Water District #1, at the estimated maximum cost of \$375,000; and (iii) Rice Hill Water Tank located just outside of Water District 2 Extension and servicing Water District 2 Extension and Water District #2, at the estimated maximum cost of \$635,000; and to hear all persons interested in the subject thereof concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law. The Town Clerk presented affidavits showing that the Notice of said public hearing had been duly published and posted pursuant to the provisions of Article 12 of the Town Law.

The Supervisor stated that the hearing in the said matter was now open and asked if there were any interested persons present who desired to be heard. The following persons appeared in favor of such increase and improvement of facilities of said Districts:

The following persons appeared and spoke regarding such increase and improvement of facilities: Richard Bankert and Carol Anne Zmuda

The Supervisor inquired as to whether there were any other persons present who wished to be heard. No one appeared, whereupon the Supervisor declared the public hearing closed.

### Regular business:

A motion was made by Councilwoman Lucachik and was seconded by Councilwoman Selby to approve the minutes of the May 19, 2021 regular meeting.

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

four (4) Yes Carried

A motion was made by Councilwoman Selby and was seconded by Councilman Cartechine, upon review by the Town Board, that fund bills in the amount of \$214,387.69 be paid.

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

REGULAR BOARD MEETING JUNE 16, 2021

DRAFT

TOWN HALL 7:30 P.M.

Motion Con't:

four (4) Yes Carried

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

Letter of Resignation from Robert Ganey as a member of the Board of Assessment Review.

New business:

Supervisor Keding stated the floor is open for public comment.

The following person was heard:

Jay Jackson

Supervisor Keding stated the floor is closed.

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

TOWN OF BOSTON - RESOLUTION NO. 2021-34

### RESOLUTION AND ORDER AFTER PUBLIC HEARING

WHEREAS, the Town Board of the Town of Boston (herein called the "Town"), in the County of Erie, New York, on behalf of the Town of Boston Water District Nos. 1, 2 and 3, in the Town (herein referred to as the "Districts"), has caused CPL Engineers, engineers duly licensed by the State of New York (the "Engineer") to prepare the Map, Plan and Report for the Town of Boston Wohlhueter, Crestwood and Rice Hill Tank Improvements dated May 2021 for the increase and improvement of facilities of the Districts, consisting of improvements to (i) the Wohlhueter Water Tank located within Water District No. 3 and covering and serving Water District 3, at the estimated maximum cost of \$815,000; (ii) Crestwood Water Tank located in Water District No. 3 and servicing Water District #1, at the estimated maximum cost of \$375,000; and (iii) Rice Hill Water Tank located just outside of Water District 2



Extension and servicing Water District 2 Extension and Water District #2, at the estimated maximum cost of \$635,000; and

WHEREAS, the Engineer has estimated that the total estimated maximum cost of such increase and improvement of facilities shall be \$1,825,000 and said map, plan and report have been filed with the Town Board; and

WHEREAS, the Town Board adopted an Order describing in general terms the proposed increase and improvement of such facilities, specifying the estimated cost thereof, and stating the Town Board would meet to hear all persons interested in said increase and improvement of facilities on June 16, 2021 at 7:35 o'clock P.M. (Prevailing Time) at the Town Hall, 8500 Boston State Road, Boston, New York; and

WHEREAS, a Notice of such public hearing was duly published and posted pursuant to the provisions of Article 12 of the Town Law; and

WHEREAS, such public hearing was duly held by the Town Board on the 16th day of June, 2021 at 7:35 o'clock P.M. (Prevailing Time) at the Town Hall, 8500 Boston State Road, Boston, New York, with considerable discussion on the matter having been had and all persons desiring to be heard having been heard, including those in favor of and those in opposition to said increase and improvement of such facilities; and

WHEREAS, the Town Board, as lead agency, has given due consideration to the impact that the projects described herein may have on the environment and has determined that each of the projects are Type II actions and require no further review pursuant to the State Environmental Quality Review Act (SEQRA), constituting Article 8 of the Environmental Conservation Law, and 6 N.Y.C.R.R., Regulations Part 617.5;

Now, therefore, be it

DETERMINED, that it is in the public interest to increase and improve the facilities of the Districts as hereinabove described, at the total estimated maximum



cost of \$1,825,000 and in accordance with a lease agreement between the Erie County Water Authority ("ECWA") and the Town; and it is hereby

ORDERED, that the facilities of the Districts shall be so increased and improved and that the Engineer shall prepare plans and specifications and make a careful estimate of the expense of said increase and improvement of such facilities and, with the assistance of the Town Attorney, shall prepare a proposed contract for such increase and improvement of facilities of the Districts, which plans and specifications, estimate and proposed contract shall be presented to the Town Board as soon as possible; and it is hereby

FURTHER ORDERED, that the expense of said increase and improvement of facilities shall be financed by the issuance of \$1,825,000 bonds of the Town, and the cost of said increase and improvement of facilities, including payment of principal of and interest on said bonds, shall be paid by the assessment, levy and collection of assessments upon the several lots and parcels of land within the District which the Town Board shall deem especially benefited by said facilities, so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same, with the expectation that any grant funds received by the Town from the State of New York or the United States of America shall be used to pay a part of the cost of the project or to pay debt service on bonds or notes issued to finance the project or shall be budgeted as an offset to such assessments to be levied and collected; and it is hereby

FURTHER ORDERED, that the Town Clerk record, or cause to be recorded, a certified copy of this Resolution and Order After Public Hearing in the office of the Clerk of Erie County within ten (10) days after adoption thereof.

DATED: June 16, 2021



The adoption of the foregoing Resolution and Order was duly put to a vote on roll call, which resulted as follows:

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

four (4) Yes Carried

The Resolution and Order was declared adopted.

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

TOWN OF BOSTON - RESOLUTION NO. 2021-35
BOND RESOLUTION OF THE TOWN OF BOSTON, NEW YORK,
ADOPTED JUNE 16, 2021, APPROPRIATING \$1,825,000 FOR
THE COST OF AN INCREASE AND IMPROVEMENT OF FACILITIES
OF WATER DISTRICT NOS. 1, 2 AND 3, AND AUTHORIZING
THE ISSUANCE OF BONDS OF SAID TOWN IN THE PRINCIPAL
AMOUNT OF \$1,825,000 TO FINANCE SAID APPROPRIATION

#### Recital

WHEREAS, following preparation of a map, plan and report and an estimate of cost for the increase and improvement of facilities of the Water District Nos. 1, 2 and 3 (herein referred to as the "Districts"), in the Town of Boston (herein called the "Town"), in the County of Erie, New York, and after a public hearing duly called and held, the Town Board of the Town determined that it is in the public interest to increase and improve the facilities of the Districts, and ordered that such facilities be so increased and improved;

Now, therefore, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF BOSTON, IN THE COUNTY OF ERIE, NEW YORK (by the favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town hereby appropriates the amount of \$1,825,000 for the increase and improvement of facilities of the Districts in the Town in accordance with a lease agreement between the Erie County Water Authority ("ECWA") and the Town, and has caused CPL Engineers, engineers duly licensed by the State of New York (the "Engineer") to prepare the Map, Plan and Report for the Town of Boston Wohlhueter. Crestwood and Rice Hill Tank Improvements dated May 2021 consisting of improvements to (i) the Wohlhueter Water Tank located within Water District No. 3 and covering and serving Water District 3, at the estimated maximum cost of \$815,000; (ii) Crestwood Water Tank located in Water District No. 3 and servicing Water District #1, at the estimated maximum cost of \$375,000; and (iii) Rice Hill Water Tank located just outside of Water District 2 Extension and servicing Water District 2 Extension and Water District #2, at the estimated maximum cost of \$635,000. The total estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,825,000. The plan of financing includes the issuance of \$1,825,000 bonds of the Town to finance said appropriation, and the assessment, levy and collection of assessments within the Districts which the Town Board shall deem especially benefited by said facilities, so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same, to pay the principal of and interest on said bonds with the expectation that any grant funds received by the Town from the State of New York or the United States of America shall be used to pay a part of the cost of the project or to pay debt



service on bonds or notes issued to finance the project or shall be budgeted as an offset to such assessments to be levied and collected.

- Section 2. Bonds of the Town are hereby authorized to be issued in the principal amount of \$1,825.000 pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.
- Section 3. The following additional matters are hereby determined and stated:
- (a) The period of probable usefulness of the specific objects or purposes for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 4 of the Law, is forty (40) years.
- (b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.
- (c) The proposed maturity of the serial bonds authorized by this resolution will exceed five (5) years.
- Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes issued in anticipation thereof to mature in such year and (b) the payment of interest to be

due and payable in such year.

- Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and the renewals of said bond anticipation notes, and as to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.
- Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of said bonds, may be contested only if:
- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the constitution.
- Section 7. This resolution shall take effect immediately and the Town Clerk is hereby authorized and directed to publish the foregoing bond resolution, in summary, in the "Hamburg Sun," a newspaper having a general circulation in said Town, which

# REGULAR BOARD MEETING JUNE 16, 2021



TOWN HALL 7:30 P.M.

newspaper is hereby designated as the official newspaper of the Town for such publication, together with the Town Clerk's statutory notice in the form prescribed by Section 81.00 of the Local Finance Law of the State of New York.

The adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

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

four (4) Yes Carried

The Resolution and Order was declared adopted.

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

**RESOLUTION 2021-36** 

AUTHORIZING COOPERATIVE AGREEMENT WITH ECWA FOR WATER TANK REFURBISHMENT

The Town of Boston ("Town") and Erie County Water Authority ("ECWA") are parties to a Lease Management Agreement pursuant to which ECWA manages the Town's water distribution system and includes the Crestwood, Rice Hill, and Wohlhueter water storage tanks, which need refurbishment, provided the cost of the work attributable to the tanks is equal to or less than the following sums:

	Tank	Maximum Co	st	
	Crestwood	\$375,000		
	Rice Hill	\$635,000		
	Wohlhueter	\$815,000;		
_	visor Keding ilwoman Lucach	Yes ik Yes	Councilman Cartechine Councilwoman Selby	Yes Yes

four (4) Yes Carried

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

RESOLUTION 2021-37 AUTHORIZING PURCHASE OF TOWMASTER MODEL T-12DT DROP-DECK TILT TRAILER FOR HIGHWAY DEPARTMENT USE



The Town of Boston Highway Department requires a trailer to transport the Bomag tandem vibratory roller that the Town Board recently authorized purchasing; and the Highway Superintendent has identified a suitable Townaster Model T-12DT dropdeck tilt trailer that the Town can procure by "piggybacking" pursuant to General Municipal Law § 103(16) off of Sourcewell Contract No. 121918-MNR; and funding for the procurement cost of \$10,201.20 is available from the following budget lines: DBO-5112-0200 CHIPS Capital Outlay

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

four (4) Yes Carried

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

### **RESOLUTION 2021-38**

## AUTHORIZING PROCUREMENT OF INDEPENDENCE DAY CELEBRATION FIREWORKS DISPLAY

The Town Board of the Town of Boston hereby authorizes the Town Supervisor to execute an agreement with Skylighters of New York LLC to produce a Fourth of July fireworks display for a total cost not to exceed \$10,000.

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

four (4) Yes Carried

A motion was made by Councilman Cartechine and was seconded by Supervisor Keding to approve the live entertainment license for Couzins, 7115 Boston State Road. This special permit will expire June 30, 2023.

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

four (4) Yes Carried

A motion was made by Councilwoman Lucachik and was seconded by Councilwoman Selby to approve the Use of Facility application for Renee Moran, Birthday Party, August 28, 2021, 10:00 am - 4:00 pm, Lions Shelter and bathroom facilities.

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

four (4) Yes Carried

A motion was made by Councilwoman Selby and was seconded by Councilwoman Lucachik to approve the Use of Town Meeting Facility applications for Boston



Seniors for meetings  $1^{st}$  and  $3^{rd}$  Fridays, 1:00 pm, and Boston Young at Heart Seniors for meetings  $2^{nd}$  and  $4^{th}$  Fridays, 1:00 pm, Town Hall Community Room.

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

four (4) Yes Carried

A motion was made by Councilman Cartechine and was seconded by Councilwoman Lucachik to approve the Use of Facility application for St. Martin's Lutheran Church, Church Picnic, August 15, 2021, 9:00 am – 3:00 pm, Lions Shelter and bathroom facilities. Approved upon receipt of \$75 maintenance fee.

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

four (4) Yes Carried

A motion was made by Supervisor Keding and was seconded by Councilman Cartechine to table the Town of Boston Fill Permit Application.

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

four (4) Yes Carried

A motion was made by Councilwoman Lucachik and was seconded by Councilman Cartechine to appoint David May as a regular member to the Zoning Board of Appeals, term ending April 1, 2026.

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

four (4) Yes Carried

A motion was made by Councilwoman Lucachik and was seconded by Councilman Cartechine to appoint David Potempa as an alternate member to the Zoning Board of Appeals, term ending December 31, 2023.

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

four (4) Yes Carried



A motion was made by Supervisor Keding and was seconded by Councilwoman Lucachik to amend 2021 284 Agreement to spend Town of Boston Highway Funds.

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

four (4) Yes Carried

Reports and Presentations:

Superintendent Telaak reported on the following:

Over the last few weeks the Highway Department has oiled and stoned 25 roads and more to do. Most roads have been swept up.

On Appletree Road there are 23 ash trees that are dead in the cul-de-sac. It is too much for the Town to do.

Wanted to clarify that the resolution tonight was for the repair on the water towers and nothing to do with extending the water lines.

### Councilwoman Selby reported on the following:

Want to make everyone aware that there was some concern about the speed of the traffic on Back Creek Road at the Boston Valley School. The school has been contemplating the reduction of speed in front of the school. We have been in touch with Erie County regarding this, if the speed was lowered, all of Back Creek would have to lower the speed. The school didn't want to do that. Erie County has agreed to update "School Zone" signs to keep speed down. Hopefully an agreement for some "School Zone" letters on the road. We want to keep kids safe in that area. Happy to hear about the Fireworks and groups starting to get back together.

### Councilman Cartechine reported on the following:

Apologized for not feeling well, has sun poisoning. Tonight's meeting was a very important meeting, didn't want to miss it.

Recognized the loss of Tom Kyle, he was the longest serving member of the North Boston Fire Company and a lifelong resident of Boston. Had the distinct honor of presenting him with a Lifetime Achievement Award a few years ago.

New sign at Patchin Fire Company looks great, nice job with the green space around the sign.

### Councilwoman Lucachik reported on the following:

Congratulations to the new Zoning Board members.

Great to see an increase in participation to our Zoning, Planning, and Conservation Advisory boards. These boards help run the Town. Thank you for your interest and look forward to working with you in the future.



Town Clerk Quinlan reported on the following:

Primary Election, June 12 - June 20, Boston Town Hall Community room is a polling location. Voting hours, weekdays 12 pm to 9 pm, weekends 12 pm to 6 pm.

June 19th, Brinkerhoff Race will start at 9 am.

St. John's church will be holding a rummage sale and farmer's market. 8 am to 2 pm.

Father's Day, Lions Club will be holding their Chicken BBQ at the Three Girls Restaurant, 3:30 pm to 6:00 pm. Presale tickets \$11, at the door tickets \$13.

Boston Free Library Concerts will start on June 24th at 6 pm.

Last day to collect Town and County taxes in office is June 30, 2021, unpaid taxes will be returned to Erie County Real Property.

Sunnking electronic recycling event, July 17th in West Seneca. Register on line or call 1-585-637-8365 to sign up.

Recognized the Parks Department for their hard work in maintaining the Town Parks and having it ready for Memorial Day and Summer.

Flags were displayed and wreaths were placed for Memorial Day.

Audrey from the Hamburg Sun is retiring this week. She has always been very helpful to all of us that needed to place legal and public hearing notices. Wish her a Happy Retirement.

Supervisor Keding reported on the following:

July 4th will be resuming with restrictions being lifted.

Summer Concerts will be up and going for July and August.

Remote Covid vaccine clinic was on June 7th at Town Hall.

Attended with Legislator Mills, 100 year recognition of Rucker Lumber.

Presented the woman owned business with a Proclamation on behalf of the Town Board. Wish them success in the next 100 years.

Tom Kyle was a loss to our community and the North Boston Fire Company.

Mercy Flight airlifted the two teenagers that collided on dirt bikes today.

Town website will provide information on the water projects.

Project involves current infrastructure before looking at expanding.

A motion was made by Supervisor Keding and was seconded by Councilwoman Lucachik to adjourn the meeting at 8:27 p.m.

Supervisor Keding Councilman Cartechine Yes Councilwoman Lucachik Yes Councilwoman Selby

Yes Yes

four (4) Yes

Carried



JASON A. KEDING Supervisor

MICHAEL A. CARTECHINE JENNIFER L. LUCACHIK KELLY L. MARTIN KATHLEEN K. SELBY Town Board

SANDRA L. QUINLAN Town Clerk - Tax Collector

> ROBERT J. TELAAK Highway Supt.

DEBRA K. BENDER KELLY A. VACCO Town Justice

SEAN W. COSTELLO Attorney for the Town

ANNA M. KOBIALKA Prosecutor

> SUE FITZNER Assessor

WILLIAM G. FERGUSON Code Enforcement Officer

> TOWN HALL (716) 941-6113 Fax (716) 941-6116

TOWN SUPERVISOR (716) 941-6518 Fax (716) 941-9264

TOWN COURT (716) 941-6115 Fax (716) 941-5169

HIGHWAY GARAGE (716) 941-5869 Fax (716) 941-3677

NUTRITION PROGRAM (716) 941-5773



### TOWN OF BOSTON

July 1, 2021

New York State Department of Environmental Conservation Water Quality Improvement Program 625 Broadway Albany, NY 12233

RE: Letter of Support for Western NY Stormwater Coalition: Vac Truck Project Grant Proposal

Dear Sir/Madam,

The Town of Boston supports the Erie County Department of Environment and Planning's 2019 Water Quality Improvement Project, entitled *Western NY Stormwater Coalition: Vac Truck Project.* In cooperation with the Western NY Stormwater Coalition, we are a partner on the project which entails purchase of a vacuum truck for cleaning catch basins and storm sewers as well as training on proper techniques to ensure pollutant dispersal is prevented.

There is no financial obligation to the Town of Boston inherent in the proposed work. The Town of Boston's stormwater officer /representative will work with the Erie County DEP Project Manager to execute a shared services agreement and to schedule trainings for relevant staff.

Signature: /

Date: July 1, 2021

Title: Town Supervisor

TOWN HALL: 8500 BOSTON STATE ROAD BOSTON, NEW YORK 14025-9648 PHONE: 716-941-6113 FAX: 716-941-6116 TDD: 1-800-662-1220

# TOWN OF BOSTON APPLICATION FOR USE OF TOWN MEETING FACILITY

Name/Organization <u>BOSTON</u>	EMS	Date <i>&amp;</i> /_	23/21
Name of person responsible for facility	ies Cynthia,	McCLOUD	**************************************
Title TRAINING LT.			
Applicant Address <u>8500 Bos</u>	TON STATE	RD. BUSTON, N	<u>4 14025</u>
Applicant Daytime Phone #		# Of Attendees:	20
Date(s) Requested* 6/23/21	Time _7 30	o -930 Type of Event 1	RAINING CLASS
I, THE UNDERSIGNED, REQUEST F		SE THE FOLLOWING: (chec	k all that apply)
Planning Board Room			
Court Room			
I agree that all facilities used will event and that I will be responsible for a SIGNATURE OF APPLICANT:	nny damages caused to	o any of the facilities or ground	
Upon Completion, please submit to	•		
*********	. To stay one that a co	***************	****
APPROVED/DENIED :(date)	)		
INSPECTION:(date)	Marie de la companya de marie de la companya de marie de la companya de la companya de la companya de la compa		

# TOWN OF BOSTON APPLICATION FOR USE OF FACILITY

This Application is subject to Approval by the Town Board and MUST be received at least 1 week prior to Town Board meeting

		tional proof from other agencies must be complete a Boston Resident to request use. ***
Name/Organizatio	n Boston Tow	n Band Date 6/18/2021
Name of person res	ponsible for facilities +	esb Klein
Applicant Address	7690 Back Cr.	exk fol
Applicant Daytime	Phone #	# Of Attendees: 50
Date(s) Requested* Set Up Sporting Leagues -	Tim  Take Dow  Please attach Schedule	# Of Attendees: 50  e 7-9 pm Type of Event Practicl  m
**Certificate of Insur	ance from your organization must be	e submitted at least 1 week before your 1st sporting event**
***Plea	se confirm that your dates do r	not conflict with any Sporting Leagues***
	Baseball—Josh Haeick 649-6 Soccer—Jessica Blesy 809-	
I, THE UNDERSIG	NED, REQUEST PERMISSION	TO USE THE FOLLOWING: (check all that apply)
Town Hall C	ommunity Room w/ Kitchen om Facilities	Boston Town Park Lions Shelter And Bathroom Facilities  Small Shelter
North Bosto	n Park Fields	Town Fields
WILL YOUR EVEN	T HAVE ANY OF THE FOLLO	WING: (Check all that apply)
Parade	- Who will provide traffic contro	1?(Submit proof in writing from that agency at time of application)
Parking (over 50)	- Please submit parking Plan:	(This must be approved by Park's Superintendent before submittal to Town Clerk with application)
Rides	(Certificate of Insurance from your ins	urance company must be submitted 1 week before use begins)
Fireworks	(Certificate of Insurance from Firework	Vendor must be submitted 1 week before your event)
	-Who will provide Fire Stand By	?(Submit proof in writing from that agency at time of application)
Vendors (over 5)		st be approved by Park's Superintendent before submittal to Elerk with application)

r			
Alcoholic Beverages: (IF SERVING ALCOHOL, CHECK ALL THAT APPLY)	Are you serving alcohol? Are you having a Private Party? Are you having a Public Special Ever	Yes Yes nt?Yes	No No No
PLEASE NOTE:	ALL parties must submit a Certificate of Public Special Events serving alcohol multicense 1 week before your event.		
	u must list the Town of Boston as addi Insurance. Your insurance agent can h		
	Private Party (Host Liquor) Public Special Event (Liquor Legal) Ride Vendor Fireworks Sporting Leagues	\$ 500,000 \$1,000,000 \$1,000,000 \$1,000,000 \$1,000,000	
	nce Fee must be included with this applies, final clean up and administrative		ınds will be utilized to
	ricked up on the business day before t erst business day immediately following		nd should be
TOWN OF BOSTON PRO	OPERTIES ARE SMOKE FREE		
the Emergency Squad Bldg,	GN: If your organization needs to use the "Request to use Coming Events arks Dept. This form can be obtain	Sign" application mi	ust be completed and
Requests may be submitted aff	ter September 1st the year before your	event.	
that I will be responsible for an Clerk all Certificates of Insura	will be properly cleaned to the best of many damages caused to any of the facilitation and NYS Liquor License if necessationed sporting leagues and there are references.	ies or grounds . I wil ary at least 1 week pr	l submit to the Town rior to my event. I
SIGNATURE OF APPLIC	ANT:		
Upon Completion, please su	ıbmit to Town Clerk		
*********	***********	*******	*****
FEE REC'D( dat	APPROVED/DENIED : e)	(date)	
Revised 1/2020			

,a %

# TOWN OF BOSTON RECEIVED ROSTON TOWN CLERK APPLICATION FOR USE OF FACILITY

This Application is subject to Approval by the Town Board 7021 JUN 30 AM 10: 41 and MUST be received at least 1 week prior to Town Board meeting

		itional proof from other agencies must be complete a Boston Resident to request use. ***
		ony Council (CAC) Date 6/30/2021
		Qumlan
Applicant Address	6700 Liebler Rd	Boston NY 14025
Applicant Daytime	Phone #	# Of Attendees: 200 ?
Date(s) Requested <sup>3</sup> Set Up	* 9/11/2021 Tim 30 AM Take Dow	# Of Attendees: 200?  L.E.A.F.  Type of Event Environmental Fair
Sporting Leagues	— Please attach Schedule	
**Certificate of Insu	rance from your organization must b	e submitted at least 1 week before your 1st sporting event**
***Plea	ase confirm that your dates do i	not conflict with any Sporting Leagues***
	Baseball—Josh Haeick 649- Soccer—Jessica Blesy 809-0121	6170 Football—Nick Jagow 725-9680 or Liz Cylka 319-8542
I, THE UNDERSIG	SNED, REQUEST PERMISSION	TO USE THE FOLLOWING: (check all that apply)
	n Park Shelter  Community Room w/ Kitchen  com Facilities	Boston Town Park  Lions Shelter  And Bathroom Facilities  Small Shelter
North Bosto	on Park Fields	<u>√</u> Town Fields
WILL YOUR EVE	NT HAVE ANY OF THE FOLLO	)WING: (Check all that apply)
Parade	- Who will provide traffic contro	ol?(Submit proof in writing from that agency at time of application)
Parking (over 50)	- Please submit parking Plan:	(This must be approved by Park's Superintendent before submittal to Town Clerk with application)
Rides	(Certificate of Insurance from your ins	surance company must be submitted 1 week before use begins)
Fireworks	(Certificate of Insurance from Firework	k Vendor must be submitted 1 week before your event)
	-Who will provide Fire Stand By	y? (Submit proof in writing from that agency at time of application)
Vendors (over 5)	•	ast be approved by Park's Superintendent before submittal to Clerk with application)

			ø
Alcoholic Beverages:	Are you serving alcohol?	Yes	No
(IF SERVING ALCOHOL, CHECK ALL	Are you having a Private Party?	Yes	No
THAT APPLY)	Are you having a Public Special Ever	nt?Yes	No
PLEASE NOTE:	ALL parties must submit a Certificate of Public Special Events serving alcohol multicense 1 week before your event.		
	ou must list the Town of Boston as addi Insurance. Your insurance agent can b		
	Private Party (Host Liquor)	\$ 500,000	
	Public Special Event (Liquor Legal)	\$1,000,000	
	Ride Vendor	\$1,000,000	
	Fireworks	\$1,000,000	
	Sporting Leagues	\$1,000,000	
cover the cost of bathroom su	nce Fee must be included with this applies, final clean up and administrative picked up on the business day before the state of the state of the business day before the state of th	ve costs.	
	irst business day immediately following		
TOWN OF BOSTON PRO	OPERTIES ARE SMOKE FREE		·
the Emergency Squad Bldg,	<u>GN</u> : If your organization needs to use the "Request to use Coming Events Parks Dept. This form can be obtain	Sign" application mu	ist be completed and
Requests may be submitted af	fter September 1st the year before your	event.	
that I will be responsible for a Clerk all Certificates of Insura	will be properly cleaned to the best of m ny damages caused to any of the facilit ance and NYS Liquor License if necess ntioned sporting leagues and there are n	ties or grounds . I will sary at least 1 week pri	submit to the Town ior to my event. I
SIGNATURE OF APPLIC	CANT: Monh Girlan		
Upon Completion, please s	ubmit to Town Clerk		
**********	***********	*******	*****
FEE REC'D( dat	APPROVED/DENIED : te)	(date)	
Revised 1/2020			

### TOWN OF BOSTON – RESOLUTION NO. 2021-39

# INSTALLATION OF SIGN FOR PUBLIC LIBRARY IN COUNTY RIGHT OF WAY

WHEREAS, the Boston Free Library has requested installation of a municipal library sign on Boston State Road to aid patrons in identifying its location; and

WHEREAS, Boston State Road is a County Road, and the Town has consulted with Erie County regarding the requirements to install a municipal library sign in its right of way; and

**WHEREAS**, the Erie County Highway Department and Erie County Traffic Safety Engineer have advised the Town that it may make such an installation if it passes a resolution to approve the installation of the sign and authorizing the Town Supervisor to sign a sign permit with the County;

### NOW THEREFORE BE IT

**RESOLVED**, that the Town Board of the Town of Boston hereby approves the installation of a municipal library sign on Boston State Road to indicate the location of the Boston Free Library, and the Town Supervisor hereby is authorized to sign a permit and any other documents required by the County of Erie in order to make that installation in the County's right of way.

On July 7, 2021, the question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	Yes		N	lo	Abs	tain	Abs	ent
Councilmember Cartechine			[	1	ſ	1	ſ	1
Councilmember Lucachik	ſ.	]	Ī	Ī	Ì	í	Ì	1
Councilmember Martin	Ī	Ī	Ì	ĺ	Ì	1	ŗ	1
Councilmember Selby	Ì		i	1	[	]	Į.	1
Supervisor Keding	Ì		Ī	1	[	]	ſ	]

Sandra L. Quinlan, Town Clerk

### TOWN OF BOSTON - RESOLUTION NO. 2021- 4/D

### APPROVING MINOR AMENDMENTS TO BROOKFIELD PATIO HOMES SITE PLAN

WHEREAS, under cover of a letter dated May 26, 2021, Brookfield Properties of WNY, LLC, has requested the Town of Boston's approval of minor amendments to the site plan for its patio home development on Boston State Road; and

**WHEREAS**, the proposed amendments eliminate two six-unit buildings and two four-unit buildings and associated drive aisles and replace all of these with a single eight-unit building reoriented to run parallel to the main drive aisle; and

WHEREAS, these amendments will lessen the unit density of the site and reduce the impervious area of the site; and

WHEREAS, the Planning Board has reviewed the proposed amendments to the site plan and on June 8, 2021 voted to recommend the Town Board's approval of the site plan as amended; and

**WHEREAS**, the proposed action is Unlisted with respect to State Environmental Quality Review Act ("SEQRA"), the Town of Boston is the only involved or interested agency with respect to SEQRA, and has determined to act as lead agency; and

WHEREAS, having considered the criteria for determining significance set forth in the SEQRA regulations at 6 N.Y.C.R.R. § 617.7(c), and such other information deemed appropriate, the Town Board has determined that the proposed amendments described herein will not have a significant adverse impact on the environment and in fact reduce the impact of the previously-approved project;

### NOW THEREFORE BE IT

**RESOLVED**, that the Town Board of the Town of Boston hereby approves the amendments to the site plan for the Brookfield Patio Homes development of Brookfield Properties of WNY, LLC, submitted for review under cover of correspondence dated May 26, 2021.

On July 7, 2021, the question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	Ye	es	N	Vo.	Abs	tain	Abs	ent
Councilmember Cartechine	I	1	ſ	1	ſ	1	r	1
Councilmember Lucachik	Ī	Ī	Ì	i	Ī	j	ſ	]
Councilmember Martin	Ì	ĺ	Ī	ĺ	Ì	1	ľ	1
Councilmember Selby	Ì	i	Ī	1	Ī	1	ľ	J
Supervisor Keding	ĺ	ĺ	ĺ	i	[	]	[	]



# Carmina · Wood · Morris DPC

487 Main Street Suite 600 Buffalo, New York 14203 P: 716.842.3165 F: 716.842.0263 W: cwm-ae.com

May 26, 2021

Ms. Sarah DesJardins Town of Boston Planning Board 8500 Boston State Road Boston, New York 14025

Re: Proposed Site Modifications to Brookfield Patio Homes Town of Boston, New York

Ms. DesJardins:

On behalf of our client, Brookfield Properties of WNY, LLC, please find enclosed the following documents to be considered by the Town of Boston Planning Board:

- (1) copy of the current Town approved Overall Site Plan
- (1) copy of the Overall Site Plan showing proposed modifications

The intent of this submittal is to present to the Planning Board the proposed modifications to the existing approved site plan for the Brookfield Patio Homes project. Proposed is to eliminate two of the six-unit buildings, two of the four-unit buildings, and associated drive aisles. It is proposed to replaced these units with one eight-unit building, reoriented to run parallel with the main drive aisle.

The proposed modifications to the site will lessen the unit density of the site and reduce the amount of proposed impervious space through reduction of building footprints and asphalt drive surfaces, therefore having no negative impact on the current overall site design. It is anticipated only minor modifications to the existing storm design would be necessary to accommodate the reoriented building and driveways with no proposed increase in stormwater generation.

Brookfield Patio Homes Page 2 of 2 5/26/21

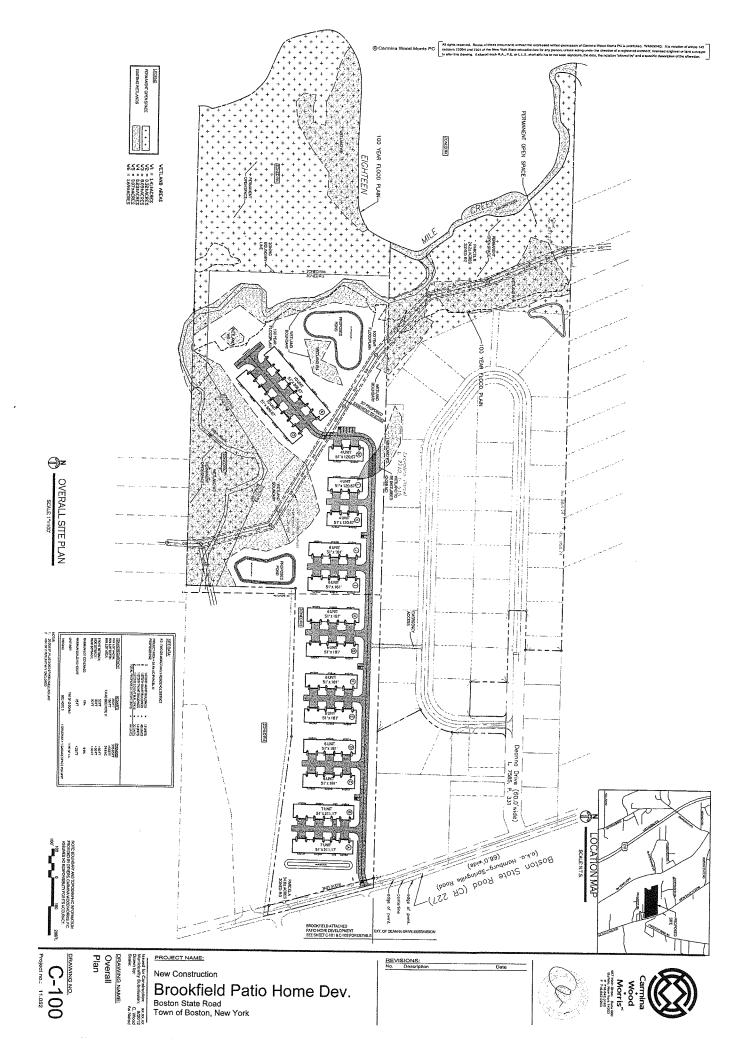
At this time, we are asking to present the proposed modified site plan to the Town Planning Board at the next upcoming meeting for their input and approval.

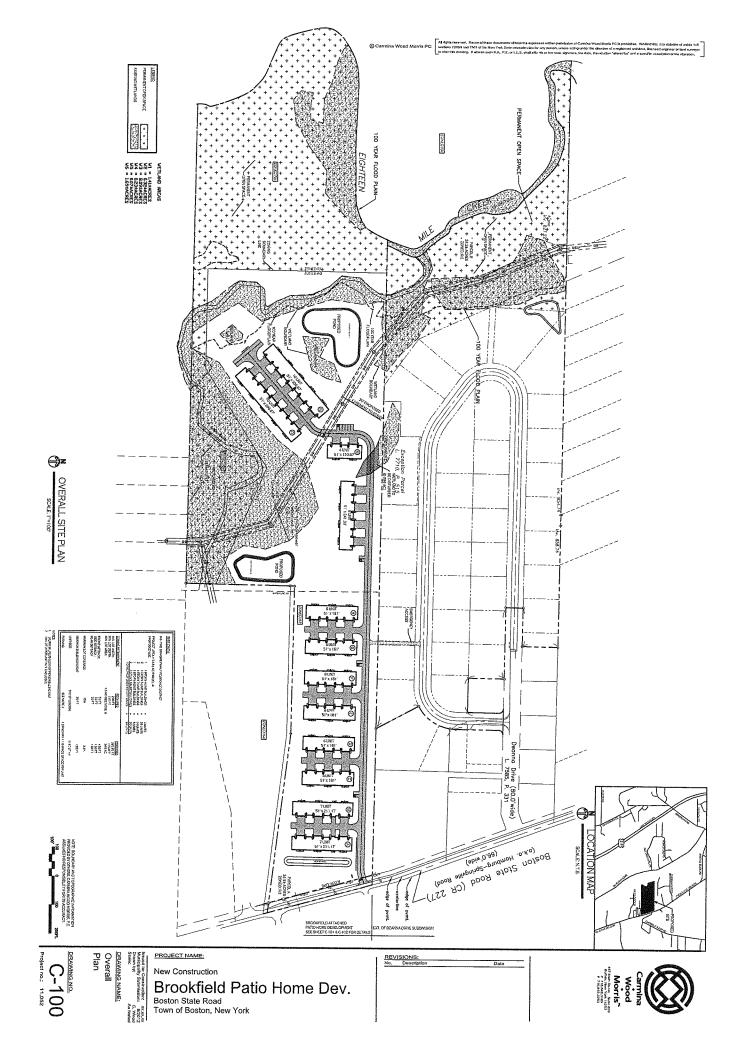
If you should have any questions regarding this letter, please contact me at (716)

Thank you.

Sincerely, Carmina Wood Morris, D.P.C.

Joseph Palumbo, Senior Associate







The completed Fill Permit Application must be submitted to the Town of Boston Town Clerk, Sandra Quinlan by e-mail <a href="mailto:townclerk@townofboston.com">townclerk@townofboston.com</a> or by mail 8500 Boston State Road, Boston, New York 14025. An application is not complete until the permit fee is paid.

Applications for fill permits shall be acted on by the Town Board after a public hearing. Notice of such public hearing shall be published in the official newspaper of the Town of Boston at least five days prior to the date thereof, and the Town Clerk shall mail a letter to adjacent property owners advising them of the application and giving them notice of the hearing and the deadline to file an objection or comment regarding the application with the Town Clerk.

The only type of fill that will be allowed is brick, stone, concrete, asphalt, and clean soil. Property owner is responsible for cleaning the road after fill is brought in. No overweight trucks are permitted on road for fill delivery.

All fill permits expire on December 31 of the calendar year in which they are issued. Renewal of permits shall require re-application.

If you have any questions, please contact the Code Enforcement Office at the Boston Town Hall, (716) 941-6113 ext. 111.

**Town of Boston** 

8500 Boston State Road Phone (716) 941-6113 • Fax (716) 941-6116 www.townofboston.com

Rev: Jul-21



APPLIC pursua regula which other s	CATION IS HEREBY MADE to the Town of Boston for the issuance of a permit to dump fill ant to the Ordinance Laws of the Town of Boston, Erie County, New York, prohibiting and/or ting the use of lands within the Town of Boston as a sanitary land fill or dumping grounds regulate the excavation, removal or storage of earth, sand, gravel, rock, topsoil, minerals or similar material. The applicant agrees to abide with all applicable laws, ordinances, tions, and terms of this application if granted.
1.	Name of Applicant: Phone #: ()
2.	Address:
3.	Name of owner of property (if different from applicant):
4.	Address of owner of property:
5.	Location of property, including tax parcel number where fill is desired to be placed:
6.	Where is the fill coming from?
7. of the p	The location of all roads, streets, highways, waterways, streams, and ponds within 100 feet place where the fill is desired to be placed:
8.	The names and addresses of abutting property owners

### **Town of Boston**

8500 Boston State Road
Phone (716) 941-6113 • Fax (716) 941-6116
www.townofboston.com

Date: \_\_\_\_\_



9.	The purpose for which the fill is desired:	
10.	The approximate amount of fill required (cubi	c yards):
11.	The approximate average depth of the area to	be filled:
12.	Enumerate with particularity the type of fill to	be used:
13.	The length of time required to place said fill on	the property:
14.	The Time when said fill operations are intende	ed to commence:
15.	The time when said fill operations are intended	d to be completed:
16. prope	If the fill exceeds 2,500 cubic yards, detail the oper surface drainage during and after completion o	
	Signature of Applicant	Date
I here	reby consent to the placement of fill on my propert	ry in accordance with the above application.
Signature	are of property owner, if different than applicant	Date
DATE	E:	Received by Town Clerk
DATE	E:Site Plan	Received by Highway Department

### **Town of Boston**

8500 Boston State Road Phone (716) 941-6113 • Fax (716) 941-6116 <u>www.townofboston.com</u>



~	<b>1</b> 1		
1.	Has fill/dirt material been brought to the property?	YES	NO
2.	Has the fill/dirt material been spread or fill work done?	YES	NO
3.	Have you received a violation notice?	YES	NO

To be completed by Applicant. Use separate site plan or survey if drawing area is not sufficient. Approved site plan must be posted at job site location.

### Site Plan must show the following:

- 1. AREA & DEPTH OF PROPOSED FILL
- 2. ANY PROPOSED DRAINAGE IMPROVEMENTS (POND, PIPE, SWALE, ETC.)
- 3. EXISTING STRUCTURES, WITH DIMENSIONS & PROPERTY LINE SETBACKS
- 4. STREETS & ROADWAYS
- 5. EASEMENTS (DO NOT ENCROACH INTO DRAINAGE EASEMENTS WITH NEW FILL)
- 6. BODIES OF WATER
- 7. TREES WITHIN FILL AREA
- 8. Arrows to show direction of existing and/or proposed drainage flow
- 9. NORTH ARROW

	Rear Property Line (	FT.)	
FT.)			
			Side Pr
			Side Property Line (
ty Line (			Line (
Side Property Line (			
Side			FT.)
			)
	Front Bronowhylling (	57.)	
	Front Property Line (	FT.)	

#### Town of Boston

8500 Boston State Road Phone (716) 941-6113 • Fax (716) 941-6116 <u>www.townofboston.com</u>

NN 15 PH G 29
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\$ VALUE		40,000	33,000	15,000	6,445	2,700	12,000	4,500	009'09	4,000	1,020		
	<del>                                     </del>	40,	33,	15,	6,4	2,7	12,(	4,5	60,	4,0	1,0		
	PER \$ FEE	199	150	75	50	75	50	50	150	75	75		
	PER#	22	25	31	34	35	36	37	39	40	41		
	ACTION	Bldg - permit issued for Pole Barn	Permit Issued for Inground Pool	Permit Issued for Deck	Permit Issued for Acc Bldg	Permit Issued for Above Ground Pool	Permit Issued for Acc Bldg	Permit Issued for Acc Bldg	Permit Issued for Inground Pool	Permit Issued for Above Ground Pool	Permit Issued for Deck		
	LOCATION	David Grundtish, 9262 Feddick Rd	John Cavanaugh, 7374 Lower East Hill Rd	Chad Carlson, 7096 Omphailus	Charles Orlando, 9354 Smolinski Dr	Todd Fettery, 7427 Heinrich Rd	Tom Klein, 7481 Wohlhueter	John Yager, 6472 Lu don Dr	Mary Jo Kerns, 7314 Heinrich Rd	Donald Sterner, 6255 Wildwood	Keith Kreitzbender, 6540 Fairlane Dr	HM-MH	
	DATE	04/20/2021	4/22/2021	5/6/2021	5/13/2021	5/18/2021	5/18/2021	5/25/2021	5/25/2021	5/27/2021	5/27/2021	Signature of Code Enforcement Officer	

RECEIVED SOSTON TOWN CLERK

JB 15 PR 4: 29

TVU	Code Officer: Bill Ferguson		- de se	-	
DAIE 5/4/2021	LOCATION Lames Laskowski 6670 Omnhailus Rd	ACTION Bldg Permit Issued for	PER#	PER \$ FEE	\$ VALUE
5/5/2021	6374 Rice Rd	Acc Bidg Meet with resident on			
5/6/2021	Bill Craig, 5485 Allen Dr	Bldg Permit Issued for Wood Deck	30	75	5,000
5/11/2021	David Ballachino, 9100 Back Creek Rd	Bldg Permit Issued for Pole Barn	32	130	13,000
5/12/2021	7070 Taylor Rd	Framing Inspect for RES ADD			
5/12/2021	7211 S Abbott Rd	Final Inspect for SFD & Att Garage			
5/13/2021	Martin Schwanz, 9015 Pearl St	Bldg Permit issued for Acc Bldg	33	120	40,000
05/14/20201	5571 Shero Rd	Final Inpsect for SFD & Att Garge & Pole Barn			
5/14/2021	7144 S Abbott Rd	Foundation Inspect for SFD & Att Garage			
5/17/2021	4711 Pinecrest Terr	Meet with Resident on Sump Pump Discharge			
5/19/2021	6935 Ward Rd	Final Inspect for SFD & Att Garage			
5/25/2021	Michael Servantez, 5253 Keller Rd	Bldg Permit issued for A/G Pool	38	75	5,000
5/25/2021	6985 Boston Cross	Check Driveway Installation			
5/26/2021	7070 Taylor Rd	Insul. Inspection for Residental Addition			
Signature of Code Enforcement Officer	William Joyna				

### TOWN OF BOSTON DOG CONTROL OFFICER REPORT

	APRIL	
3rd Week 15th- 21st	4th Week 22nd- 31st	TOTALS
<u> </u>		36
0	0	6
0	0	<u> </u>
59	120	521
3	7	25,2
0	0	2
0	0	8
0	0	2
0	Ð	0
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0	0	0
0	0	0
) ] ~SMMe		
	Date: 🥠	-21-202

### TOWN OF BOSTON DOG CONTROL OFFICER REPORT

MONTH OF:\_\_\_\_\_

					•					
Dates of Month	1st Week 1st-7th	2nd Week 8th- 14th	3rd Week 15th- 21st	4th Week 22nd- 31st	TOTALS					
Phone Calls Received	177		6	19	1/7					
Phone Calls Returned	7	5	4	8	25					
Personal Calls Made		0			0					
# Miles Patrolled	<u> </u>	100	100	100	400					
# of Gallon gas used	<u> </u>	7.8	0	7.5	15.3					
# of alive dogs Picked up	2		Z	<u> </u>	j 4 j					
# of dead dogs Picked up	0		0	0	Ö					
# of dogs Released to owner	<u> </u>	<u> </u>	20	火5	14					
***Fines Collected		0		0	0					
# of dogs euthenized		<u> </u>		0	0					
# of dogs adopted		0	0	0	0					
# of dogs impounded	0	0	0	O	0					
Signature of Dog Control Officer										
Receipt#										