

## REGULAR MEETING

March 19, 2007

A regular meeting of the Town Board of the Town of Busti was held on March 19, 2007 at 6:45 p.m., at the Town of Busti Administration Building, 121 Chautauqua Avenue, Lakewood, New York, with the following members present:

Supervisor Kathleen A. Sullivan

Councilman Sanders

Councilman Paul R. Hazzard

Councilman Lyle T. Hajdu

Supervisor Sullivan called the meeting to order with the salute to the flag and a moment of silence was observed.

Hart Jordan submitted a letter from Randy Sargent requesting that Lakewood village officials be invited to attend Busti board meeting. Supervisor Sullivan stated that town and village meetings are public meetings open for anyone to attend.

Angelo & Diane Terrano appeared before the board requesting information on the progress of the South Main Street Water project. Engineer Rex Tolman is presently working with Randy Peterson & Wally Haase from the City of Jamestown Board of Public Utilities.

Ronald Ross expressed his concerns on the Huntington Woods Drainage. Supervisor Sullivan stated that an audit for Huntington Woods has been completed and to date the amount is \$83,994 and that a committee of Councilman Hajdu and Councilman Sanders will review the project with Engineer Rex Tolman.

John Jablonski III, Chautauqua Watershed Conservancy, Executive Director addressed the board regarding a survey of the streams that run in the valley below Sunset Cemetery, through Sunset Valley Golf Course, between the Chautauqua Mall and Wal-Mart, and upstream from Aspire in the Baker Street, Southwestern Drive, Hunt Road, Sunset Drive and Mall Boulevard area emptying into Chautauqua Lake at the Lakewood Rod & Gun Club.

Lakewood-Busti Police Chief reported 1,770 incidents to date.

Highway Superintendent Eugene A. Johnson reported on highway activities.

Legislator Robert L. Anderson was present for the meeting for any county questions.

Supervisor Sullivan offered the following motion which was duly seconded by Councilman Sanders:

RESOLVED, that Ronald Littlejohn be appointed to the Board of Assessment Review for a period of one year.

Upon roll call vote, all aye.

Supervisor Sullivan offered the following agreement with Southwestern Central School which was duly seconded by Councilman Hazzard:

#### AGREEMENT

This agreement made and entered into this 19<sup>th</sup> day of March, 2007, by and between:

TOWN OF BUSTI

121 Chautauqua Avenue

Lakewood, New York hereinafter referred to as "Town of Busti"

and

SOUTHWESTERN CENTRAL SCHOOL

600 Hunt Road, W. E.

Jamestown, New York hereinafter referred to as "Southwestern"

#### WITNESSETH:

1. Southwestern shall be responsible for sorting tax bills provided by the Chautauqua County Department of Real Property Tax Services and for mailing the same at the school's expense;
2. Southwestern shall provide a lock box system with M & T Bank in conjunction with the tax collection done by the Town of Busti;
3. The Town of Busti shall be responsible for printing of receipts of tax bills as they are paid and/or requested at the Town of Busti;
4. Southwestern shall be responsible for providing envelopes, and postage paid envelopes for mailing receipts;
5. The Town of Busti will make daily deposits directly to the bank account maintained by Southwestern for its tax collection;
6. The Town of Busti shall provide daily reports to Southwestern of taxes collected by the Town of Busti and deposits made in Southwestern bank account which shall include the lock box payments;
7. The Town of Busti will utilize the Williamson Tax Collection System;
8. The Town of Busti shall be responsible for taking and fielding all calls with any questions about Southwestern taxes during the tax collection period;
9. The Town of Busti will provide Southwestern and the County of Chautauqua with a report of uncollected taxes at the end of the tax season;
10. The Town of Busti will prepare an alphabetical collected report to Southwestern and Chautauqua County Department of Real Property Tax Service at the end of the tax season;

11. The Town of Busti will be paid the sum of \$7,500.00 by Southwestern for the services provided by the Town of Busti to Southwestern pursuant to this understanding; which payment shall be made not later than December 1, 2007;

12. Southwestern shall pay any and all expenses associated with the purchase and installation of any computer software required by the Town of Busti to collect Southwestern School taxes.

Upon roll call vote, all aye.

Councilman Hazzard offered the following resolution which was duly seconded by Councilman Hajdu:

RESOLVED, that upon the recommendation of Highway Superintendent Eugene A. Johnson the following resolution be adopted for the Clean Water/Clean Air Bond Act of 1996:

WHEREAS, the Town of Busti herein called the "Municipality", after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in its application and attachments, herein called the 'Project', is desirable, is in the public interest, and is required in order to implement the Project; and

WHEREAS, Article 56 of the Environmental Conservation Law authorized State assistance to municipalities for water quality improvement projects by means of a contract and the Municipality deems it to be in the public interest and benefit under this law to enter into a contract therewith:

NOW, THEREFORE, BE IT RESOLVED BY TOWN OF BUSTI:

1. That Highway Superintendent Eugene A. Johnson or such person's successor in office, is the representative authorized to act in behalf of the Municipality's governing body in all matters related to State assistance under ECL, Article 56, Title 3. The representative is also authorized to make application, execute the State Assistance Contract, submit Project documentation, and otherwise act for the Municipality's governing body in all matters related to the Project and to State assistance:

2. That the Municipality agrees that it will fund its portion of the cost of the Project and that funds will be available to initiate the project's field work within twelve (12) months of written approval of its application by the Department of Environmental Conservation;

3. That one (1) certified copy of the Resolution be prepared and sent to the Albany office of the New York State Department of Environmental Conservation.

4. That this Resolution take effect immediately.

Upon roll call vote, all aye.

Supervisor Sullivan noted the following correspondence:

Cornell Cooperative Extension presents an Energy Forum on March 28, 2007.

Public Hearing Village of Lakewood re: John Rowan for use variance for undeveloped property between W. Third & W. Second Street.

Discussion followed by the board and Engineer Rex Tolman regarding the Loomis Park Grant..

Supervisor Sullivan offered the following resolution which was duly seconded by Councilman Sanders:

RESOLVED, that Supervisor Sullivan be authorized and directed to pay the presented General Fund, Highway Fund, Joint Recreation Fund and Hazeltine Public Library for Abstract No. 6 & 7 for warrant #162 to and including #195 in the amount of \$23,206.88.

Upon roll call vote, all aye.

Councilman Hazzard offered the following motion which was duly seconded by Councilman Hajdu:

RESOLVED, that the board go into executive session on a proposed litigation matter.

Upon roll call vote, all aye.

Supervisor Sullivan offered the following motion which was duly seconded by Councilman Hazzard:

RESOLVED, that the board return from executive session.

Upon roll call vote, all aye.

Upon motion duly made and seconded the meeting adjourned at 8:15 p.m.

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Diane M. VanDewark, Town Clerk