

SPECIAL MEETING
March 15, 2010

A regular meeting of the Town Board of the Town of Busti was held on March 15, 2010 at 6:45 p.m., at the Town Administration Building, 121 Chautauqua Avenue, Lakewood, New York with the following members present:

Supervisor Kathleen A. Sullivan
Councilman Jessie M. Robbins
Councilwoman Marsha L. Hern
Councilman Kenneth J. Lawton
Councilman Richard A. Sanders

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

Present at the meeting were: Angelo & Diane Terrano, Tim Young, Zoning Officer Charles Stafford, Lakewood-Busti Police Chief John Bentley, Busti-Lakewood Recreation Director Diana Peterson and Highway Superintendent Melvin J. Peterson.

Highway Peterson reported that the house at 1867 South Maple Street has been removed by the highway department.

Lakewood-Busti Police Chief John Bentley reported 2,130 incidents to date.

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

RESOLVED, that Jim Andrews be appointed to the Board of Assessment Review for a five year term which will end September 30, 2014.

Upon roll call vote, all aye.

Supervisor Sullivan noted the following reports and correspondence:

Building Reports for January & February
Time Warner Cable re: agreements with programmers.
Household Electronic Recycling Day at Chautauqua County Fair Grounds on Saturday, April 24, 2010 10:00 a.m. to 2:00 p.m.
“Bulletin Seneca Trail RC&D Council 2010 Annual Report.”
Joint board meeting with the Village of Lakewood on March 29, 2010.

Supervisor Sullivan moved to adopt the following shared agreement with the Town of Kiantone which was duly seconded by Councilwoman Sanders for one Tandem drum vibratory roller:

AGREEMENT

THIS AGREEMENT made and entered into the 15th day of March, 2010 by and between:

TOWN OF BUSTI, a municipal corporation with its principal Office located at 121 Chautauqua Avenue, Lakewood, New York, herein called Busti

and

TOWN OF Kiantone, a municipal corporation with its principal office located at 1521 Peck Settlement Road, Jamestown, New York, herein called Kiantone

WITNESSETH:

WHEREAS, Busti and Kiantone each desire to share the ownership and use of a 1998 Dynapac Tandem Drum Vibratory Roller; and

WHEREAS, Kiantone has agreed to purchase the same for the sum of 28,000.

WHEREAS, Kiantone desires to have a one-half ownership in said roller;

NOW, THEREFORE, it is hereby agreed by and between the parties as follows:

(1). OWNERSHIP: Kiantone and Busti shall each be deemed to be equal owners of a 1998 Dynapac Tandem Drum Vibratory Roller, from and after the date of this agreement and equal entitled use thereof.

(2). PAYMENT BY Kiantone: Busti and Kiantone agree to each pay the sum of \$14,000 in exchange for one-half of the cost of the purchase price of said roller.

(3). MAINTENANCE: Kiantone and Busti shall each pay one-half of the maintenance cost related to the maintenance of said roller.

(4). INSURANCE: Busti shall maintain liability, collision and comprehensive insurance coverage upon said roller with a deductible of not more than \$1,000,000.00. The cost of such insurance shall be paid solely by Busti.

(5). DISPOSITION: Neither party shall sell the roller without the prior approval of the other party.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

Town of Busti

By: Kathleen A. Sullivan, Supervisor

Upon roll call vote, all aye.

Town of Kiantone

By: Jeffrey A. Piazza, Supervisor

Councilman Sanders gave an update on the Southern Tier Family Church regarding the sewer district. Tolman Engineering needs more information on four different areas on the sewer system before they can recommend the church hooking up to the sewer district.

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

RESOLVED, that Supervisor Sullivan be authorized to negotiate a contract with the Southern Tier Family Church with regard to the hookup fee, an amount of payment the church would make to the town in-lieu of not being a member of the sewer district for future capital improvements and a user fee based on their usage.

Upon roll call vote, all aye.

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

RESOLVED, that the town approve to investigate grant and loan funding sources including but limited to Empire Development Corporation, U. S. Department of Agriculture, New York State Department of Community Renewal, New York State Justice Association, New York State Economic Develop Fund, and/or miscellaneous funding opportunity/sources deemed potentially beneficiary and move forward with any of these sources allocating the maximum of \$10,000 to be spent on that process which is equivalent to what we had allocated at the end of 2009.

Upon roll call vote, all aye.

Supervisor Sullivan moved to set a public hearing on the proposed Community Development Block Grant (CDBG) which was duly seconded by Councilwoman Hern:

RESOLVED, that a public hearing to accept comments on the proposed Community Development Block Grant (CDBG) application to be submitted by the Town of Busti to the Governors Office for Small cities. The grant application will be filed on or before April 15, 2010. The CDBG program is administered through the New York State Governor's Office for Small Cities and allows the Town to apply for grant funding to benefit community projects. All Town of Busti residents interested in providing input are encouraged to attend the hearing at 7:00 p.m., on Monday, April 5, 2010 at the Town of Busti Administration Building, 121 Chautauqua Avenue, Lakewood, New York.

Upon roll call vote, all aye.

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

RESOLVED, that Supervisor Sullivan be authorized and directed to pay the presented General Fund, Highway Fund, Joint Recreation Fund and the Hazeltine Public Library for Abstract No.5 from warrant #138 to and including #174 in the amount of \$13,840.82.

Upon motion made by Supervisor Sullivan the meeting adjourned at 7:40 p.m.

Diane M. VanDewark, Town Clerk

