

REGULAR MEETING
October 15, 2012

A regular meeting of the Town Board of the Town of Busti was held on October 15, 2012 at 6:45 p.m., at the Town Administration Building, 121 Chautauqua Avenue, Lakewood, New York with the following members present:

Supervisor Jesse M. Robbins
Councilman Richard B. Thor
Councilman Todd M. Hanson
Councilman Kenneth J. Lawton
Councilman Richard A. Sanders - absent

Supervisor Robbins 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, John Francisco, Lori Robbins, Deputy Clerk Darlene Nygren, Village of Lakewood Trustee Sue Drago, Warren VanDewark, Attorney Joel H. Seachrist, Lakewood-Busti Police Chief John Bentley and Post Journal Reporter Dennis Phillips.

Lakewood-Busti Police Chief John Bentley reported 9, 027 incidents to date.

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

RESOLVED, that upon the recommendation of Highway Superintendent Melvin J. Peterson the town accept the bid from Vantage Equipment for a new Towmaster T-40T Trailer in the amount of \$24,106. Supervisor Robbins noted the reason to accept the bid from Vantage Equipment and not the low bid from General Welding & Fabrication was due to the reason that the Towmaster T-40T Trailer is the only one that has a tilt degree angle of 10 degree maximum.
Upon roll call vote, all aye.

Town Clerk Diane M. VanDewark presented her September clerk's report and reported on permits from Department of Environmental Conservation's deer management assistance program to homeowners.

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

PLEASE TAKE NOTICE, that the Town of Busti will hold a Public Hearing pursuant to Article 450.20. I- Industrial District, B-1 of the Zoning Code on the following:

The application of Phineas & Sara Demink, d/b/a Southern Tier Brewing, 2072 Stoneman Circle, Lakewood, New York, for a band shelter allowing small music performances in the Industrial District. Said property is known as Section 385.00, Block 1, and Lot 44.2 of the official tax map of the Town of Busti.

Said hearing will take place on November 5, 2012 at 7:00 p.m. at the Town of Busti Administration Building, 121 Chautauqua Avenue, Lakewood, New York.
Upon roll call vote, all aye.

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

PLEASE TAKE NOTICE, that the Town of Busti will hold a Public Hearing pursuant to Article 405.19 Highway Commercial District-B of the Zoning Code on the following:

The application of Gene Swanson of 108 Oakland Avenue, Lakewood, New York, for a Special Use Permit to operate a general automotive repair shop in the Highway Commercial District. The property is located at 4471 Chautauqua Boulevard, Lakewood, New York. Said property is known as Section 385.05, Block 5, and Lot 7 of the official tax map of the Town of Busti.

Said hearing will take place on November 5, 2012 at 7:15 p.m. at the Town of Busti Administration Building, 121 Chautauqua Avenue, Lakewood, New York.
Upon roll call vote, all aye.

Supervisor Robbins made the following motion which was duly seconded by Councilman Thor:

RESOLVED, that the Busti-Lakewood Recreation Budget for 2013 in the amount of \$38,137 be presented to the Village of Lakewood Board for approval.

Upon roll call vote, all aye.

Supervisor Robbins noted the following reports and correspondence:

September Clerk's Report:

Time Warner Cable letters: regarding agreements with programmers and Internal Restructuring.

Village of Lakewood Public Hearing for Betsy Shults, 1 Pine Avenue, Monday, October 22, 2012 at 6:45 p.m.

Chautauqua County Department of Health re: Approval of Realty Subdivision Modification to Shadow Creek Subdivision.

Councilman Lawton noted that he is working with Town Clerk Diane M. VanDewark on the employee handbook.

Supervisor Robbins made a motion which was duly seconded by Councilman Thor:

RESOLVED, that any Zoning Board, Planning Board, Code Enforcement Officer or elected official be authorized to attend the Fall Planning & Zoning Conference in Mayville, New York on Thursday, November 15th from 8:30 a.m. to 3:15 p.m.

Upon roll call vote, all aye.

Supervisor Robbins made the following motion which was duly seconded by Councilman Lawton:

RESOLVED, that Supervisor Robbins be authorized and directed to pay the presented General Fund, Highway Fund, Joint Recreation Fund and the Hazeltine Public Library for Abstract No. 18 from warrant #766 to and including warrant #798 in the amount of \$37,778.36.

Upon roll call vote, all aye.

Supervisor Robbins moved to accept the minutes of October 1, 2012 seconded by Councilman Lawton:

All aye.

Councilman Hanson reported on the town comprehensive profile draft is now on the Town of Busti website.

Councilman Thor reported that on October 2nd he attended Inter-Municipality Council Meeting regarding total mass daily load (TMDL) concerning phosphates in Chautauqua Lake and the Chautauqua Lake Management Committee seminar to be held at the Prendergast Library November 1st 7:00 p.m. for hydraulic fracturing.

Supervisor Robbins noted that there will be a work session on November 5th for the 2013 Budget at 6:00 p.m.

Supervisor Robbins moved to go into executive session at 7:05 p.m. regarding the police contract which was duly seconded by Councilman Lawton.

All aye.

Councilman Lawton moved to return from executive session which was duly seconded by Councilman Thor:

All aye.

Upon motion duly made by Supervisor Robbins the meeting adjourned at 8:20 p.m.

All aye.

Diane M. VanDewark, Town Clerk