

REGULAR MEETING
January 21, 2014

A regular meeting of the Town Board of the Town of Busti was held on January 21, 2014 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 Brett A. Muccheck
Councilman Todd M. Hanson - Absent
Councilman Kenneth J. Lawton

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: Attorney Joel H. Seachrist, Highway Superintendent Melvin J. Peterson, County Legislator Paul Wendel, Post Journal Reporter Mallory Diefenbach, Deputy Court Clerk Nancy Jordan, Hart Jordan, Jackson Smith, David Mensies, Sharon Lisciandro, Sam Whitmore, Nancy Bargar, Rudy Mueller, Village of Lakewood Trustees David DiSalvo and John Jablonski III.

Attending residents and Village of Lakewood trustees voiced their questions and concerns regarding the sale of property at 121 Chautauqua Ave., Lakewood and the purchase of 125 Chautauqua Ave., Lakewood.

Highway Superintendent Melvin J. Peterson reported on highway activity and asked for the boards approval to post the roads. Councilman Richard Thor moved to authorize Highway Superintendent Melvin J. Peterson to post roads as required or needed which was duly seconded by Councilman Muccheck:

RESOLVED WHEREAS, it is the Town of Busti Highway Superintendent's opinion that vehicles weighing more than six tons per axle can do severe damage to town highways; and

WHEREAS, the Vehicle and Traffic Law, Section 1660, provides that town boards may by local law, ordinance, order, rule or regulation exclude from the use of town highways vehicles weighing in excess of four tons, now therefore be it

RESOLVED, that in accordance with Section 1660 of the Vehicle and Traffic Law of the State of New York that it is hereby ordered by the Town Board of the Town of Busti that all town highways maintained by the Town of Busti be closed to vehicles weighing in excess of six tons per axle, except for the purposes of local delivery, upon the posting of a sign to that effect upon such highways by the Town Highway Superintendent; and be it further

ORDERED, that upon application to the Town Board, vehicles weighing in excess of six tons per axle may travel upon posted roads if granted a permit to do so by the Town Board; and it is further

ORDERED, that such highway or highways shall remain closed to such vehicles until such time as the Town Highway Superintendent shall cause the sign posting such notice to be removed from such highway or highways, it is further

ORDERED, that any person or persons violating this order shall be penalized in accordance with Article 45 of the Vehicle and Traffic Law of the State of New York; and it is further

ORDERED, that the Town Clerk of the Town of Busti shall cause a copy of this order to be published in the official legal newspaper of the Town.

Upon roll call vote, all aye.

Supervisor noted receipt of the Chautauqua County Report of monies paid to the Town of Busti in 2013.

Supervisor Robbins noted that Joyce Anderson has decided not to sell the property the Busti Sugar Grove Road/Lawson Road. The Highway Department may continue to use the land until they are notified by Mrs. Anderson that the town needs to vacate.

Supervisor Robbins tabled the Resolution for Disinterment Policy until the February 3rd, 2014 meeting.

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

**RESOLUTION AUTHORIZING SALE OF SURPLUS PROPERTY TO
JAMESTOWN AREA COMMUNITY FEDERAL CREDIT UNION, SUBJECT TO
PERMISSIVE REFERENDUM**

WHEREAS, the Town own and has used the property at 121 Chautauqua Avenue, Lakewood, New York, designated on the official tax map as Section 385.07, Block 2, Lots 1 and 78, as and for town offices, and

WHEREAS, the Town wishes to purchase an adjoining property and re-locate the town offices to a building located thereon, so that it is no longer necessary for the Town to retain the property at 121 Chautauqua Avenue, and

WHEREAS, Jamestown Area Community Federal Credit Union have proposed to purchase 121 Chautauqua Avenue for \$300,000.00,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Busti, in regular session duly convened, does hereby authorize and direct the Supervisor to negotiate and sign a Contract of Sale, and to execute and deliver to Jamestown Area Community Federal Credit Union such instruments as are necessary to convey the said property for \$300,000.00, all being subject to permissive referendum as permitted by law.

Supervisor Robbins withdrew the previous motion authorizing the sale of 121 Chautauqua Avenue, Lakewood, New York.

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

RESOLVED, to table the resolution authorizing the sale of 121 Chautauqua Avenue, Lakewood, New York, until the town is able to discuss the sale with the potential buyer, and if the potential buyer is in agreement to hold their offer to a future date.

Upon roll call vote, all aye.

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

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. 2 from warrant #6 to and including warrant #15 in the amount of \$12,457.55 and Abstract No. 26 from warrant #955 to and including warrant # 967.

Upon roll call vote, all aye.

Councilman Mucheck reported that he and Supervisor Robbins have met in regards to pursuing grants for the consolidation of the town's buildings. Senator Cathy Young has recommended different grants that may be available to the town and Councilman Mucheck will be following up and obtaining more information in regards to.

Councilman Thor reported that Liability and Property Insurance bids are in. Councilman Thor, Town Clerk Darlene Nygren, and former Town Clerk, Diane VanDewark will be meeting Thursday, January 23rd with an agent representing NYMIR. The bids will be presented at the February 3rd meeting for a decision; the current policy expires February 15, 2014.

Councilman Lawton reported that he has been trying to reach Lakewood Mayor David Wordelman in regards to the Busti Bike and Fitness Plan, which evolved from the recent Comprehensive Plan. \$2,500 has been raised so far towards a study for the plan which is half way completed. The committee is seeking the Village of Lakewood's support or interest, as well as the Lakewood Development Corporation.

Supervisor Robbins moved the following motion, duly seconded by Councilman Thor:

The board will enter Executive Session in regards to employment at 8:20 p.m.

Upon roll call vote, all aye.

Supervisor Robbins moved the following motion, duly seconded by Councilman Thor:
The board close the Executive Session at 9:10 p.m.

Upon motion duly made by Supervisor Robbins the meeting adjourned at 9:10 p.m.
All aye.

Darlene H. Nygren, Town Clerk