

REGULAR MEETING
May 5, 2014

A regular meeting of the Town Board of the Town of Busti was held on May 5, 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 Todd M. Hanson
Councilman Kenneth J. Lawton
Councilman Brett A. Muccheck
Councilman Richard B. Thor

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: Bill Evans, Bob & Judy Schultz, Sue Chandler, Angelo & Diane Terrano, Jerry Holmes, Village of Lakewood Trustee Dave DiSalvo, Michael Nygren, Lorie Robbins, Tim and Jared Brown, Merry & Don Pangborn, Rudy Mueller, Mary Griffin, Dave Menzies, David Bargar, Craig Seger, Randy Ridgeway, Tillie Solomonson, Deputy Clerk Susan Huffman, Lakewood Busti Police Chief John Bentley, Highway Superintendent Melvin J. Peterson, Busti-Lakewood Recreation Director Diana Peterson, and Attorney Joel H. Seachrist.

Residents present were given the opportunity to be heard.

Lakewood Busti Police Chief John Bentley reported that there have been 4,255 incidents YTD, which are about 850 more than last year. A couple officers recently attended an Advanced Roadside Determent Driving School to evaluate “drug drivers” which is an increasing problem. The Canine Unit will be graduating from school on May 15th and will be on the road shortly there after. There has been several speed complaints for traffic on Forest Avenue Extension, police officers have been monitoring traffic there and seem to have slowed traffic down.

Town Clerk Darlene H. Nygren reported that she attended the NYS Clerk’s Association Conference; the classes were very informative and gave her a greater knowledge of Town Clerk responsibilities. Also, Chautauqua County Department of Finance and Taxation reported back that the Town of Busti tax rolls returned last month balanced.

Highway Superintendent Melvin J. Peterson reported that the highway department has been installing some driveway pipes. Superintendent Peterson presented three written quotes for hydraulic components, sander controls, and other supplies that are needed to have the new truck ready to be used. Henderson Equipment - \$18,247; Valley Fabs - \$17,877; and Henderson, Flanders, NJ - \$25,000. Henderson Equipment included the stainless lines from the front of the truck to the controllers and then to the back. Superintendent Peterson also presented a Highway Cost Comparison from 2007 & 2014.

Councilman Thor moved the following motion which was duly moved by Councilman Hanson:

RESOLVED, that Highway Superintendent Melvin Peterson be authorized to accept the bid from Henderson Equipment in the amount of \$18,247 to purchase the controls as recommended by him.

Upon roll vote, all aye, carried.

Town Board members discussed the commitment and logistics of passing a resolution authorizing the submission of an application to the Transportation Alternatives Program to partially fund the

proposed Busti-Lakewood Bike and Fitness Trail.

Councilman Lawton moved the following resolution which was duly seconded by Councilman Mucheck:

RESOLVED, authorizing an application to the Transportation Alternatives Program for the Busti-Lakewood Bike and Fitness Trail

WHEREAS, the Town Board desires to continue the process of creating a rail-with-trail facility for pedestrians and bicyclists along the Western New York & Pennsylvania Railroad line, running approximately 4.1 miles between the Cummins Engine facility in Busti and the Wal-Mart on Fairmount Avenue in Lakewood, and

WHEREAS, the Town Board desires to provide this type of facility to Town residents at the lowest possible cost to the Town and its taxpayers, and

WHEREAS, the opportunity has arisen for the Town to submit an application to the Transportation Alternatives Program (TAP) to partially fund the proposed project, and

WHEREAS, the Town Board commits to providing the required local matching funds to insure the timely implementation of the proposed project

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Busti authorizes the submission of an application to the Transportation Alternatives Program for the Busti-Lakewood Bike and Fitness Trail in an amount not to exceed \$1,600,000, and

BE IT FURTHER RESOLVED, that upon approval of the application for financial assistance that the Town make available not to exceed \$400,000 in matching funds to satisfy the requirements of the funding program, and

BE IT FURTHER RESOLVED, that the Town Board authorizes the Supervisor to sign all documents and agreements related to the TAP application.

Upon roll call vote,

Supervisor Robbins, aye – with the stipulation that if it affects tax payer dollars in

November, he will be voting no

Councilman Mucheck – aye

Councilman Thor – aye

Councilman Hanson – aye

Councilman Lawton – aye

Carried

Supervisor Robbins spoke in regards to the resolution made on April 28, 2014 to form an ad hoc committee to look at all viable options relating to the future location of the Town Administration offices. He is recommending that Bill Evans and Dave Bargar, representing the public, form a non-partisan group that would include male and female residents from both the Village of Lakewood and outside the Village. The names should be given to Supervisor Robbins by the 14th or 15th of May, a resolution officially appointing the committee will then be presented to the Town Board for vote on May 19, 2014. Councilman Thor and Councilman Hanson will act as the officers that the ad hoc committee will report to and will not sit on the committee. Councilman

Thor referred to Town Law Article 4 §64.17 which states: Citizens advisory committee on capital improvements. The town board of any town having a population of five thousand or more as shown by the latest federal census, by resolution may appoint a committee of citizens to act in an advisory capacity to the town board on the planning, construction, reconstruction, undertaking or acquisition of capital improvements. The members of such committee shall serve without compensation and it shall be the duty of such advisory committee to meet, consult and advise with the officers named in the resolution. Such advisory committee shall have no powers other than advisory. The town board may authorize the payment of the just and reasonable actual expenses of the members of such advisory committee.

Councilman Lawton proposed that when a motion is being made, without advance warning, and after discussion, the councilman making the motion should then restate the motion in precise and clear language ensuring that it is recorded correctly. If the motion is too complex it should be tabled and the attorney should then prepare the resolution and present it to the board prior to the next meeting. If possible, resolutions should be presented to the board prior to board meetings allowing each board member time to review them.

Supervisor Robbins moved 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. 10 from warrant #240 to and including warrant #271 in the amount of \$106,814.12. Upon roll call vote, all aye.

Supervisor Robbins moved to accept the minutes of April 21, 2014 and April 28, 2014 which was duly seconded by Councilman Thor.

All aye.

Councilman Hanson reported that he has been working on final details to coordinate the move the next door.

Upon motion duly made by Supervisor Robbins the meeting adjourned at 8:28 p.m.

All aye.

Darlene H. Nygren, Town Clerk