

REGULAR MEETING
April 20, 2015

A regular meeting of the Town Board of the Town of Busti was held on April 20, 2015 at 6:45 p.m., at the Town of Busti Administration Building, 125 Chautauqua Avenue, Lakewood, New York with the following members present:

Supervisor Jesse M. Robbins
Councilman Brett A. Muccheck
Councilman Todd M. Hanson
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: Highway Superintendent Melvin J. Peterson, Lakewood Busti Police Chief John Bentley, Jim Andrews, Lakewood Fire Department President Jack Knowlton, Rudy Mueller, Jim Loomis, Bob and Judy Schultz, Jim Dahlie, Dean Harvey, and Post Journal Reporter Mallory Diefenbach.

Rudy Mueller noted that when he read the announcement in the Post Journal regarding the Town of Busti accepting applications for residents interested in running for Town Council he was under the assumption that the announcement was referring to the upcoming November election and was not aware that Councilman Thor had intended to resign before his term was finished. Mr. Mueller stated that he has spoken to Supervisor Robbins about his interest in a Town Council position; most recently when he saw in the newspaper that Mr. Thor had resigned and left an opening on the board. He feels that with his four year experience as a county legislature, an elected public official for the Town of Busti and Village of Lakewood, and as a legislature leader that moved many pieces of legislature through in a bi-partisan way that he can help the Town of Busti in the role of councilman. He believes that he acted in the best interest of the residents of the town and that he would be the best selection for the current vacant board position. He does not believe that the board vacancy should be filled solely on a political party basis. Mr. Mueller stated that he has studied and knows the town budget and feels that he can help this board keep taxes down and spend taxpayers' money wisely. He noted that the residents will have the final say in November for whom they want to fill the council position but he believes that he could help the board immediately if appointed. Supervisor Robbins stated that political party was not the only criteria used as determining factor for who will be appointed to fill Mr. Thor's vacancy. He noted that Mr. Mueller was a driving force to dissolve the Village of Lakewood, which the Town of Busti residents outside of the Village had no say or vote and that the dissolution would have caused a \$2 - \$3 increase in their taxes with no say. The dissolution vote cost the Village of Lakewood \$2,500. Supervisor Robbins continued, stating that Mr. Mueller was part of the opposition of the town's recent move to the new administration building, because of the opposition the town had to pay \$5,000 - \$6,000 in property taxes due to the delay in transfer of ownership as well as approximately \$3,000 in attorney fees. It is because of these factors that Supervisor Robbins is not recommending that Mr. Mueller be appointed as Town Councilman.

Dean Harvey noted that he has led the line dancing at the Recreation Center for the past eight years which is currently meeting on Tuesdays and Thursdays at Gloria Dei Lutheran Church. He stated that he is aware that there is a committee looking into what to do with the remainder of the administration building. He commended the board for the construction of the new courtroom but was interested in what was the status of the Busti Lakewood Recreation Commission. Supervisor Robbins noted that the Community Center Committee has a survey that will be available the month of May, asking residents to say how they would use a community center. He stated that the courtroom/holding area needs to be finished, a records room needs to be constructed and the space that is left will be available for the construction of a Community Center and that the survey will help determine what the size of the new community center will be. Councilman Muccheck noted that the town board is in favor of having a community center but wants to be sure that it has the amenities needed and that it is constructed to meet the needs of the town residents.

Supervisor Robbins moved the following resolution which was duly seconded by Councilman Muccheck:

RESOLVED, that Jim Andrews be appointed as town councilman to fill the vacancy resulted

from Rick Thor's resignation.

Discussion followed: Councilman Lawton noted that he knows and respects both Mr. Andrews and Mr. Mueller. He believes that the board should appoint the person who the members of the community would want to be appointed and not because of the political party. Jim Andrews would do a great job but he recognizes the passion that Rudy Mueller has for the community and the knowledge of the budget. He, therefore, will vote against appointing Mr. Andrews and asked the board to reconsider appointing Mr. Mueller to the position of Town Councilman. He believes that Mr. Mueller has raised some good questions and that his appointment would be best for the town. Councilman Hanson noted that he spoke with Mr. Mueller and has read his resume. He has had dealings with both Mr. Mueller and Mr. Andrews through the town board and personally. He spoke with Mr. Andrews at length regarding the past issues of the town and feels that he has the town's best interest in mind and has a good business mind and he believes that Jim Andrews is the best candidate for the job. Councilman Muccheck noted that he wasn't aware until recently of Rudy Mueller's interest in the position of Town Councilman and therefore when he spoke with people in the community of who would fill the vacancy it was in regards of Mr. Andrews being appointed. His decision is based off of the opinions of those he spoke with and Mr. Andrews' business sense; he feels that Mr. Andrews will come in with a fresh look at what is best for the town.

Upon roll call vote;

Supervisor Robbins – aye

Councilman Muccheck – aye

Councilman Hanson – aye

Councilman Lawton – nay

Carried.

Town Clerk Darlene Nygren reported that County/Town taxes have been closed out and balanced and will be returned to the county this week. She has been working with Councilman Hanson in regards to the construction of the new records room and information needed for the Local Government Records Management Improvement Fund (LGRMIF) Grant which is due Friday, April 24th. She will be attending the New York State Town Clerk's Annual Conference from Monday, April 27th – Wednesday, April 29th. Deputy Town Clerk Susan Huffman will be in the office during that time.

Chief John Bentley reported 3,500+ reportable incidents year to date. There have been several Narcan saves in the past couple weeks. There was a serious accident that occurred on Mead Road that the driver was fortunate to sustain injuries that were not life threatening. He reminded the community that it is grass fire season and to not set fires in the fields.

Highway Superintendent Melvin Peterson reported that there was storm damage last night that the department cleaned up this morning. The department has been repairing driveway pipes that had been clogged up through the winter. Superintendent Peterson attended a DEC soil and sediment class that certifies him in Soil and Sediment Control and will utilize when the Highway Department digs or disrupts over an acre of land according to state mandates. The new truck arrived last Friday, it is licensed and registered. Councilman Hanson asked if Superintendent Peterson has had anyone look at the roof of the Equipment Barn, Mr. Peterson spoke with Johnson & Johnson Construction but their insurance will not cover them working on roofs. He will contact other contractors and see what they say.

Lakewood Fire Department President Knowlton reported that that department has had 272 calls year to date, with 50 calls this month and 94 in the month of March which averages to 3 calls per day. There continues to be a problem guaranteeing that an EMT will be available during the daytime hours; however it has helped to have the two departments working together. Chautauqua County will be conducting a survey on EMS. The department is investigating its options. The department will be hosting an Open House on Sunday, April 26th from 10 a.m. – 2 p.m. and hopes to recruit new volunteers.

Supervisor Robbins noted that the Village of Lakewood has said the town may use the upstairs of the administration building for the Summer Rec Program. The village will be opening the beach this summer. Councilman Muccheck will be meeting with the Village of Westfield Recreation Director on Thursday, April 30th at 5 p.m. He is interested in learning about their programs, including the summer recreation

program but also wants to learn how they promote and advertise all their programs.

Supervisor Robbins noted that the Busti Historical Society had submitted a letter to the board at the last board meeting requesting that the town issue a transfer station sticker to the society and plow the Mill Road driveway at no cost, or provide funds to cover the expense. He recommends that the town give the society \$250 to help defer the cost of advertising for the Apple Festival, which brings many people into the town, and both the Historical Society and Fire Department will benefit.

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

RESOLVED, that the Town of Busti give \$250 to the Busti Historical Society to be used towards the cost of advertising for the Busti Apple Festival held in September.

Upon roll call vote, all aye.

Supervisor Robbins moved the following resolution which was duly seconded by Councilman Muccheck:

RESOLVED, that the Town of Busti give \$450 to the Lakewood American Legion to be used toward the cost of replacing flags in the town cemeteries.

Upon roll call vote, all aye.

Supervisor Robbins moved the following resolution which was duly seconded by Councilman Lawton,

RESOLVED, that Councilman Hanson be appointed as Deputy Town Supervisor.

Upon roll call vote, all aye.

Supervisor Robbins noted that there was a concession stand in the original plans for Loomis Park. Last year Joe Hoose, Southwestern Soccer League, had asked the town board to consider putting a concession on the park premises and said that he thought that people would volunteer to help with the construction. The concession building would be large enough to have a refrigerator for concessions and storage for equipment. The hope is that the league could use the building to sell concessions which would assist in them becoming self-sustaining. Councilman Hanson, Superintendent Peterson, and Mr. Hoose will look at building designs and cost and bring those items back to the board for approval.

Supervisor Robbins moved 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, and the Joint Recreation Fund for Abstract No. 8 from warrant #250 to and including warrant #287 in the amount of \$26,317.17.

Upon roll call vote, all aye.

Jack Knowlton reported that he has made 520 crosses to be placed on Veterans' graves. He noted that Busti Hamlet Development paid for the materials, and Busti Lime helped get the material at a reduced cost. The town highway department did the welding throughout the winter when they were not busy plowing the roads. Thomas J. Kosinski Tools did the white powder coating. The legion will take care of the cost of the powder coating and paint. Mr. Knowlton asked to have the flags remain on the graves throughout the summer in respect of the veterans.

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

RESOLVED, that the all flags honoring veterans that are placed on graves in Town of Busti cemeteries remain on the graves throughout the summer.

All aye, carried.

Supervisor Robbins moved to accept the town board minutes of April 6, 2015 which was duly seconded by Councilman Muccheck.

All aye, carried.

Councilman Lawton reported that the LoCo Trail Committee will be meeting this week and will be discussing the TIGER grant and looking at alternative sights for the bike trail.

Councilman Hanson reported that he, Supervisor Robbins, and Town Clerk Nygren met to determine the location of the records room that would use the least amount of floor space but meet the needs for records

storage. He has assisted Town Clerk Nygren in getting costs for the construction of the records room. Councilman Hanson and Superintendent Peterson have discussed the roof for the equipment barn, looking at installing Solar Panels on the Administration and Highway Garage. Superintendent Peterson suggested putting them on the Equipment barn because of its size. Councilman Hanson has asked contractors to look at the roofs and their condition and costs. He will be contacting solar companies that can do the solar installation at no cost to the town.

Councilman Muccheck noted again that he will be meeting with the Village of Westfield Recreation Director on Thursday, April 30th at 5 p.m.

Supervisor Robbins moved to adjourn the meeting at 7:22 p.m., which was duly moved by Councilman Hanson.

All aye, carried.

Respectively Submitted by:

Darlene H. Nygren, Town Clerk