

REGULAR MEETING
April 6, 2015

A regular meeting of the Town Board of the Town of Busti was held on April 6, 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. Muecheck
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, Diana Peterson, Kaie Smith, Jim Andrews, John Francisco, Susan Lane, Roger Gilbert, Joe Troche, Bob and Judy Schultz.

Roger Gilbert presented his recent book, "The History of the Land and Building, 9 West Summit Avenue, Lakewood, New York, Town of Busti". He then introduced Sue Lane from the Lakewood Historical Museum. Mr. Gilbert noted that it was the recent sale of the building that inspired him to write the book. He briefly reviewed the history of the building and its owners since the time the building was built. Mr. Gilbert has agreed to donate all profits of the sale of this book to the Lakewood Historical Museum. He then recognized and thanked Diana Peterson, Recreation Director, presenting a copy of the book to her as an appreciation for her assistance in researching and gathering information that he was able to use in writing the book. A book signing is scheduled for Saturday, May 16, 2014 from 1pm to 4 pm at the Lakewood Historical Museum. Mr. Gilbert also thanked Town Clerk Darlene Nygren and Deputy Town Clerk Susan Huffman for their assistance in researching the history. Mr. Gilbert presented a copy of the book to the Town of Busti for the town records.

Robert Schultz presented a letter to the board from the Busti Historical Society President, Carl Schultz, requesting the town issue a sticker to use the Transfer Station free of charge and that the Highway Department plow the Society's Mill Road driveway without charge. If the preceding requests can not be done, the society requests that the town provide funds that would cover the expense of both purchasing the transfer sticker and snow plowing at the Mill. Supervisor Robbins noted that he would forward copies of the letter to the board for their review.

Town Clerk Nygren reported that last day to collect the 2015 County & Town Tax Collection was April 1, 2015. A total of \$6,308,180 has been collected to date, leaving a balance of \$645,632 outstanding. New York State Archives has set April 24, 2015 as the grant application deadline date for the Local Government Records Management Improvement Fund (LGRMIF) Grants.

Chief Bentley reported 3,015 incidents year to date.

Highway Superintendent Melvin Peterson reported that the department is continuing to cold patch and will begin grooming the intersections and roads. There have been some truck maintenance issues, that are now resolved. The blacktop plant is tentatively scheduled to open April 13th, allowing the department to use hot mix and began repairing the roads. The price of blacktop this year is approximately \$70 compared to \$74 last year.

Code Enforcement Officer Jeff Swanson reported that there has been an influx of requests and questions on permits and variances presented to him. The Calamar project is moving forward and has begun to set trusses.

The Lakewood Fire Department presented the 2014 Annual Report for the board's review.

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

RESOLVED, to execute interfund transfers from the General Fund (A) to the Bentley Cemetery Fund (TE1) in the amount of \$2,781.25; from the General Fund (A) to the Busti Cemetery Fund (TE2) in the amount of \$0; from the General Fund (A) to the Wellman Cemetery Fund (TE3) in the amount of \$2,732.50; from the General Fund (A) to the Lighting District #3 fund (SL3) in the amount of \$520.38; and from the General Fund (A) to Lighting District #4 fund (SL4) in the amount of \$191.22. By definition, interfund transfers are transfers intended to subsidize the receiving funds and will not be repaid.

Upon roll call vote, all aye. Carried.

Kaie Smith, Community Center Committee, had e-mailed a survey for the board to review for approval. The surveys would be presented to the public May 1st with a deadline of May 30th. Councilman Hanson suggested that there be a place for residents to put their name and address if they wish. The surveys will be available at the libraries, local businesses, and online.

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

MOVED, that the Community Center Committee be authorized to distribute the surveys as presented with the addition for an area to note the residents name and address if they wish.

All aye. Carried.

Highway Superintendent Melvin Peterson noted that he has reviewed the previous Bid Specifications for Transfer Station Operation for Garbage and Recycling. He has itemized the separate containers and recyclables which would allow separate contractors to bid on one specific container/recyclable, which will possibly save the town in overall costs.

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

RESOLVED, that Highway Superintendent Peterson be authorized to request bids for the operation of the transfer station for garbage and recyclables effective June 1, 2015.

Upon roll call vote, all aye.

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

MOVED, that Highway Superintendent Peterson be authorized to attend the 2015 Highway School in Ithaca, NY, June 1-3, 2015.

All aye, carried.

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

MOVED, the Court Clerk Elizabeth Davis be authorized to attend Court Clerk Training in Buffalo, NY, Friday, April 10th.

All aye, carried.

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

MOVED, to authorize any Town Board, Planning Board, Zoning Board of Appeals members; Town Justices; Town Attorney; Code Enforcement Officer; Deputy Town Clerk and Deputy Court Clerk to attend the Local Government Conference in Houghton, NY, May 6, 2015.

All aye, carried.

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

RESOLVED, to accept the proposal from HCH Interiors, Inc. to supply and install Karndean K-Trade commercial vinyl planks in the hall and holding cell area in the amount of \$3,300.

Upon roll call vote, all aye.

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

RESOLVED, that Supervisor Robbins be authorized and directed to pay the presented General Fund, Highway Fund, and the Joint Recreation Fund for Abstract No. 7 from warrant #204 to and including warrant #249 in the amount of \$56,920.88.

Upon roll call vote, all aye.

Supervisor Robbins moved to accept the town board minutes of March 16, 2015.

All aye, carried.

Supervisor Robbins regretfully read a resignation letter from Richard Thor, effective April 1, 2015.

Councilman Hanson reported that the hall and holding cell area will be complete once the flooring is installed. There are a few final touches need to be done to the Court Clerk's area and witness stand and at that time the judges bench should be complete. The Court Clerk office cupboards have been built and installed. Councilman Hanson will be working with Town Clerk Nygren with finalizing costs for the construction of a Records Room that will be presented in the grant application.

Councilman Lawton reported what he has learned about the Recreation Program. He sees that it falls under two categories: 1. Policies/Procedures – as suggested by the town's liability insurance carrier, which is being reviewed by the town attorney. There is a need to develop policies and procedures for use of the town's facilities by individuals or groups/teams and a form to be signed acknowledging agreement with the rules.

2. Programs offered through the town – there is a need to have forms/documents/rules that participants in those programs should sign acknowledging that they understand the town rules.

Councilman Lawton wants to look at these programs and have a better understanding about whom and how many participants are attending. The Summer Playground program was established for residents of the town, some participants may not be residents but their parents may be employed in the town. Last year there were 29 participants, with approximately 15 participating in the full program and approximately 15 participating one day or for a single week. The program is considered a camp due to the field trips being offered. There are programs that are offered throughout the year, these include line dancing – offered May – September, Tuesday and Thursday, at a cost of \$1/per person/session, with approximately 12 people attending per session; Pinnacle and Cribbage – the fee is \$2 per person/session with approximately 15 to 30 participants for Pinnacle and 8 to 18 participants for Cribbage, both groups meet once per week; Golden Agers Aerobics has 15 – 40 participants, depending on the season and the instructor is paid. There are some off-site programs offered which include Over 30 Basketball, the town basically offers the insurance for the program, they play at an available gym at Southwestern School, approximately 10 to 20 participants; Swimming Program/Sharks is also covered by the town's insurance and additionally bookkeeping, with approximately 12 to 25 participants. In Councilman Lawton's opinion the benefit to the community is that these programs offer a program that is different from programs that are in the community at a lower cost and they can be considered an incubator program. Joe Troche noted that he and his children have participated in the basketball or swimming program, he believes that both programs are excellent programs that benefit the community. Councilman Lawton noted that when the town looks at the programs as a whole, there is a risk to the town from an insurance perspective and the fixed cost perspective, after each program is stood on its own, has ranged from \$30,000 (6-7 years ago), \$20,000 in 2010 through 2012, and \$13,000 in 2013 and 2014. Councilman Muecheck noted that he is researching what other towns are offering and has found that the more rural and/or isolated communities have a higher number of participants. He is interested in learning more about programs offered for Senior Citizens, which is a growing population in this area, as well as Summer Programs, etc. He is hoping to meet with the Rec Director in the Village of Westfield and review what programs offered there.

Supervisor Robbins noted that Lakewood United Methodist would be willing to work with the town and establish an amount paid per day for the use of their facility, which is typically \$50/per day. The town would be the administrator of the program.

Supervisor Robbins moved that the board enter into executive session for a personnel matter at 7:46 p.m., which was duly seconded by Councilman Lawton.

All aye, carried.

Supervisor Robbins motioned to close the executive session at 8:34 p.m., which was duly seconded by Councilman Lawton.

All aye, carried.

Supervisor Robbins motioned that the board enter the regular session at 8:34 p.m., which was duly seconded by Councilman Muecheck.

All aye, carried

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

MOVED, that the town offer a Summer Recreation program with the approval of the Village of Lakewood to use the upstairs room in their Administration Building in the event of inclement weather.
Upon roll call vote, all aye.

Supervisor Robbins moved that the board enter into executive session for a personnel matter at 8:35 p.m. which was duly seconded by Councilman Muccheck.

Upon roll call vote, all aye.

All aye, carried.

The following action was taken in Executive Session.

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

RESOLVED, that Diana Peterson be laid-off from the position of Miscellaneous Clerical/Recreation as of April 7, 2015 due to the loss of funds in the Recreation Programs and the current transition of programming. Supervisor Robbins will request to meet with Ms. Peterson on Tuesday, April 7, 2015 to notify her of the lay-off and have Town Clerk Nygren present to record the meeting.

Upon roll call vote, all aye.

Supervisor Robbins moved to close the executive session at 8:41 p.m., which was duly seconded by Councilman Muccheck.

All aye, carried.

Supervisor Robbins moved to adjourn the meeting at 8:42 p.m., which was duly moved by Councilman Muccheck.

All aye, carried.

Respectively Submitted by:

Darlene H. Nygren, Town Clerk