

REGULAR MEETING  
July 20, 2015

A regular meeting of the Town Board of the Town of Busti was held on July 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 - Absent  
Councilman Jim Andrews

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: Town Justice William A. Geary, Lakewood-Busti Police Chief John Bentley, Attorney Joel Seachrist, Code Enforcement Jeff Swanson, Jack Knowlton, Mary Griffin, Edward J. McCague and Post Journal Reporter Mallory Diefenbach.

Jack Knowlton reported that a number of trees have been removed from the Bentley and Wellman Cemeteries. Bentley Cemetery now has 3 huge and 5 small stumps; and Wellman Cemetery has 4 stumps and 3 dead trees. Mr. Knowlton stated that the stumps make it difficult to mow the cemeteries and requested that the town have the stumps ground out. Highway Superintendent Melvin Peterson will contact tree service companies and request bids to have the stumps ground out and will present the bids to the board for approval.

Mr. Knowlton noted it has been discovered that two burial internments, from the 1980s, located in the Busti Cemetery were placed in the wrong location. The burials are located side by side and were interred one grave too far. He asked for the board's approval to move them to the correct location at a cost of \$500. Mr. Knowlton spoke with a local funeral director who stated that because the burials will be slid to the adjoining graves and not exhumed there is no need for a funeral director to be involved.

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

**MOVED**, that Jack Knowlton be authorized to move the above referenced two burials to the correct graves, with the understanding that they would not be exhumed, therefore not requiring the service of a funeral director.

All aye. Carried.

Town Clerk Darlene Nygren reported the sale transfer stickers continues to be close to the number that were sold last year, to date 756 have been sold.

Chief John Bentley reported 6,355 incidents year to date. The department investigator recently attended a Social Media Investigation Class to learn how to better navigate some of the social media issues. The Canine Officer did a Safety Demonstration at the Lakewood Fire Department at the YWCA camp and as part of the grant for the Canine Unit had a twelve hour shift at Niagara Falls Air Force Base Air Show.

Highway Superintendent Melvin Peterson reported that Suit-Kote completed a "train" (type 3 regrind) on Pine Ridge Road, which included 1 & 3/10 mile of road at the cost of approximately \$100,000. The process involves grinding down 4", grind it up and mix it with asphalt and relay it; then in 10 – 12 days a tar base can be placed on top, either a seal coat or carpet coat. Superintendent Peterson noted that he had received a call on July 4<sup>th</sup> from Gene Swanson, from First Avenue, and his bridge had collapsed in the stream. On July 6<sup>th</sup> Mr. Peterson removed the bridge debris from the stream and at which time had a confrontation with an area resident who claimed that the town doesn't do anything like that to help him. Mr. Peterson explained that the debris needed to be removed because it was an obstruction of the stream. He also reported that a resident from Vukote Road has claimed that on May 18<sup>th</sup> a tree limb on Loomis Bay Road broke and smashed his truck. The limb was picked up by the Highway Department on May 19<sup>th</sup> and the resident

confronted the Highway employees. Mr. Peterson has met with the resident several times, one resulting in a confrontation; Mr. Peterson has documentation from each meeting along with a copy of an accident report from LBPD. The tree was located in a drainage area which the town is responsible to maintain. The tree has since been cut down. Attorney Seachrist noted that the resident should make a claim to the town's insurance company. Also, the Highway Department will be helping the Village of Lakewood blacktop Terrace Avenue on Wednesday, July 22<sup>nd</sup> and on July 27<sup>th</sup> will be stoning & oiling town roads. He had no update on the shredder that was approved except that the Village of Lakewood has approved sharing the purchase expense. The No. 4 truck has had the air conditioning looked at; the truck is a 2005 model. Mr. Peterson has not received any quotes to replace the Equipment Barn roof. It was recommended that Superintendent Peterson find where the trusses came from and assess whether the trusses are weight bearing worthy.

Code Enforcement Officer Jeff Swanson reported he passed the Asbestos Training course and is now eligible to be a certified asbestos inspector. An application needs to be submitted to New York State with an initial fee of \$500 for the first year and will have an annual renewal fee of \$300. The intent of him being certified is for the Town of Busti to offer asbestos inspections at a lower fee than what is available now to residents for a single family home, small apartment building and/or a small commercial building. Mr. Swanson will be meeting with Supervisor Robbins and Village of Lakewood Mayor Wordelman to determine proposed fees. Mr. Swanson is working on several property maintenance issues and new construction, which there are currently 6 new homes in the town under construction.

Lakewood Fire Department representative, Jack Knowlton, reported 502 calls year to date after the 5 calls from today.

There was no update on the pressure washing & painting of the 125 Chautauqua Avenue Administration building. Councilman Andrews recommended that the board look into sand blasting the building rather than pressure washing.

Attorney Joel Seachrist will be contacting Mr. Saracki regarding the Copper Ridge Entrance Property being transferred to the Town of Busti.

Supervisor Robbins reminded the board that 70 Village and 46 Outside of the Village residents completed the Community Center Surveys in the month of May. On Tuesday, July 14<sup>th</sup>, Lakewood Library Director Mary Miller met with Supervisor Robbins and stated that the library may be interested in constructing a community center on their property with the possibility of 75% of the cost funded through a grant with the hope that the town and village would cover the remaining 25% of the cost. Councilman Muccheck spoke with Community Center Chairman, Cheryl Johnson, who was aware of the suggestion and is in favor of the Community Center being located at the library.

As a member of the Chautauqua Lake & Watershed Management Alliance, the Town of Busti has been asked to submit nominations to be considered for election to the Alliance's permanent Board of Directors.

Supervisor Robbins moved that the Town of Busti nominate Councilman Jim Andrews and Donald Emhardt to be considered for election to the Chautauqua Lake & Watershed Management Alliance Board of Directors.

All aye. Carried

(Note – pursuant to the Alliance By-Laws, a member organization from a Town level may only nominate an elected member of the Town Board, therefore the Town of Busti's nomination will only include Councilman Jim Andrews)

Supervisor Robbins noted that Barb Hanson has been appointed as a trustee for the Hazeltine Library.

Supervisor Robbins moved the following resolution 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.14 from warrant #503 to and

including warrant #536 in the amount of \$53,591.41.  
Upon roll call vote, all aye.

Supervisor Robbins moved to accept the town board minutes of July 6, 2015 which was duly seconded by Councilman Muecheck.  
All aye, carried.

Supervisor Robbins moved that the board enter into executive session for a personnel matter at 7:18 p.m. which was duly seconded by Councilman Hanson.  
All aye, carried.

Supervisor Robbins moved to close the executive session at 8:20 p.m., which was duly seconded by Councilman Hanson.  
All aye, carried.

Supervisor Robbins moved the following resolution which was duly seconded by Councilman Hanson:  
**RESOLVED**, that Supervisor Jesse Robbins be authorized to sign the Assessing Agreement with the City of Jamestown subject to approval of council as to final form.

Supervisor Robbins moved to adjourn the meeting at 8:22 p.m., which was duly seconded by Councilman Muecheck.  
All aye, carried.

Respectively Submitted by:

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Darlene H. Nygren, Town Clerk