

REGULAR MEETING
March 2, 2015

A regular meeting of the Town Board of the Town of Busti was held on March 2, 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 Richard B. Thor
Councilman Brett A. Muccheck - absent
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, Post Journal Reporter Mallory Diefenbach, Diana Peterson, Mary Griffin, Tim Young, Rudy Mueller, and Tillie Solomonson.

Town Clerk Nygren reported \$5,885,164 has been collected for 2015 County & Town Tax, leaving \$1,060,825 balance to be collected. There is still no deadline set for the Local Government Records Management Improvement Fund grant application. Local governments will have a minimum of 15 business days from the date of the announcement to submit proposals. Tint Press continues to work on the new website for the town; no date has been set for when it will go live.

Chief Bentley reported 1,845 incidents year to date.

Highway Superintendent Melvin Peterson reported that the department continues to deal with the winter weather. The salt stock pile is going fast, at 60% right now and will be at 70% with the next order. The county does an annual pick-up trade for Highway Superintendents interested in trading their current vehicle. Shults Auto Group has offered \$25,293 for the town's 2014 Ford F-150, extended cab truck as a trade-in, of which the tires will need to be replaced this year at an approximate cost of \$700. The cost to the town to purchase a 2015 V-6 Chevrolet, extended cab truck with the trade-in would be \$1,663.

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

RESOVLED, that Superintendent Peterson be authorized to trade the 2014 Ford F-150 for a 2015 Chevrolet V-6 at a cost to the town of \$1,663; which includes \$25,293 for the trade-in value.
Upon roll call vote, all aye.

Superintendent Peterson noted that the town currently purchases diesel fuel from Superior Plus under the state bid which is \$2.40/gallon. However, Superior Plus is beginning to cut the diesel fuel with kerosene and charging 12¢ more per gallon, the additive has caused a definite drop off in power in the Highway's trucks and they are using almost three gallons more per plowing. The previous supplier, NOCO, would use an additive not kerosene for an anti-gel. Superintendent Peterson spoke with Town Attorney Joel Seachrist regarding accepting a bid not only for best price but best value and return to using NOCO as the supplier at a price of \$2.42/gallon with the additive.

Superintendent Peterson reported that the new highway truck had to be towed to Buffalo for repairs because the EGR cooler ruptured. The truck only has 2,000 miles on it and is still under warrantee.

Superintendent Peterson stated that he has had people contact him and are interested in purchasing pipes that the town acquired when work was done on Route 394 and is being stored at the Lakewood Highway property. Some of them have dings on the end and holes in them making them not usable for town use. He would like to obtain a price per foot from Chemung Pipe and then advertise the pipes for sale per foot. There was discussion regarding the possibility of a drive being built between Chautauqua Mall and Wal-Mart. Chief Bentley and Superintendent Peterson both noted that, in the past, it has been difficult to get

Simon Company to be open to the idea. Code Enforcement Officer Swanson noted that the Village of Lakewood is trying to address the issue of flooding in the mall parking lot and the need of a retention pond. Mr. Mueller noted that there is a grant deadline of June for such issues.

Code Enforcement Officer Swanson reported that he is working on letters to address spring property maintenance issues and continuing to monitor the Calamar project.

Chief Bentley requested that an officer working in the absence of the Town of Busti Court Officer be paid a minimum of two hours at their established officer hourly rate of pay.

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

RESOLVED, that an officer working in the absence of the Town of Busti Court Officer be paid a minimum of two hours at their established officer hourly rate of pay.
Upon roll call vote, all aye.

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

RESOLVED, that upon the recommendation of Lakewood Busti Police Chief, Antonio Calimeri be appointed as Court Officer for the Town of Busti at a rate of \$15/hour effective February 24, 2015.
Upon roll call vote, all aye.

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

RESOLVED, that James Andrews and Jamie Gustafson be appointed to the Board of Assessment Review for a term of five years.
All aye.

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

RESOLVED, that David Paterniti be appointed to the Planning Board for a term of seven years.
All aye.

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

RESOLVED, that Douglas Hooper be appointed to the Zoning Board of Appeals for a term of five years.
All aye.

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

RESOLVED, that Town Clerk Darlene Nygren be authorized to attend the NYS Town Clerk's Association Annual Conference, April 26 -29, 2015 in Rochester, NY.
Upon roll call vote, all aye.

Supervisor Robbins noted that town has two accounts with J.P. Morgan and the bank has recently notified the town that they will begin charging for the accounts starting April 2015 in the total amount of \$140/month.

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

RESOLVED, that Supervisor Robbins be authorized to close the Town of Busti accounts at J.P. Morgan and move the money to M&T Bank.
Upon roll call vote, all aye.

Supervisor Robbins recommended that the Summer Recreation Program be put on temporary hold until the plans for the new community center have been determined, the new policies/procedures that address the liability insurance recommendations are being implemented and the board receives a report from the new Community Center Committee with the results from their survey. Diana Peterson stated that there were options available for an alternative location. She explained that the program is for children 5-12 years of age and last year approximately 28 children participated in the program, some attended the full program and others opted to attend only part or even just one day. Discussion followed. Councilman Hanson suggested that the board look at the options and make a final decision at the next board meeting.

Supervisor Robbins noted that the court clerk's office needs a cabinet to hold Docket and Law books. Johnson and Johnson Builders submitted a design and proposal to build the cabinet of \$2,712.

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

RESOLVED, that the town accept the proposal from Johnson and Johnson Builders to build a cabinet for the Court Clerk office at a price of \$2,712.

Upon roll call vote, all aye.

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, and the Joint Recreation Fund for Abstract No. 5 from warrant #114 to and including warrant #155 in the amount of \$38,758.10.

Upon roll call vote, all aye.

Supervisor Robbins moved to accept the town board minutes of February 17, 2015.

All aye.

Councilman Thor reported that the governor's efficiency plan is due to the state in June, however Chautauqua County is being the lead for municipalities in the county and the plans were due today to the county. In order to qualify and assure that residents would receive rebate checks the town had to save 1% of its total tax levy, which with the consolidation from the sale of the two buildings and other shared services the Town of Busti met its goal.

Councilman Lawton noted that he would like to meet with Councilman Thor and Attorney Joel Seachrist in regards to policies/procedures for the recreation program and discuss the Summer Recreation Program. Councilman Thor stated that the town attorney is reviewing the waivers received from the insurance company and will meet with Councilmen Thor & Lawton with his recommendations. Councilman Lawton reported that the Bike Trail Committee is continuing to look at real estate options and develop a plan for 2015; the group is still active and interested in seeing a bike trail in the Town of Busti.

Councilman Hanson reported that the construction of the holding area outside the courtroom is almost finished. The rear entry will be done once there is a thaw and the contractors can begin to build the ramp to the doorway.

Supervisor Robbins moved to adjourn the meeting at 7:38.m.

Respectively Submitted by:

Darlene H. Nygren, Town Clerk

