

REGULAR MEETING
May 4, 2015

A regular meeting of the Town Board of the Town of Busti was held on May 4, 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
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: Highway Superintendent Melvin J. Peterson, Lakewood Busti Police Chief John Bentley, Attorney Joel H. Seachrist, Code Enforcement Officer Jeffrey Swanson, Village of Lakewood Trustee Sue Drago, Lou Drago, Lakewood Fire Department President Jack Knowlton, Erin Brickly-Chautauqua Lake & Watershed Management Alliance, Sharon and Lee Fischer, Joe Troche, Dennis Brown, Allen Jackson Smith, Jr., Chautauqua County Legislator P.J. Wendell, Thomas Kosinski, and Post Journal Reporter Mallory Diefenbach.

Erin Brickly – Chautauqua Lake & Watershed Alliance presented a request for membership for 2015-16. Ms. Brickly stated that there are 42 target members with an assigned Member Tier based on the level of vested interest and participation in lake and watershed related activities; the magnitude of benefit, direct benefit of receiving grant dollars versus indirect benefits; and fiscal resources. The Town of Busti would fall under Tier 2, \$2,000 annual membership dues. She presented the following incentives for the board's review, membership commitment deadline is July 1st every year:

50% Dues Waiver on Year 1 Membership:

- The Alliance would like to extend a 50% Membership Dues Waiver for all Year 1 Member participants.
 - Voucher is attached. If you would like to take advantage of this discount, simply check the box on the Membership Form and return the Voucher with your completed Membership Form.

Payment Deferral Option:

- The Alliance would like to extend a Year 1 Membership Dues Payment Deferral as a payment option for all Year 1 Member participants.
 - If this option is taken, Year 1 Dues with or without the 50% voucher, can be paid anytime up to July 1st, 2016.
 - Payment of Year 1 deferred Dues and Year 2 Dues by July 1st, 2016 will cover membership from 7/1/15 – 6/30/2017.
 - If you would like to take advantage of the Payment Deferral Option, simply check the box on the Membership Form, initial and date appropriate dollar amount, and sign and date indicating a promise to pay.
- **In other words, you do NOT need to pay anything to become a Member of the Alliance at this time.** We simply request a signature and date on the Commitment for Membership line and completion of the Tier 2 Membership Dues section, indicating your choice for both the 50% Dues Waiver and the Payment Deferral Option on the attached Membership Form.

Importance of Year 1 Membership:

- Participation in our shared mission of improving Chautauqua Lake, its Watershed and our Community via implementation of member projects which align with the Chautauqua Lake Watershed Management Plan, the Macrophyte Management Strategy and the Local Waterfront Revitalization Program.

- The more participation from the start, the more the Alliance can prove multiple stakeholders buy in when applying for State and Federal funding, which will increase the likelihood of successful grant awards. The broader the participation from the start, the less narrow our scope will be.
- Ability to submit projects this year so they are first in the pipeline for possible funding and implementation starting 2016 rather than getting pushed further down the road.
- The fact that Membership includes the opportunity to nominate candidates and vote in a permanent board of directors. Board members can serve up to three terms of three years for a total of nine years, so it is important to be a Year 1 member to participate in the process of nominating and voting in a permanent Board. The Permanent Board of Directors will have a direct impact on the focus and direction of the Alliance.
- Your representative is invited to attend Interim Board Meetings until a Permanent Board is established.

There would be 9 board members including 2 county representatives, 3 municipalities, and 4 at large. The board would have monthly meetings and membership meetings would be annually.

Allen Jackson Smith asked for clarification of how funds were allocated from the sale of the building at 9 W. Summit. Discussion followed. Attorney Joel Seachrist stated that Mr. Jackson was welcome to submit a FOIL request regarding this matter.

Jack Knowlton stated that the veteran cross flag holder project is finished and 520 crosses are ready to be placed on veterans grave sites in the Town of Busti. He wanted to thank the following organizations/individuals for their contribution to the project: Busti Hamlet Development, Busti Lime, Thomas Kosinski, Matco Tool, Lakewood American Legion, and the Town of Busti Highway Department. Mr. Knowlton hopes to put the flags and holders at all Town of Busti cemeteries, active and dormant. He asked for permission to purchase 3 – 55 gallon barrels for the Busti Cemetery to replace the current ones being used and have signs made that read “No Pets Allowed” that will be added to the current Cemetery Rules sign. He will present the cost to the board at the next board meeting. Highway Superintendent Melvin Peterson will work on getting the barrels requested. Supervisor Robbins thanked Mr. Knowlton for all the work that he had done on the crosses.

Sue Drago stated she is on the Chautauqua County Youth Board and wanted the board to be aware that there is funding available for Summer Rec Programs, although it is too late to receive any this year.

Lee and Sharon Fischer asked the board for an explanation about the plans of using land in the Cottage Park area for the future site of a bicycle trail. Supervisor Robbins explained that the town is looking at what town property might be usable for a bike trail and that at this point no decision has been made. He stated there was an application for a \$2,000,000 grant submitted last year for a bike trail running along the train tracks/rails that was not awarded to the town. The town is currently looking alternative locations in town owned property. He noted that the bike trail was part of the comprehensive plan and is still in the planning stage. Discussion followed.

Town Clerk Darlene Nygren stated that the Local Government Records Management Improvement Fund (LGRMIF) Grant was submitted April 24th, the taxes had been returned to the county, and that she had attended the NYS Town Clerk’s Association Conference April 26-29 in Rochester, NY.

Chief John Bentley reported 3,930 incidents year to date. Since the last board meeting there have been 350 traffic stops, 2 DWIs, 17 larceny arrests, 43 other criminal arrests, 197 property checks, 15 drug arrests, and 8 reportable domestic incidents, 24 car accidents, and a drug overdose incident. Councilman Muecheck noted that he had done a ride-a-long on Friday night with the Canine Unit and Officer Casselman. He met several other officers and was impressed with the quality of all the officers and their ability to handle the diverse calls that they went on. He noted that the last call of the night was to locate the owner of a horse that was in the middle of Wellman Road.

Highway Superintendent Melvin Peterson reported that the department has been patching on Wellman Road. They spent today, cleaning up and cutting up a tree in Bentley Cemetery. Great Lakes had cut the large tree down on Saturday, May 2nd, with damage to one marker.

Code Enforcement Officer Jeffrey Swanson requested that the board review the three year special use permits and consider not having a term for special use permits. He feels that the permits should be reviewed if the property is sold or is in violation. He sees changing these now would be a cost savings to the town. Supervisor Robbins stated that the change will be part of the Comprehensive Plan Implementation. Attorney Joel Seachrist stated that the change could be made through a local law, which would cost the town the cost of publication, legal fees, and submitting the law to General Code. Supervisor Robbins asked Mr. Seachrist draft a local law and have the board review it before the next meeting. A public hearing would have to take place before passing the law.

Councilman Mucheck reported that he, his wife, and Councilman Andrews visited the Village of Westfield to look at their recreation program, where 5% of their budget is for the Recreation Program. However, the majority of that money is used towards paying the Recreation Director and staff. The programs that are offered are self-sustaining; the participants pay to cover the overall cost of the particular activity. Their summer recreation program has 120-200 participants compared to approximately 30 in the Town of Busti's program. The cost for the summer program in Westfield is \$20 for each participant for the entire summer which includes lunches and the use of the community pool. However, the children come and go and are not held to any particular schedule. There are many fun indoor activities for rainy days, such as pool tables, air hockey, and other games which were donated from the community. They have roller skating nights that have to hold two sessions because of the number of participants. Westfield utilizes other organizations in the community and has demonstrations, such as fishing at the local Trap Club. Councilman Andrews added that he found it interesting that it was brought to their attention that recreation is ever changing. At the time the Rec Director started working in Westfield, 33 years ago, softball was the main activity and now the softball leagues do not have enough people to have a league. However, soccer and volleyball leagues have become popular and in high demand. He spoke with the Town of Allegheny who stated that one of their biggest activities for kids was roller skating and that the bike trail is very popular and well supported. Joe Troche noted that the town needs to recognize the decline in the number of children in the area and that the concentration should be on the aging population. Therefore, the programs should be geared to supporting the Senior Citizens.

Supervisor Robbins noted that there is an upcoming Asbestos Inspector Training that he would like to see Code Enforcement Officer Jeff Swanson attend. The training will be held in Blasdell, NY on May 20th – May 22nd. Code Enforcement Officer Swanson noted that there is a growing need for Asbestos Inspectors, which currently the closest inspector is located in the Olean/Bradford, Buffalo, and Erie area. Mr. Swanson is not able to issue a demolition permit until an asbestos investigation has been done and with the cost factor and the proper removal it makes it difficult for the owner to clean up their property. In emergency situations, the site has to be reported as a "hot scene" until an inspection has been done even when the building is down. If Mr. Swanson was certified he would be available not only to our town residents but to other area residents. Councilman Hanson noted that it would be a cost savings to the taxpayers due to the fact that the asbestos certifications could be done much cheaper. Attorney Joel Seachrist noted that there is a program that is being developed under an addendum the county highway shared services agreement for joint demolition between municipalities. The current municipal participants are Ripley, Westfield, Chautauqua, and Forestville or Cassadaga. Several of their town highway employees have been trained in removing asbestos and work together in demolishing buildings at a cost savings for the municipalities as well as a discount for depositing the demolition at the land fill.

Councilman Hanson moved the following resolution, which was duly seconded by Councilman Mucheck:
RESOLVED, that Code Enforcement Officer Jeffrey Swanson be authorized to attend Asbestos Training in Blasdell, NY – May 20th through May 22nd. The cost would be approximately \$375.
Upon roll call vote, all aye.

Supervisor Robbins moved the following resolution, which was duly seconded by Councilman Andrews:
RESOLVED, that Joseph Troche' be appointed to the Board of Assessment Review for a term of five years.

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. 9 from warrant #288 to and including warrant #329 in the amount of \$45,104.51.

Upon roll call vote, all aye.

Supervisor Robbins moved to accept the town board minutes of April 20, 2015 which was duly seconded by Councilman Muccheck.

All aye, carried.

Councilman Hanson reported that contractors are looking at the roofs of the municipal buildings to determine the possibility of installing solar panels. The roofs are at varying degrees of repair. The highway building is the oldest along with the roof on the equipment barn, the roof on 125 Chautauqua Avenue is in good shape. The Local Government Records Management Improvement Fund (LGRMIF) Grant was submitted April 24th and will be notified in June if it was awarded to the town. He is still pursuing and gathering information for the concession stand at the soccer field.

Supervisor Robbins moved to adjourn the meeting at 7:56 p.m., which was duly moved by Councilman Muccheck.

All aye, carried.

Respectively Submitted by:

Darlene H. Nygren, Town Clerk