

REGULAR MEETING
February 16, 2016

A regular meeting of the Town Board of the Town of Busti was held on Tuesday, February 16, 2016 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 Jim Andrews
Councilman Kenneth J. Lawton
Councilman Rudy Mueller

Absent: Councilman Todd M. Hanson

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: Lakewood Busti Police Chief John Bentley, Attorney Joel Seachrist, Code Enforcement Officer Jeff Swanson and Ray Ayers.

Town Clerk Darlene Nygren reported her office has collected \$5,280,461.79 toward the 2016 County Town Tax Warrant of \$6,673,522.84. The due date was February 9, 2016; collections now include a 1% penalty through February 29, 2016 after that date a 2% penalty is required. The last day of collection is Friday, April 1, 2016.

Chief John Bentley reported 1,363 incidents YTD. Chief Bentley attended a recent Traffic Safety meeting at which time there was discussion regarding Route 394 and possible future improvements.

Code Enforcement Officer Jeffrey Swanson reported he attended the Western Southern Tier Building Officials Association's meeting on February 11th, there seems to be a lack of understanding of the state's new carbon monoxide detectors regulations, especially regarding whether commercial property can use the plug-in style or if the detectors have to be wired in. He will also be attending a forum with Davis-Ulmer Sprinkler Co. to discuss the carbon monoxide detection requirement, options, and the systems that can monitor the devices properly. CEO Swanson reported that he received a complaint regarding the condition of a shed located on a Lakeside Drive property. Rock Hill Engineering has assessed the condition of the shed and has deemed it unsafe in its current condition, stating that it does not believe the shed is in imminent danger of collapse and that repairs or replacement can wait until spring (copy of the notice was distributed to Councilmen present).

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

RESOLVED, that the 2003 Chevrolet Silverado Pick-Up Truck, Regular Cab, ¾ Ton, 4X4 be declared as surplus equipment.

Upon roll call vote, all aye, carried.

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

RESOLVED, to authorize Highway Superintendent Peterson to organize placing the 2003 Chevrolet Silverado Pick-Up Truck, Regular Cab, ¾ Ton, 4X4 up for bid with minimum bid of \$499.00. Sold as is, where is. The Town of Busti reserves the right to reject any and all bids or to waive any defect or informalities in the bidding. Sealed envelopes containing each bid must be clearly marked on the outside. Bids will be received at the office of the Town Clerk, 125 Chautauqua Avenue, Lakewood, New York, 14750, no later than 12:00 Noon, March 7, 2016 at which time they will be opened and read. The bids will be presented to the Town Board at the March 7, 2016 meeting.

Upon roll call vote, all aye, carried.

Supervisor Robbins noted Code Enforcement Swanson has informed him that town owned properties located in the Cottage Park area, involving where 4th, 5th, 6th Avenues and Chautauqua Boulevard dead end, are in violation of property maintenance and are in need of clean-up to be compliant with town code. To ensure that the town is not encroaching on private property a survey should be completed. Discussion followed.

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

RESOLVED, that Steve Carlson be authorized to survey the said property at a cost of approximately \$1,000.

Upon roll call vote, all aye, carried.

Attorney Joel Seachrist will notify area residents regarding the survey, the clean-up, and the need to remove any personal property prior to a specific date, yet to be determined.

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

RESOLVED, that Town Clerk Darlene Nygren be authorized to attend the 2016 New York State Town Clerks' Association Conference, April 17-20, 2016 in Saratoga Springs, New York.

Upon roll call vote, all aye, carried.

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

RESOLVED, that Town Clerk Darlene Nygren and Bookkeeper Susan Williams be authorized to attend the Office of State Comptroller's Advanced Accounting School, May 24-26, 2016 in the Town of Chenango. Saxton, Kocur, and Associates will pay Ms. Williams portion of the cost.

Upon roll call vote, all aye, carried.

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

RESOLVED, to execute interfund transfers from the General Fund (A) to the Bentley Cemetery (TE1) in the amount of \$5,758.88; from the General Fund (A) to the Wellman Cemetery Fund (TE3) in the amount of \$2,594.60; from the General Fund (A) to Library (L) in the amount of \$322.70; and from the General Fund (A) to Drainage District #2 (SD2) in the amount of \$651.22. By definition, interfund transfers are transfers intended to subsidize the receiving funds and will not be repaid.

Upon roll call vote, all aye, carried.

Supervisor Robbins read a letter from Busti Church of God's Administrative Council who would like to meet with the Town Board and discuss their offer to make the church's Family Lift Center available to meet some of the recreational and fellowship needs of the Town of Busti. Supervisor Robbins will acknowledge receipt of the letter and schedule a meeting date.

Supervisor Robbins reported he received a letter from Village of Lakewood Mayor, Cara Birrittieri, regarding joint meetings of the Town Board and Village Board in the months have a fifth Monday. Discussion followed.

Supervisor Robbins motioned that he be authorized to write a letter of response to Mayor Birrittieri suggesting effective open communication between the Mayor and the Supervisor be the first approach; each would be responsible to keep the respective board informed of that communication, if at any time there was a subject that required both boards' immediate attention a special joint meeting could be scheduled which would be in accordance to the Open Meetings Law with an agenda and either the Supervisor or Mayor serving as chairman. Motioned was duly seconded by Councilman Mueller.

All in favor, carried.

Supervisor Robbins noted that he received a letter dated October 26, 2015 from the Village of Lakewood Board of Trustees regarding the Busti-Lakewood Community Center contributions, expenditures, and fund balance. He has referred the letter to Attorney Joel Seachrist and has asked to State Comptroller's office to do a complete audit of the Joint Recreation funds. Discussion followed. The board agreed that a letter of response should be sent to the Village Trustees regarding their request.

Supervisor Robbins moved the following resolution 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.28 from warrant #983 to and including warrant #984 in the amount of \$596.77; and Abstract No. 4 from warrant #048 to and including warrant #090 in the amount of \$312,849.33.

Upon roll call vote, all aye. Carried.

Supervisor Robbins moved to accept the February 1, 2016 town board minutes which was duly seconded by Councilman Andrews.
All aye. Carried.

Councilman Mueller noted that the total revenues for both the Hazeltine and Lakewood Memorial Libraries are \$245,000/per year; 2/3 of the revenue comes from the tax payers = \$161,000; the total expenditures are \$161,000+; and 60% of the expenditures go towards the cost of running both libraries.

Councilman Lawton noted that the NOVA cards have been turned back on with the exception of one, which NOVA is requesting the employee submit claim documentation. Councilman Lawton attended a webinar for the Municipal Restructuring Fund, which is \$25 million that the governor has made available for municipalities that have a restructuring project that will ultimately save taxpayer money. The next webinar is scheduled for February 18th. The bike trail would not qualify for the grant. He reported the LoCo Trail committee will be meeting with the CEO from the railroad on Wednesday, February 24th to discuss options of on/off entries from the railroad tracks for the proposed trail and what the savings would be. The committee continues to discuss where the best location for the trail might be, organize the options, and finalize a plan for funding.

Supervisor Robbins noted he has been informed that some 2015 claims to Health Republic have not been paid. He spoke with Lou Croce, who confirmed that the insurance company did not make payment on some claims prior to their bankruptcy. Mr. Croce provided contact information for NYS Health Marketplace and stated that many claims are not getting paid, however he thought that it was the providers that were left with the loss not the members. Supervisor Robbins stated that he would like to have the Town of Busti assist the affected employees with any outstanding claims. Discussion followed. Town Clerk Nygren will send the following notice to all employees who used Health Republic in 2015: “The Town Board is aware that Health Republic has not paid some healthcare claims. Please contact your physician(s) and verify that all claims have been paid. In the case that a claim has not been paid please provide a current copy of the outstanding bill to the Town Clerk’s office by Friday, March 4, 2016. The board will discuss the situation at the March 7th meeting. It is important that all claims are submitted on time as no claims will be accepted after this date.”

Supervisor Robbins noted that he will meet with the Office of the State Comptroller Examiners on February 17th to discuss the preliminary draft findings of their recent examination to ensure that the findings are accurate and complete. The OSC has asked that the information contained in the document be kept confidential until it is formally released from Albany.

Supervisor Robbins moved to adjourn the meeting at 8:04 p.m. which was duly seconded by Councilman Lawton.
All aye.

Respectfully Submitted,

Darlene H. Nygren, Town Clerk