REGULAR MEETING
December 5, 2011

A regular meeting of the Town Board of the Town of Busti was held on December 5, 2011 at 6:45 p.m., at the Town Administration Building, 121 Chautauqua Avenue, Lakewood, New York with the following members present:

Supervisor Kathleen A. Sullivan
Councilman Jesse M. Robbins
Councilwoman Marsha L. Hern
Councilman Richard A. Sanders
Councilman Kenneth J. Lawton

Supervisor Sullivan called the meeting to order with the salute to the flag and a moment of silence was observed.

Present at the meeting were: Angelo & Diane Terrano, Tom Moore, William Burk, Lorie Robbins, Loren & Gloria Parker, Busti-Lakewood Recreation Director Diana Peterson, Zoning, Building & Code Officer Melanie Eddy, Assessor Randy Holcomb, Lakewood-Busti Police Chief John Bentley, Richard Thor, Attorney Joel H. Seachrist, Highway Superintendent Melvin J. Peterson and Post Journal Reporter Dennis Phillips.

William Burk noted his desire to be appointed to the town board when a there is a vacancy.

Lakewood-Busti Police Chief John Bentley reported 589 incidents for November with year to total of 9,440.

Highway Superintendent Melvin J. Peterson reported that the highway department is on split shifts for the winter months.

Councilman Sanders offered the following motion which was duly seconded by Councilwoman Hern:

RESOLVED, that upon the recommendation of Highway Superintendent Melvin Peterson that he be authorized to purchase JCD 409ZX Compact Loader under state bid at approximately $63,000 which is a lower amount that was previously quoted.
Upon roll call vote, all aye.

Supervisor Sullivan noted information submitted regarding Lee & Sharon Fischer properties in violation of the junked vehicles law.

Supervisor Sullivan moved to hold a public hearing on December 19, 2011 at 7:00 p.m. in relation to the notice of apparent violation pursuant to the Town of Busti's Junked Vehicles law served on Lee & Sharon Fischer which was duly seconded by Councilman Robbins.
Upon roll call vote, all aye.

Supervisor Sullivan stated the following changes to the Jamestown Board of Utilities

Water Agreement.

     1) Maintain the rate percentages as per the current agreements, and per the draft extension agreements, and

     2) Modify the length of both draft agreements to ten (10) years, and

     3) Remove the opt-out paragraph currently in both draft agreements.

Councilman Sanders made a motion to approve the water contract as laid out by the Jamestown Board of Utilities which was duly seconded by Councilwoman Hern:

Upon roll call vote,

Supervisor Sullivan, aye

Councilman Robbins, aye

Councilwoman Hern, aye

Councilman Sanders, aye

Councilman Lawton, nay

Supervisor Sullivan noted the following reports & correspondence:

     Assessor's Office Report dated December 5, 2011.

     State of New York, Department of State re: Local Law No. 5 2011 filing.

     New York State Department of Transportation re: Designation of Restricted Highway: A portion of New York Route 394 Fairmount Avenue from New York Route 474 to Jackson Avenue in the Town of Ellicott.

     Time Warner Cable regarding agreements with programmers.

Supervisor Sullivan made a motion to approve the Independent Health IDirect Series for the town health insurance for 2012 which was seconded by Councilwoman Hern:

All aye.

Supervisor Sullivan moved to go into executive session to discuss salary personnel changes for 2012 Organization Minutes.

All aye.

Supervisor Sullivan moved to return from executive session which was duly seconded by Councilwoman Hern:

All aye.

Supervisor Sullivan offered the following motion which was duly seconded by Councilman Sanders:

     RESOLVED, that Supervisor Sullivan be authorized and directed to pay the presented General Fund, Highway Fund, Joint Recreation Fund and the Hazeltine Public Library for Abstract No. 19 from warrant #846 to and including warrant #885 in the amount of $158,446.48.

Upon roll call vote, all aye.

Upon motion duly made by Supervisor Sullivan the meeting adjourned at 7:30 p.m.

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                                 Diane M. VanDewark, Town Clerk