

REGULAR MEETING
November 3, 2014

A regular meeting of the Town Board of the Town of Busti was held on November 3, 2014 at 6:45 p.m., at the Busti Lakewood Recreational Center, 9 W. Summit St, Lakewood, New York with the following members present:

Supervisor Jesse M. Robbins
Councilman Richard B. Thor
Councilman Kenneth J. Lawton
Councilman Todd M. Hanson
Councilman Brett A. Muccheck

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: Mary Griffin, Craig Butler – Chautauqua Lake Association, Rudy Mueller, Jim Loomis, Michael Volpe, Matt Stafford, Jack Knowlton, Kurt Hallberg, Tom Danielson, Steve Smouse, Tom Hurley, Eugene Archer, Laura Gilbert, Todd Gilbert, Thomas Brown, Andy Dickson, Cheri Burk, Code Enforcement Officer Jeff Swanson, Highway Superintendent Melvin Peterson, Busti-Lakewood Recreation Director Diana Peterson, and Lakewood-Busti Police Chief John Bentley.

Craig Butler presented the 2014 Operating Budget Breakdown for Chautauqua Lake Association Funding Sources. Mr. Butler thanked the Town of Busti for their continued support. The 2014 budget included total revenue of about \$635,000. He pointed out that the largest source of funding for the association came from governmental support (37%), Membership Support is 30%, Foundation Support is 23%, 4.5% is from Contract Services, and 5.5% is from various fundraisers which includes the sale of flares for the Fourth of July. The 2015 budget will be around \$625,000, the association relies upon sources, such as from local municipalities, to meet their budget. Vegetation from the lake this year was about 3,000 tons; 2012 & 2013 the vegetation removed was around 7,000 tons. There was about 188 tons of debris following the epic storm that hit the lake area in May. The Chautauqua Lake and Watershed Alliance is being established to raise support from grants and other sources of non-local funds and Chautauqua Lake Association is supportive of their mission but sees that CLA is vulnerable if money is diverted from its funding sources to the alliance. The governmental support for CLA includes New York State, Chautauqua County, Town of Busti, Town of Chautauqua, Town of Ellery, Town of Ellicott, Town of North Harmony, Village of Bemus, Village of Lakewood, and Village of Mayville.

Town Clerk Darlene Nygren reported that she and Councilman Thor sat through the Property Tax Cap Webinar; Chautauqua County Town Clerks had a presentation from Chautauqua County regarding Civil Service positions and any requirements for reporting and/or filling such a position. Town Clerk Nygren reported that she had contacted Mr. Kirsch, from Southwestern Central School's art department about possibly displaying students' photos of the Town of Busti in the new Administration Office.

Chief Bentley reported 10,485 incidents year to date, which is 1,558 more than last year.

Highway Superintendent Melvin Peterson reported that mowing is still being done with the excavators and bush hog. The snow plows are being brought in. The department is working on the front plow hitch for the new truck and will be building a new wing; they will be hand patching tomorrow for the last time of the season. The blacktop plant closes in two weeks.

Code Enforcement Officer reported that there has been a lot of new residential construction including Calamar which has the footers in and started plumbing for the new Senior Housing Complex off of Southwestern Drive. He has addressed and resolved the issue of unregistered vehicles on several properties.

Supervisor Robbins noted it was 7:00 p.m. and time to open the Public Hearing for the 2015 Preliminary Budget. Supervisor Robbins moved to open the public hearing which was duly seconded by Councilman Muccheck. Upon roll call vote, all aye.

Proof of publication was placed on file.

Rudy Mueller noted that he thought that it was a good budget. It includes a reduction in spending, a small tax

increase which is significantly less than in the past, assessments went up so the tax rate will be lower than in previous years, and used a third less in surplus funds. He noted that the county did not have a tax increase, they actually reduced their tax rate and Mr. Mueller thought that the town could do the same if \$13,000 more of surplus funds were used in the town wide highway fund. One more suggestion was to use funding from the surplus for the rail to trail project, budgeting \$10,000/per year for five years. Mike Volpe voiced his concern of the amount budgeted for the fire departments going to a 1 ½% increase from 2 ½ %, it has continued to decrease over the past fifteen years. The departments are looking for improvements in that area. Supervisor Robbins noted that the town is under a tax cap limit of 1 ½ % by the state. He suggests that the town and fire departments enter a five year contract with 1 ½ % increase per year with the understanding that it will be reviewed in two years. Jack Knowlton stated that he had a problem with the town setting aside any money for a bike trail and cutting back on funding for public safety. He noted that the fire departments can be considered a shared service for the town and as volunteers they save the town money. Tom Danielson noted that with the new Senior Housing Project being built on Southwestern Drive there will be more calls. Councilman Lawton thought that the town should find a way to support the fire departments. Councilman Hanson suggested that if there is a change in the preliminary budget the fire department funding should be first priority. Supervisor Robbins will contact the State Comptroller's office and the Association of Towns to verify if some changes can be made. He stated that the town can give the fire departments a 1 ½ % increase for the next two years and will have to renegotiate in three years.

Supervisor Robbins moved to close the public hearing at 7:40 p.m., which was duly seconded by Councilman Thor. All aye.

Highway Superintendent Melvin Peterson reported that he has received three bids for the tree removal at Bentley Cemetery: Great Lakes - \$1,500; Maple Springs - \$1,900; and Charlie Marsh-Tree and Stump Removal - \$2,000 to \$2,500.

Councilman Thor moved the following resolution which was duly seconded by Councilman Muecheck.

RESOLVED, that Highway Superintendent accept the lowest bid of \$1,500 from Great Lakes to remove the tree at Bentley Cemetery.

Upon roll call vote, all aye.

Jack Knowlton stated that the fire departments could not go from year to year to agree on funding, they need to know what funds will be coming in. He felt that if the town could commit to continue to support the departments for the next five years and revisit the percentage of increase on a yearly basis. Councilman Hanson asked if a five year agreement with 1 ½ % was acceptable. Mike Volpe stated that was acceptable provided that it could be reevaluated each year.

Councilman Thor moved that Town Clerk submit the agreement with National Grid Decoration Attachment Agreement, which was duly seconded by Supervisor Robbins, all aye. Carried.

Supervisor Robbins made 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, Joint Recreation Fund and the Hazeltine Public Library for Abstract No. 22 from warrant #792 to and including warrant #831 in the amount of \$41,007.49.

Upon roll call vote, all aye.

Supervisor Robbins moved to accept the minutes from October 20, 2014, which was duly seconded by Councilman Muecheck. All aye. Carried

Councilman Muecheck reported that he will be attending the Southern Tier West Fall Planning and Zoning Conference. He was unable to attend the first Comprehensive Implementation Committee meeting on October 29th. The next meeting is scheduled for November 25th.

Councilman Thor reported that he and Town Clerk Nygren met with Joe Niezgoda to review the NYMIR liability insurance policy for the upcoming year renewing on February 15, 2015. There will be no rate increase. There was an additional cost of \$200 for Employee Practices which will cover false firing, harassment, or any other employee issue that could come up. The board will have to decide if they want to add that to the policy.

Councilman Lawton regretfully reported that the LoCo Rail Trail did not receive the grant from TAP for \$1,600,000. But they continue to be committed to this project. He wanted to thank the Town of Busti for sponsoring

the application. He would like to meet with some of the fire department members to discuss safety on the bike trail. He feels that it promotes safety as it would get cyclists off the streets. He would like to see how the budget could be modified to support the bike trail. He would like to see continued support from the town and continue to support grant applications. Councilman Thor pointed out that there is still no contract from the railroad. He also would like to find out why the grant was not granted. Councilman Lawton stated that the committee has been in contact with the DOT to receive an explanation of why the grant was not given to the trail. When the committee receives that information he will pass it on to the board.

Councilman Hanson reported that he is trying to finalize minor renovations at 125 Chautauqua Avenue for the multi-use areas for the court, the town hall and the community center. He stated that the town needs to find a way to support the fire departments and the Busti Historical Society during their community events, as they are both a part of bringing visitors to the Town of Busti. The comprehensive plan states that the town is trying to get more community involvement and more community activities, which both the fire department and historical society are a big part of the community events.

Mike Volpe wanted to thank the board for listening to the departments concerns, he realizes that it is not a one sided event. He stated that we need to plan for the future and that can be done with a contract.

Supervisor Robbins moved that the board enter into executive session at 8:09 p.m. to discuss a contract, which was duly seconded by Councilman Thor. All aye. Carried.

Supervisor Robbins moved to close the executive session at 9:21 p.m., which was duly seconded by Councilman Lawton. All aye. Carried.

Councilman Hanson to adjourn the meeting at 9:22 p.m., which was duly seconded by Councilman Muccheck.

Respectfully Submitted by:

Darlene H. Nygren, Town Clerk