

REGULAR MEETING
March 3, 2014

A regular meeting of the Town Board of the Town of Busti was held on March 3, 2014 at 6:45 p.m., at the Town Administration Building, 121 Chautauqua Avenue, Lakewood, New York with the following members present:

Supervisor Jesse M. Robbins
Councilman Richard B. Thor
Councilman Brett A. Muccheck
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: Attorney Joel H. Seachrist, Lakewood-Busti Police Chief John Bentley, Highway Superintendent Melvin J. Peterson, Busti Recreation Director Diana Peterson, Deputy Town Clerk Susan Huffman, Randy Fill, Post Journal Reporter Mallory Diefenbach, Susan Chandler, Michelle Turner, Tim Young, Village of Lakewood DPW Supervisor Tom Pilling, Jerry Holmes, Mary & Ted Mc Cague, Hart Jordan, Jackson Smith, Cara Birrittieri, David Bargar, Craig Seger, Josiah & Sonja DuBois, David Menzies, Nancy Bargar, Rudy Mueller, Village of Lakewood Trustee David DiSalvo, Craig Seger, Randy Ridgeway, and William Evans III.

Supervisor Robbins read the following statement: "Members of the public who wish to speak will address the Chair, when given the right to speak by the Chair, they will state their name and address so the clerk may record them. Members of the public will have 3 minutes to speak and are please asked to refrain from personal attacks on anyone, whether present or not. Each member of the public will be allotted one opportunity to hold the floor during each meeting, any additional time will be solely at the discretion of the Chair."

Attending residents voiced their continued questions and concerns regarding the sale of property at 121 Chautauqua Ave., Lakewood and the purchase of 125 Chautauqua Ave., Lakewood; including written questions that were given to the board and read by William Evans III.

Supervisor Robbins noted the following reports;
Busti Fire Department – 2014 Officers
Lakewood Fire Department – 2013 Annual Report
December 2013 and January 2014 Building Permit Reports

Town Clerk Darlene H. Nygren reported that the Clerk's office has collected \$5,384,818.07 in 2014 County & Town Taxes, with an outstanding balance of \$1,166,203.83.

Lakewood Busti Police Chief John Bentley reported that he did not have a monthly report due to continued computer issues. There have been 2,155 incidents YTD and 979 incidents in the month of February. Two officers recently attended Officers Management Leadership School. Three officers attended Active Shooters School put on by Department of Criminal Justice Services in Jamestown Police Department. The Canine Unit is moving forward.

Highway Superintendent Melvin J. Peterson reported that he regretfully accepted Tim Young's retirement after 21 years of service. Salt deliveries continue to be hard to get. Supervisor Robbins asked the board and those in attendance to publicly thank Tim for his service to the town.

Supervisor Robbins tabled the Resolution for Disinterment Policy until the board receives interment policy figures from other municipalities and/or cemeteries for comparison.

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

RESOLVED, that Councilman Lawton and Town Clerk Darlene Nygren be authorized to attend Newly-Elected Town Officials training on March 6, 2014 at Southern Tier West in Salamanca, New York. Upon roll call vote, all aye.

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

RESOLVED, that Town Clerk Darlene Nygren be authorized to attend the NYS Town Clerk's Association Conference, April 27th – April 30th, 2014 in Saratoga Springs, NY. Upon roll call vote, all aye.

Supervisor Robbins tabled the Law for Sediment and Erosion Control; he asked that the councilmen review the Town of Ellery's law regarding the same before the March 17, 2014 meeting.

Councilman Lawton requested clarification regarding the purchase of 125 Chautauqua Avenue and the contingency clause of the sale of 121 Chautauqua Avenue. Attorney Joel Seachrist noted that if the permissive referendum petition arrives and is found acceptable the town can not be forced to proceed with the purchase. However, if there are adequate surplus funds available the town can proceed with the purchase without a permissive referendum.

Councilman Lawton noted that he understood that the town had received an offer from Sam Whitmore to purchase 125 Chautauqua Avenue, Attorney Joel Seachrist clarified that the offer was made via an email and an email offer is not considered as a legal offer.

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. 5 from warrant #077 to and including warrant #118 in the amount of \$65,655.16. Upon roll call vote, all aye.

Supervisor Robbins moved to accept the town board minutes of February 3, 2014. All aye.

Councilman Thor reported that he and Tolman Engineering met at the 125 Chautauqua Avenue building and discussed the logistics and the future layout of the town court, and administration offices.

Councilman Lawton reported that the Pashek Associates has informed him that Oil City, Pennsylvania has an established bike trail that runs parallel to the WNY & PA railroad. Councilman Lawton, also, spoke with the President of the railroad and has a meeting scheduled for Friday, March 7, 2014 to present the plans of a future bike trail and the possibility of running alongside the railroad.

Upon motion duly made by Supervisor Robbins the meeting adjourned at 7:35 p.m. All aye.

Darlene H. Nygren, Town Clerk