

FEBRUARY 13, 2012

The twenty-first regular meeting of the Board of Trustees of the Village of Lakewood, NY, was held Monday, February 13, 2012 at 6:30 PM, with Mayor David T. Wordelmann presiding. Trustees present were Susan F. Drago, Susan G. Lane and Joseph M. Troche. Also present were Village Clerk Joseph M. Johnson, Village Treasurer Andrea J. Windoft, Police Chief John R. Bentley, Fire Chief Kurt W. Hallberg, and Building Inspector Charles L. Smith. Absent were Village Trustee Gale A. Denn, Village Attorney Edward P. Wright and Department of Public Works Supervisor Thomas R. Pilling.

ANYONE TO BE HEARD

Mrs. Susan Chandler, 207 West Summit Street, asked Mayor David T. Wordelmann if the Village of Lakewood has heard anything more regarding plans by Darden Restaurants, Orlando Florida, to build an Olive Garden restaurant on an "outparcel" of the Chautauqua Mall.

Building Inspector Charles L. Smith indicated that he hasn't heard anything lately but added Darden Restaurants would have likely contacted him if for any reason they weren't going through with the project. Mr. Smith said it is his understanding the real property transfer has taken place and everything is still a go.

Mayor Wordelmann noted the representative from Darden Restaurants who spoke at the informal plan review conducted back on October 19, 2011, said that the restaurant in Lakewood was just one of many they were proposing to construct throughout the northeast in the upcoming construction season. Although we are certainly anxious to see it get started, the national restaurant chain will move at their pace concerning this particular project.

APPROVAL OF MINUTES

Motion by Trustee Troche, seconded by Trustee Lane, to approve the minutes of the last regular meeting of the Board of Trustees, held January 23, 2012.

Adopted: 3 ayes, no nays (Drago, Lane, Troche)

AUDIT OF CLAIMS

Motion by Trustee Drago, seconded by Trustee Lane, that the claims as audited by the Auditing Committee of the abstract dated February 13, 2012, be approved and that the Clerk shall execute said abstract and direct payment by the Treasurer. General Fund: \$ 58,379.42

Adopted: 3 ayes, no nays (Drago, Lane, Troche)

REPORTS

Police Chief John R. Bentley reported that the Lakewood-Busti Police Department is very busy and has responded to one thousand three hundred ninety-five reportable incidents year-to-date. Chief Bentley also noted that there have been a number of larcenies reported where individuals have had property stolen from their unlocked cars. He reminded residents to please lock their cars. Chief Bentley then said he has been asked by a few residents to keep the deer population issue on the front burner.

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If nothing else, he is hopeful the New York Department of Environmental Conservation will allow the issuance of additional permits to area deer hunters next year as a means to keep the deer population in check. Chief Bentley also reported that over the weekend an officer, while parked on the side of Southwestern Drive, near Baker Street, investigating a car accident at that location, was rear ended by a car that lost control as it tried to stop on the snow and ice covered highway. Chief Bentley said Officer Jared D. Gustafson who sustained a minor back injury, was treated and released from WCA Hospital.

Chief Bentley indicated the police patrol car sustained only minor damage, which will be covered by the insurance company of the driver at fault.

Chief Bentley then asked Mayor Wordelmann and the Board of Trustees if he may order two (2) new marked police patrol cars based on the bids received Friday, February 3, 2012. The low bid of \$ 24,672.80/car was submitted by Lake County Dodge, Jamestown, New York. Chief Bentley indicated that the bid is approximately \$ 2,500.00 less than last year's bid price for vehicles.

Mayor Wordelmann indicated to Chief Bentley that a question he has is how can the Village of Lakewood authorize you to purchase two (2) new police patrol cars prior to approval of the upcoming budget. If the Village of Lakewood accepts the low bid are we also authorizing the purchase of two (2) new police patrol cars.

Chief Bentley indicated the timetable for ordering new police vehicles is now because the last date to order is March 15th with expected delivery after the beginning of the new fiscal year June 1st.

Trustee Joseph M. Troche indicated the Board of Trustees still has some time to decide whether or not to order the two (2) police patrol cars, depending on whether or not they are to be included in the upcoming budget.

Chief Bentley indicated to members of the Board of Trustees that he'll need to know what they wish to do so he can prepare his departmental budget accordingly.

Mayor Wordelmann indicated he has directed the respective department heads to submit their tentative budgets to him by February 24th. The tentative budget then must then be filed with the Village Clerk no later than March 20th. He then asked members of the Board of Trustees if they have enough information regarding the police car bids and the needs of the Lakewood-Busti Police Department to make a decision this evening.

Trustee Susan B. Lane asked Chief Bentley how does the Village of Lakewood get rid of the old police cars.

Chief Bentley said in the past they have been sold at an annual auction with the proceeds deposited into the general fund. He said the cars that he plans on changing out are three years old and have about 140,000 miles on them. He said on average police patrol cars are in motion or idling eighteen hours a day.

Mayor Wordelmann indicated it is his opinion that the Village of Lakewood doesn't have a choice other than to authorize Police Chief Bentley to purchase two (2) new police patrol cars, replacing the two (2) oldest cars. He indicated that it has been the practice for a number of years to rotate out two old police patrol cars and purchase two (2) new vehicles each year.

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Fire Chief Kurt W. Hallberg reported the Lakewood Volunteer Fire Department has responded to one hundred six alarms year-to-date, which includes seven alarms today.

Mayor Wordelmann wished to thank Fire Chief Hallberg and the entire banquet committee for the wonderful evening had by all, at the Lakewood Volunteer Fire Department's annual awards banquet this past Saturday evening.

One question Mayor Wordelmann had for Chief Hallberg had to do with providing keys to the fire station for members of the Lakewood-Busti Police Department who wished to make use of the weight and work-out room at the fire department.

Chief Hallberg said he would like to oblige, but first he would like to find out who already has a key. Then he will be able to distribute keys to those individuals who need a key. He also thought it would be a good idea to post a sign-in sheet in the physical training room so as to monitor who is coming and going.

Trustee Susan F. Drago asked Chief Hallberg if he had an opinion regarding the proposed site for the farmers' market across from the fire station off Packard Ave.

Chief Hallberg said the ladder truck can exit the fire station without a problem, however to back it into the fire station would require it to encroach upon the area where the farmers' market would be set up.

It was the consensus of the Board of Trustees for the organizers of the farmers' market to look for a less precarious location for their market this year.

Building Inspector Charles L. Smith indicated he completed his annual report for the year 2011 and distributed it to the Board of Trustees for their review and comment.

Mr. Smith then reported that Chautauqua County has received a communications grant which will allow the Village of Lakewood to connect to their microwave system in place at the South & Center Chautauqua Lake Sewer District plant and office building in Celoron, N.Y. This system would piggyback on the county's system for internet service eliminating the need for Time Warner Cable's services. This connection would also provide intra-county phone service which would eliminate the need for two phone lines, thus saving the Village of Lakewood some more money. The other connection being considered is a fiber optic system through DFT Communications, Fredonia, New York. By all accounts, either system would likely save the Village of Lakewood about \$ 500.00/month in communication costs. Mr. Smith indicated that he and Village Treasurer Andrea J. Windoft also recently met with representatives from Windstream New York, Inc. to review the Village of Lakewood's phone needs and to consider any upgrades. The only cost to the Village of Lakewood would be the construction of an adequate tower adjacent to the Village Hall to receive microwaves from the county run sewer treatment plant in Celoron. The cost of the microwave tower has been estimated at \$3,000.00.

Mayor Wordelmann asked Mr. Smith what will the microwave tower consist of.

Mr. Smith said it could be something as simple as a free standing pole which could be anchored near the north side of the building.

Trustee Troche said of the two choices he would favor fiber optic over the microwave system.

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Mr. Smith said a down side of the fiber optic system is the contract is only good for five years, at the end of which the Village of Lakewood would have to pick-up its operational costs. By contrast, the microwave system could last up to ten years, with no extraordinary costs. Mr. Smith said he still needs to get some specific cost estimates from DFT Communications, with respect to the fiber optic system.

Mayor Wordelmann indicated to Mr. Smith that according to his annual report for 2011, \$ 10,243.24 in fees were collected, however only \$ 2,000.00 was appropriated as revenue in the current budget.

Mr. Smith indicated 2011 was a very busy year for new home construction and commercial remodels.

Trustee Troche asked Mr. Smith when was the last time the Village of Lakewood adjusted its fee schedule for building and zoning permits.

Mr. Smith said it has been a few years since the fee schedule was adjusted, adding the fees charged by the Village of Lakewood are about half of those that the Town of Ellicott charges.

Mayor Wordelmann suggested that the Board of Trustees should think about adjusting the building department's fee schedule when considering other possible amendments to the Village of Lakewood's Zoning Law later in the year.

Mayor Wordelmann then asked Building Inspector Smith about the status of the complaint concerning the condition of the properties at 8 & 10 Olive Ave.

Building Inspector Smith indicated he solicited a written complaint from Mr. Gale Seekings, the next door neighbor at 12 Olive Ave. Mr. Bruce Carlson, the owner of 8 & 10 Olive Ave., is scheduled to appear in Town of Busti Court on March 22, 2012.

MAYOR'S REPORT

Mayor Wordelmann indicated that he recently met with Town of Busti Supervisor Jesse Robbins and discussed possible projects the two municipalities would like to work together on in the upcoming year. A couple of matters that the town and village must work on are the joint recreation agreement and the police services agreement. With that said Mayor Wordelmann indicated he would like to appoint Trustee Susan F. Drago to join him on the recreation committee to work together with two members of the Town of Busti Board to develop and negotiate a new recreation contract/agreement. Mayor Wordelmann said he would also like to appoint Trustee Joseph M. Troche to join him on the police services committee to negotiate a new police services agreement between the Village of Lakewood and the Town of Busti. Mayor Wordelmann concluded his report saying he is looking forward to working with Supervisor Robbins and the Town of Busti and doing some good things together.

RESOLUTION #105-2011-2012 – AWARD BID FOR POLICE PATROL CARS

Motion by Trustee Troche, seconded by Trustee Drago, per the recommendation of Mayor David T. Wordelmann, for the Village of Lakewood to accept/award the low bid as submitted by Lake County Dodge, Jamestown, New York, for two 2012 marked Dodge Charger police patrol cars, at the price of \$ 24,672.80 per car.

Adopted: 3 ayes. no nays (Drago, Lane, Troche)

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RESOLUTION #106-2011-2012 – SET 4TH OF JULY & SUMMERFEST ACTIVITIES

Motion by Trustee Troche, seconded by Trustee Lane to set the 2012 4th of July/Summerfest activities for Wednesday, July 4, 2012 and to authorize Mayor Wordelmann to execute a contract/agreement between the Village of Lakewood and Zambelli Fireworks Mfg. Company, New Castle, PA, regarding the proposed fireworks display scheduled for 10:00 PM. Cost of the fireworks will total \$ 10,000.00. The summerfest activities will include the Firecracker 10-K and 2 mile road races conducted by the Lakewood Family YMCA, street sale, concert by Big Leg Emma and giant fireworks display. Mayor Wordelmann then asked Trustee Drago and Trustee Lane to be members of the 4th of July Committee to assist in organizing this year's event.

Adopted: 3 ayes, no nays (Drago, Lane, Troche)

RESOLUTION #107-2011-2012 – AUTHORIZE USE OF FUELING FACILITY

Motion by Trustee Drago, seconded by Trustee Lane authorizing the Lakewood-Busti Police Department to utilize the fueling facility located at the Town of Busti Highway garage, for refueling their fleet of vehicles as needed.

Adopted: 2 ayes, 1 nay (Drago, Lane), (Troche)

Trustee Troche explained he is not for this proposal at the present time because there are things that need to be worked out in the police services contract/agreement between the Village of Lakewood and the Town of Busti. Trustee Troche said he would prefer for the police vehicles to continue to refuel at Don's Car Wash.

Town of Busti Supervisor Jesse Robbins indicated it is a great time for the Village of Lakewood and Town of Busti to let the taxpayers know that we are working together in sharing certain services to save money. This particular endeavor won't cost the Village of Lakewood anything. He said the police department will be saving 6.5 to 7.0 cents per every gallon of gasoline that is pumped into their vehicles.

Trustee Troche disagreed with Supervisor Robbins, saying the time isn't right.

Motion by Trustee Drago, seconded by Trustee Troche, and unanimously carried, the Board adjourned at 7:13 PM.

Joseph M. Johnson
Village Clerk