

FEBRUARY 25, 2013

The twenty-third regular meeting of the Board of Trustees of the Village of Lakewood, NY, was held Monday, February 25, 2013 at 6:30 PM, with Mayor David T. Wordelmann presiding. Trustees present were Susan F. Drago, John Jablonski and Joseph M. Troche. Also present were Village Clerk Joseph M. Johnson, Police Chief John R. Bentley, Village Attorney Edward P. Wright, Department of Public Works Supervisor Thomas R. Pilling, Fire Chief Kurt W. Hallberg and Building Inspector Charles L. Smith. Absent were Trustee Gale A. Denn and Village Treasurer Andrea J. Windoft.

MAYOR'S REPORT

Mayor David T. Wordelmann indicated to those in attendance he wished to take a couple of minutes to explain and clarify where the Village of Lakewood and Town of Busti are with respect to a new five year police services contract/agreement between the two entities beginning in January 2014. Mayor Wordelmann indicated according to the terms of the original police services contract/agreement the Town of Busti paid the Village of Lakewood \$ 86,000.00 the first year, with the price increasing by \$ 5,000.00, per year during the initial five year contract/agreement. Mayor Wordelmann noted that contained in the first two contract/agreements was a clause that addressed various escalating costs. If indeed certain costs increased beyond a set percentage, then the Town of Busti would be obligated to increase their payment to the Village of Lakewood.

Mayor Wordelmann indicated that 37% of the reportable incidents answered by the Lakewood-Busti Police Department occur within areas of the Town of Busti outside the Village of Lakewood. Officials from the Town of Busti agreed in principal with the idea that they should pay their fair share of the overall cost of the Lakewood-Busti Police Department. Mayor Wordelmann indicated the Town of Busti was experiencing some budget issues of their own so it was mutually agreed upon to charge them gradually over the five year term of the contract to reach an annual fee equaling 37% of the police department's operational costs. Mayor Wordelmann indicated that the Village of Lakewood needs the Town of Busti to be part of the police budget in order for the police department, as we know it, to survive. The Village of Lakewood needs that revenue from the Town of Busti. By extending the police services contract/agreement by one year prevented the Village of Lakewood from having a \$ 170,000.00 hole in its budget. Without this revenue Mayor Wordelmann said half of the police department personnel would have had to have been laid-off on January 1st.

Mayor Wordelmann indicated that he and Town of Busti Supervisor Jesse Robbins have had some preliminary discussions on a new five year contract/agreement and it was decided to appoint a two person committee from each municipality to further these discussions so that everyone would have a better understanding of some of the issues surrounding the police services contract/agreement.

Mayor Wordelmann said Town Supervisor Robbins then had thoughts of conducting a public referendum on this matter. When he found out a public referendum was out of the question, he turned the whole thing over to Councilmen Richard Thor and Todd Hanson. The two councilmen met with Police Chief John R. Bentley and eventually sought quotes, for comparison purposes, from the Chautauqua County Sheriff's Department and the Jamestown Police Department. Mayor Wordelmann said apparently the costs were considerably higher than what the Village of Lakewood was charging.

Town Supervisor Robbins then asked Mayor Wordelmann to submit to him a financial proposal for the Town Board to consider as a means to commence new contract negotiations. Mayor Wordelmann said he provided Supervisor Robbins with a contract proposal with dollar amounts equal to the percentages that were previously discussed.

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Mayor Wordelmann said at the Town Board meeting held last week, Town Supervisor and the Town Board decided to accept the proposed contract/agreement as presented.

Mayor Wordelmann noted that when he submitted this proposal to Supervisor Robbins he mentioned that some of the language contained in the document needs to be changed, and suggested that a revised document contain certain clauses. Backtracking a bit Mayor Wordelmann indicated that the Town of Busti agreed to increase its payment for police services in 2013 from \$ 340,000.00 to \$ 360,000.00, followed by an increase to \$ 390,000.00 for 2014. The projected cost to the Town of Busti for police services in 2018 would be \$ 490,000.00 or approximately 37%. This amount however doesn't account for inflation or increases in the police department's pension plan.

Mayor Wordelmann indicated that Trustee Jablonski put some numbers together and using a very conservative 4% annual increase in contract costs, by the end of the fifth year of the proposed contract the amount of money the Village of Lakewood would be subsidizing the Town of Busti for police services will total over \$ 570,000.00.

Mayor Wordelmann indicated that a clause that he would like to include in the new contract would be for both parties to review the document after three years so any necessary adjustments could be considered. Mayor Wordelmann went on to say it is easier to agree with the dollar side of the contract/agreement than it is to agree with language contained in the contract/agreement.

Mayor Wordelmann said he favors sharing some of the issues concerning the proposed police services contract/agreement with residents so they will better understand the particulars of this inter-municipal agreement.

Trustee Jablonski indicated that he can't accept the contract/agreement as presented.

Trustee Troche said most people know where he stands on this subject adding the purpose of negotiations is to arrive at a conclusion agreeable to both parties. Negotiations regarding police contracts and police service contract seem to be never ending.

Mayor Wordelmann agreed with Trustee Troche, saying it is time to resolve any issues between the two parties and to finally put this matter to bed.

Trustee Drago indicated that she would rather not move too hastily in approving this contract/agreement without first making sure the language is correct.

Trustee Troche said it is obvious that each member of the Board of Trustees has some questions concerning this contract/agreement as proposed. This document needs our approval before the Town of Busti can act on it. Trustee Troche added we need to do what is right for the residents of Lakewood.

Mayor Wordelmann wished to make it clear that he alone presented this proposal as a negotiating tool to Supervisor Robbins and Town of Busti for their review and comment. It was never intended to be a formal contract document. We, as members of the Board of Trustees, truly believe that residents throughout the entire Town of Busti deserve the excellent police protection the Lakewood-Busti Police Department provides. All one has to do is compare the response times to certain incidents to those of the Chautauqua County Sheriff's Department and the New York State Police to appreciate the type of police service and protection the residents of the Town of Busti receive.

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Trustee Troche indicated that the Board of Trustees is definitely pro police department, however he has never understood why Village of Lakewood taxpayers have had to subsidize police protection for those Town of Busti residents living outside the village. Everyone should pay their fair share for police protection.

APPROVAL OF MINUTES

Motion by Trustee Troche, seconded by Trustee Drago, to approve the minutes of the last regular meeting of the Board of Trustees, held February 11, 2013, with the exception that a sentence in Trustee Jablonski's report be corrected to state, The goal is to develop an entity having the authority to fund and oversee certain watershed projects.

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

AUDIT OF CLAIMS

Motion by Trustee Drago, seconded by Trustee Jablonski, that the claims as audited by the Auditing Committee of the abstracts dated February 25, 2013 be approved and that the Clerk shall execute said abstracts (#39 & #40) and direct payment by the Treasurer. General Fund: \$ 29,891.52, (Checks #9380 thru #9414), Trust & Agency: \$ 53,114.87, (Checks #2390 thru # 2403)

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

REPORTS

Police Chief John R. Bentley reported that the Lakewood-Busti Police Department has answered one thousand six hundred forty-four reportable incidents year-to-date. Chief Bentley also reported that earlier today three officers from the department participated in a training session with members of the Chautauqua County Special Weapons and Tactics (SWAT) team and that one officer from the department recently completed schooling for advanced (Level II) fingerprinting identification.

Chief Bentley indicated he attended a recent meeting of the Chautauqua County Traffic Safety Committee and the NYS DOT engineer indicated there is nothing more that can be done to ease the flow of traffic on Rt. 394 as it narrows in front of the Lakewood Village Center and that he is considering adding turning arrows to the traffic signals for north/south traffic at the intersections of Rt. 394 and Mall Blvd. and Rt. 394 and Fairdale Ave. The area's only big project that is being considered involves Hunt Road, which is a Chautauqua County highway, where it intersects Howard Ave. and the Big Tree-Sugargrove Road. The elevations of both intersections will be lowered so as to provide better sight lines for motorists. Chief Bentley did add that since the speed limit on Hunt Road has been reduced to 45 mph there have been fewer car accidents on that stretch of highway and he is pleased to report that in 2012 there were no fatal car accidents within the Town of Busti.

Fire Chief Kurt W. Hallberg reported that the Lakewood Volunteer Fire Department has responded to one hundred twenty-four alarms year-to-date, one of which was an unusual alarm involving the rescue of a horse which had fallen through the ice on Goose Creek the afternoon of February 12th. Chief Hallberg also submitted the Lakewood Volunteer Fire Department's annual report for 2012 to members of the Board of Trustees acting as the Board of Fire Commissioners.

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Trustees Drago and Troche took a minute to thank Fire Chief Hallberg for the wonderful evening each had at the Lakewood Volunteer Fire Department's annual banquet held Saturday, February 16th.

RESOLUTION #96-2012-2013 – TABLE ACTION ON POLICE SERVICES CONTRACT

Motion by Trustee Jablonski, seconded by Trustee Troche, per the recommendation of Mayor David T. Wordelmann to table any action on the proposed police services contract/agreement between the Village of Lakewood and the Town of Busti until such a time language contained in the document can be agreed upon.

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

RESOLUTION #97-2012-2013 – SET TIME & DATE FOR PUBLIC HEARING

Motion by Trustee Troche, seconded by Trustee Drago, per the recommendation of Mayor David T. Wordelmann, for the Board of Trustees to set 6:45 PM, Monday, March 11, 2013, as the time and date to conduct a public hearing on proposed Local Law #2-2013, "Property Tax Cap Override".

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

RESOLUTION #98-2012-2013 – APPROVE 2013-2014 VILLAGE TAX BILL PREPARATION

Motion by Trustee Troche, seconded by Trustee Drago, authorizing Village Treasurer Andrea J. Windoft and the Chautauqua County Division of Taxation to produce the Village of Lakewood's 2013-2014 tax bills in accordance with the most current tax roll on file.

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

RESOLUTION #99-2012-2013 – LEVYING OF UNPAID WATER BILLS ONTO TAX BILLS

Motion by Trustee Troche, seconded by Trustee Drago, authorizing the Jamestown Board of Public Utilities to compile a list of unpaid water bills for properties within the Village of Lakewood and in turn authorize Village Treasurer Andrea J. Windoft to levy the unpaid amounts onto the 2013-2014 Village of Lakewood tax bills for the corresponding property.

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

Motion by Trustee Troche, seconded by Trustee Drago, and unanimously carried, the Board adjourned at 6:58 PM.

Joseph M. Johnson
Village Clerk