

APRIL 8, 2013

The twenty-sixth regular meeting of the Board of Trustees of the Village of Lakewood, NY, was held Monday, April 8, 2013 at 6:30 PM, with Mayor David T. Wordelmann presiding. Trustees present were Gale A. Denn, Susan F. Drago and John Jablonski. Also present were Village Clerk Joseph M. Johnson, Village Treasurer Andrea J. Windoft, Police Chief John R. Bentley, Village Attorney Edward P. Wright, Department of Public Works Supervisor Thomas R. Pilling and Fire Chief Kurt W. Hallberg and Building Inspector Charles L. Smith. Absent was Trustee David J. Di Salvo.

APPROVAL OF MINUTES

Motion by Trustee Denn, seconded by Trustee Drago, to approve the minutes of the last regular meeting of the Board of Trustees, held March 25, 2013.

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

AUDIT OF CLAIMS

Motion by Trustee Drago, seconded by Trustee Jablonski, that the claims as audited by the Auditing Committee of the abstracts dated April 8, 2013 be approved and that the Clerk shall execute said abstracts (#45 & #46) and direct payment by the Treasurer. General Fund: \$ 24,087.41, (Checks #9524 thru #9553), Trust & Agency Fund: \$ 53,242.91, (Checks #2430 thru #2440)

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

REPORTS

Department of Public Works Supervisor Thomas R. Pilling was pleased to report that the State of New York has increased the amount of funding the Village of Lakewood will receive this year through the Consolidated Local Street and Highway Improvement Program (CHIPS) from \$ 86,960.70 to \$109,826.16, which is a 26% increase. Mr. Pilling also reported that the Jamestown Board of Public Utilities has offered to sell the Village of Lakewood a 1998 Case 850G bulldozer for \$ 16,000.00, which would replace a 1958 Caterpillar D-6 bulldozer. Mr. Pilling indicated the purchase of the bulldozer could be funded with monies set aside in the Department of Public Works cash reserve account. Money in this account is derived from the sale of equipment and vehicles at public auctions conducted by the Village of Lakewood the past few years. Mr. Pilling also indicated because funding for the purchase of a new snow blower for the sidewalk plow was removed from the upcoming budget, he would like to get permission to purchase a new one with monies left over in the current fiscal year's contractual account for snow removal, (A-5142.40). Cost of a new snow blower for the sidewalk plow is \$ 13,888.00.

Police Chief John R. Bentley reported that the Lakewood-Busti Police Department has answered two thousand seven hundred sixty-one reportable incidents year-to-date. Chief Bentley also reported that five officers from the Lakewood-Busti Police Department recently took part in a gang training seminar held at Jamestown Community College. Chief Bentley indicated the officers were informed of particular gang activity that has migrated into Chautauqua County from the City of Buffalo. Gang activity in Chautauqua County is centered on the sale of drugs and burglaries to support drug habits.

APRIL 8, 2013 (CONTINUED)

Fire Chief Kurt W. Hallberg reported that the Lakewood Volunteer Fire Department has responded to two hundred two alarms year-to-date. Chief Hallberg also reported that the Lakewood Volunteer Fire Department will be participating in Volunteers for New York, which is a state wide recruiting program to get more people interested in volunteering for their local fire departments. In conjunction with the program the Lakewood Volunteer Fire Department will be sponsoring an open house at the fire station from 10:00 AM – 2:00 PM, April 27th and April 28th.

Village Treasurer Andrea J. Windoft indicated she has received some positive feedback relative to the dog park being proposed on village owned property across the street from the boat launch on East Terrace Ave. A nice article on the proposed dog park appeared in The Post-Journal this morning. Mrs. Windoft indicated that a news reporter from YNN (Your News Now) also interviewed her this morning regarding the proposed dog park. Mrs. Windoft said there are 1,600 registered dogs in the Town of Busti and although there are some dog park naysayers she believes there is a real need for it and that dog owners would make use of it and truly enjoy it.

Mayor Wordelmann indicated that he has received good comments concerning the proposed dog park and one would be surprised at the number of dog parks across the country. Mayor Wordelmann added the more he thinks about its proposed location the more he likes the idea.

Village Treasurer Windoft said she received a memo from the New York State Comptroller's Office outlining fund raising for the proposed project. Although the Village of Lakewood can not solicit donations for the project it can however receive donations for deposit into a specified Trust & Agency account. The memo did note that a local civic organization would be allowed to oversee a campaign to solicit donations for the project.

Mayor Wordelmann thanked Mrs. Windoft for her efforts in getting the dog park project moving forward.

Building Inspector Charles L. Smith reported that build-outs are underway at the Fuji Grill in the Lakewood Village Center and the Sakura Buffet in the Chautauqua Mall.

Trustee Drago asked Building Inspector Smith if he could explain his position regarding the appeal made by Mr. Randy Ridgeway in connection with the home being remodeled at 321.5 East Terrace Ave.

Mr. Smith indicated Mr. John Rowe's remodeling project at 321.5 East Terrace Ave. has been ongoing for a number of years however the appeal stems from the owner's plans to utilize the second floor above the lakeside sun porch. Mr. Smith indicated to Trustee Drago he has been out of the office for a few days and hasn't had a chance to review the appeal as submitted in detail.

RESOLUTION #113-2012-2013 – AUTHORIZE DPW EQUIPMENT PURCHASES

Motion by Trustee Denn, seconded by Trustee Drago, authorizing Department of Public Works Supervisor Thomas R. Pilling to purchase a used 1998 Case 860G bulldozer from the Jamestown Board of Public Utilities, Jamestown, N.Y., for \$ 16,000.00 and to purchase a new snow blower for the 2005 Trackless sidewalk plow for \$ 13,888.00. The purchases will be funded with monies from the Special Cash Reserve Fund (A-230) generated by the sale of used equipment over the past few years and unexpended monies in the current year's Snow Removal – Contractual Account (A-5142.40).

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

APRIL 8, 2013 (CONTINUED)

PUBLIC HEARING: 6:45 PM
2013-2014 TENTATIVE BUDGET
VILLAGE OF LAKEWOOD

Mayor Wordelmann opened the public hearing at 6:45 PM and asked the Clerk to read the notice of public hearing as it appeared in the Village of Lakewood's official newspaper. Mayor Wordelmann then asked if anyone had any specific questions concerning the 2013-2014 tentative budget.

Trustee Jablonski indicated to Mayor Wordelmann if the Village of Lakewood plans on making amendments to its zoning law there doesn't seem to be any money allocated for planning. He wondered if any money could be shifted around to provide some money for planning purposes.

Mayor Wordelmann asked Trustee Jablonski what exactly does he anticipate spending money on with respect to planning.

Trustee Jablonski said without any specifics he would like some funding available for professional planning services who could be of assistance in providing the proper language if and when the local zoning law is amended.

Mayor Wordelmann indicated to Trustee Jablonski if there was any money in the budget that could be shifted around, it probably would have been cut out of the budget adding there is no "fluff" in the tentative budget.

Mayor Wordelmann said it is his personal opinion but he has never been in agreement with any local government that contracts outside firms who generally don't have an understanding of the particular needs and/or wants of a community and to pay those outside firms dearly to instruct that community to change the way things are done for this reason or that reason. Mayor Wordelmann believes this community has enough brilliant minds and if we can't figure it out ourselves, then we do have a problem.

Trustee Drago indicated that members of the Board of Trustees, with guidance from Building Inspector Smith and Village Attorney Wright should be able to review and amend the local zoning law as needed without paying an outside source thousands of dollars.

Trustee Jablonski said professional planners do what they do because they are professional and the local zoning laws throughout Chautauqua County reflect that, which is lousy.

Trustee Denn said if some unforeseen event occurred that required the need of a professional consultant he suggested that the Village of Lakewood could consider a mid-year budget transfer to cover the costs.

With no one else to be heard a motion was introduced by Trustee Denn, seconded by Trustee Drago for the Board of Trustees to close the public hearing at 6:51 PM and to reopen the regular meeting.
Adopted: 3 ayes, no nays (Denn, Drago, Jablonski)

ADJOURN LAST REGULAR MEETING

Motion by Trustee Drago, seconded by Trustee Jablonski, to adjourn the Board of Trustees' last regular meeting of the official year.
Adopted: 3 ayes, no nays (Denn, Drago, Jablonski)

APRIL 8, 2013 (CONTINUED)

MAYOR'S APPOINTMENTS

Motion by Trustee Denn, seconded by Trustee Jablonski, WHEREAS Mayor David T. Wordelmann has submitted the following names for committee and staff appointments;

Deputy Mayor:	Susan F. Drago	
Highway Committee:	Gale A. Denn *	John Jablonski
Building Committee:	Gale A. Denn *	David J. Di Salvo
Public Safety Committee:	Gale A. Denn *	Susan F. Drago
Finance Committee:	Susan F. Drago *	John Jablonski
Auditing Committee:	Susan F. Drago *	David J. Di Salvo
Parks & Recreation Committee:	John Jablonski *	David J. Di Salvo
Personnel Committee:	Susan F. Drago *	Gale A. Denn

ONE YEAR TERMS TO EXPIRE APRIL 2014

Village Attorney:	Edward P. "Tad" Wright	119 Sunset Ave.
D.P.W. Supervisor:	Thomas R. Pilling	29 Harlem Ave.
Building Inspector:	Charles L. Smith	29 Wellman Ave. W.E.
Village Historian:	Anthony G. Barone	103 Erie St.

VILLAGE PLANNING BOARD

Jon T. Pearson **	4 East Terrace Ave.	763-9037
Herbert Hern	36 Waldemere Way	763-5495
Sally T. Bootey	13 East Terrace Ave.	763-4605
Thomas Moore	75 Fairwood Dr.	763-5399
Marion Gibbon	92 West Summit St.	763-6783

VILLAGE ZONING BOARD OF APPEALS

William F. Chandler **	207 West Summit St.	763-0196
Louis F. Drago	9 Brook St.	763-2234
Myra V. Blasius	19 Owana Way	763-3744
Willard L. Anderson	8 Crescent St.	763-9332
Duane F. Anderson	115 West Terrace Ave.	763-1455

* Denotes Committee Chairperson

** Denotes Review Board Chairperson

THEREFORE BE IT RESOLVED that the Village Board of Trustees does hereby confirm Mayor David T. Wordelmann's appointments.

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

APRIL 8, 2013 (CONTINUED)

ADJOURN ANNUAL ORGANIZATIONAL MEETING

Motion by Trustee Denn, seconded by Trustee Jablonski, to adjourn the Village of Lakewood's Annual Organizational Meeting.

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

FIRST REGULAR MEETING OF THE VILLAGE BOARD OF TRUSTEES

Mayor David T. Wordelmann called the first regular meeting of the Village of Lakewood Board of Trustees for the new official year to order at 6:55 PM.

RESOLUTION #1-2013-2014 – OFFICIAL BANKS

Motion by Trustee Drago, seconded by Trustee Denn, per the recommendation of Village Treasurer Andrea J. Windoft, that M & T Bank, Key Bank of W.N.Y., Community Bank and Five Star Bank be hereby designated as the official depositories for all funds of the Village of Lakewood during the ensuing year and that two (2) signatures be required on all checks drawn at said banks, consisting of either Mayor David T. Wordelmann or Deputy Mayor Susan F. Drago and either Treasurer Andrea J. Windoft or Deputy Treasurer Joseph M. Johnson.

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

RESOLUTION #2 - 2013-2014 – OFFICIAL NEWSPAPER

Motion by Trustee Drago, seconded by Trustee Denn, that The Post-Journal, Jamestown, New York be designated as the official newspaper of the Village of Lakewood.

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

RESOLUTION #3 – 2013 -2014 – SET MILEAGE ALLOWANCE

Motion by Trustee Drago, seconded by Trustee Denn, WHEREAS the Board of Trustees of the Village of Lakewood has determined to pay a fixed rate for mileage reimbursement to officers and employees of the Village of Lakewood who use their personal vehicles while performing the official duties on behalf of the Village of Lakewood, NOW THEREFORE BE IT RESOLVED that the Board of Trustees approve reimbursement to such officers and employees at the rate as calculated semi-annually by the Internal Revenue Service. The current rate/mile is \$.565 and this resolution shall take effect immediately.

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

APRIL 8, 2013 (CONTINUED)

RESOLUTION #4 – 2013-2014 – SET REGULAR BOARD MEETING SCHEDULE

Motion by Trustee Drago, seconded by Trustee Denn, that the regular meetings of the Village of Lakewood Board of Trustees shall be conducted on the second and fourth Mondays of each month in the Board Room of the Anthony C. Caprino Municipal Building, 20 West Summit Street, Lakewood, N.Y., at 6:30 PM, preceded by a 6:00 PM work session. If it is deemed necessary to change the day and/or the time of a regularly scheduled meeting of the Village of Lakewood Board of Trustees, the Mayor, the Board of Trustees, the respective department heads and the media shall be advised of the changes in writing when practicable.

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

RESOLUTION #5-2013-2014 – AUTHORIZE ADVANCE APPROVAL OF CLAIMS

Motion by Trustee Drago, seconded by Trustee Denn, authorizing payment in advance of auditing the claims for certain recurring expenses such as utility services, postage, freight and express charges.

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

RESOLUTION #6-2013-2014 – SET ANNUAL BRUSH PICK-UP

Motion by Trustee Drago, seconded by Trustee Denn, per the recommendation of Department of Public Works Supervisor Thomas R. Pilling, to set Monday, May 6, 2013 as the date the Department of Public Works will commence its annual brush pick-up.

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

RESOLUTION #7-2013-2014 – AUTHORIZE LOCAL GOV'T. CONFERENCE ATTENDANCE

Motion by Trustee Drago, seconded by Trustee Denn, authorizing members of the Board of Trustees, Planning Board, Zoning Board of Appeals and other officials to attend the Southern Tier West Local Government Conference, to be held at Houghton College, Wednesday, May 8, 2013.

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

RESOLUTION #8-2013-2014 – APPROVE 2013 DOCK PERMIT APPLICATION

Motion by Trustee Denn, seconded by Drago, to approve the 2013 dock permit application as submitted by Eric Steinbrenner, 5 Pleasantview Ave., for the Pleasantview Ave. right-of-way.

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

MAYOR'S REPORT

Mayor Wordelmann wished to take a moment to recall the path that he and outgoing Trustee Joseph M. Troche took together beginning eight years ago this past March, when he and Mr. Troche were nominated by the Democratic Party to run for Village Trustee. Although he and Mr. Troche did not know each other at the time Mayor Wordelmann said they've become very good friends.

APRIL 8, 2013 (CONTINUED)

Mayor Wordelmann said Mr. Troche has been a tireless servant of the taxpayers of the Village of Lakewood and this board will certainly miss him. Mr. Troche has been involved with numerous negotiations, from the police union's labor contract to the agreement with the Town of Busti for police services. His business knowledge is impeccable and as a result saved the Village of Lakewood thousands of dollars over the years. Mayor Wordelmann commended Mr. Troche for taking tough stands on various issues over the years. Mayor Wordelmann said it has been an honor working with Mr. Troche and thanked him for his eight years of public service to the community. We are better for it. Thank you Joe.

Outgoing Trustee Joseph M. Troche thanked Mayor Wordelmann and the Board of Trustees for the opportunity to say a few words. Back in 2005 he made the decision to give his heart, soul and time to the people of the Village of Lakewood. The first thing he did was cancel his vacation to attend his swearing in ceremony. For the past eight years his family has gone on vacation without him. After losing the election this past March, he promised his family he would be joining them on vacation this year.

Mr. Troche said for the past eight years he has had the privilege of working next to Mayor Wordelmann. Eight years ago Mayor Wordelmann and he began addressing their campaign promises and haven't stopped since. Mr. Troche wished to thank someone who never got his just rewards. Without this individual's support Mayor Wordelmann and I would never have been able to make the changes we started back in 2005. Former Trustee Eric Hern stood up and made difficult decisions, although those same decisions may have cost him his Trustee position. Eric Hern, thank you for your support. Mr. Troche said he is very proud to say that the Village of Lakewood has the best police department, the best volunteer fire department, the best highway department, the best administrative office and wonderful Village Attorney. Mr. Troche said he is so very proud to have worked with these fine individuals over the past eight years. Mr. Troche said he would also like to thank the many people that have sent him text messages, e-mails and letters. The many kind words have made it all worth while. A common question in the correspondence has been will he remain active in the community. To those who have supported him over the past eight years and in the past election, Mr. Troche said he will continue to attend Village Board meetings and speak up when necessary. In closing Mr. Troche said he would like to thank two individuals who were key to his success. The late Mayor Anthony C. Caprino, who he learned so much from and the person who stood by and supported him, Mayor and good friend David T. Wordelmann.

Trustee Gale A. Denn wished to echo some of Mayor Wordelmann's sentiments saying public service isn't always easy. It is an honor to represent one's community. Just in the title of the office, Trustee, the trust that is placed in every municipal board. As Board members we attend the meetings, miss vacations, make difficult decisions, make friends and make some enemies. Trustee Denn indicated that the two years he has served next to Mr. Troche, he was steady as you go and we all knew where he stood on various issues, which is a rare commodity for someone in public office to have. Trustee Denn commended former Trustee Troche for his bed rock honesty and for making decisions for the community rather than for political purposes. Trustee Denn said it has been an honor and a pleasure to serve on the Board of Trustees with Mr. Troche and we will miss him.

ANYONE TO BE HEARD

Mr. Gale Seekings, 12 Olive Ave., appeared before Mayor Wordelmann and the Board of Trustees to reintroduce a sight line problem at the intersection of East Summit Street and Olive Ave. when vehicles are allowed to park along the north shoulder of East Summit Street. Mr. Seekings asked if the Village of Lakewood would consider placing some NO PARKING FROM HERE TO CORNER signs just west of this intersection before someone gets hurt.

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Mr. Seekings said something else that creates a sight line problem is when the owner of 16 Olive Ave. is allowed to place items for sale at the northwest corner of the intersection of East Summit Street and Olive Ave. That has to stop. Mr. Seekings also wished to mention that it appears there are a couple of "junk" vehicles in the driveway of 16.5 Olive Ave. Finally, Mr. Seekings said he met with Department of Public Works Supervisor earlier today, who agreed to do some ditching along Olive Ave. to ensure that storm water may enter the sluice pipes under Olive Ave.

Mayor Wordelmann thanked Mr. Seekings for identifying some issues in the neighborhood and that he will look into them and do whatever we can.

Building Inspector Charles L. Smith indicated to Mayor Wordelmann and the Board of Trustees he will soon be canvassing the entire village and compiling a list of "junk" cars and notifying the respective property owners with an order to remedy.

Mayor Wordelmann asked Building Inspector Smith about a situation that has sprung in front of the Valu Home Center store at 280 East Fairmount Ave., whereby someone has displayed a few boat lifts for sale on the small piece of property adjacent to the KFC/Taco Bell restaurant.

Building Inspector Smith indicated he spoke with a gentleman from M & M Enterprises last week about his desire to display a few boat lifts at that location and suggested that he stop in and apply for a temporary retail outlet permit. Mr. Smith said the boat lifts were apparently placed there while he was out of town over the weekend. Right now M & M Enterprises is in violation of the zoning law by not having a temporary outlet permit. Mr. Smith said he will contact Mr. Jack Scalise, the property owner, regarding this matter.

Motion by Trustee Jablonski, seconded by Trustee Drago, and unanimously carried the Board adjourned at 7:16 PM.

Joseph M. Johnson
Village Clerk