

JUNE 11, 2012

The sixth regular meeting of the Board of Trustees of the Village of Lakewood, NY, was held Monday, June 11, 2012 at 6:30 PM, with Mayor David T. Wordelmann presiding. Trustees present were Susan F. Drago, Joseph M. Troche 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, Fire Chief Kurt W. Hallberg and Building Inspector Charles L. Smith. Absent were Trustee Gale A. Denn and Department of Public of Public Works Supervisor Thomas R. Pilling.

ANYONE TO BE HEARD

Mr. John Livingston, 7 Crawford Lane, a supporter of the local pickleball movement, appeared before Mayor David T. Wordelmann and the Board of Trustees with an estimate in the amount of \$ 596.16 for a sign for the proposed pickleball courts on Linwood Ave. He then went on to explain some sign options. Mr. Livingston said once the courts are finished he would like to have an "open house" and conduct clinics for youngsters as well as older adults, once the courts are finished. He said the local YMCA is on board with the local pickleball movement and would like to hold tournaments. Mr. Livingston said he and his fellow pickleball players were hoping the courts could be completed soon, acknowledging the fact that fencing needs to be installed and that the courts still need to be color sealed and lined.

Mr. Livingston said he was unclear whether or not the Village of Lakewood would chip in for the sign.

Mayor Wordelmann suggested that Mr. Livingston first try to solicit some donations from area service organizations and that he would do what he could to expedite the pickleball court project.

Mr. Anthony G. Barone, Village Historian, appeared before Mayor Wordelmann and the Board of Trustees to give the state of the museum address by briefly reporting on past and future projects of the history committee. Mr. Barone said once the late Mayor Anthony C. Caprino permitted us to make use of the former police department space, the rest became history. After transforming the two rooms of the museum into a wonderland of history it was opened on October 1, 2011. Since its opening 500 people have visited the museum. One of the main projects of the history committee has been the placement of eight historic markers at various locations throughout the village. Mr. Barone said he is hopeful that four more historic markers can be added this year. Some of the other projects include, four nostalgia nights, a Christmas lighting contest, assisted on the Village of Lakewood seal contest, worked with the Lakewood/Chautauqua South Rotary with their historic banner project and have promoted the campaign for residents to participate in the circa plaque project.

Mr. Barone said an upcoming project the historic committee is excited about is the one hundredth birthday celebration of the historic Packard mansion, 12 West Terrace Ave., which will be held August 11, 2012. The chairperson for that event is long time Packard Estate resident Mary Blair. Part of the celebration will include the dedication and unveiling of a commemorative plaque, as a tribute, albeit long overdue, to Mr. & Mrs. J.W. Packard for their many generous contributions to the community over the years.

Mr. Barone indicated that Matco Tools, 160 Chautauqua Ave., has agreed to allow art students from Southwestern Central School, to paint a mural on the factory's southerly wall, welcoming people to historic Lakewood. The students will be under the direction of their art teacher, Ms. Jennifer Brown.

Another pending project involving an anchor donated to the Village of Lakewood by Mr. & Mrs. Marcus Turner, 1 Maple St., still has some details to be figured out before it can move forward.

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One other project in the works is a post-card project being organized by committee members Tillie Solomonson and Linda Cowan. Mr. Barone said he is hopeful work on the post-card project can be completed by the Packard mansion centennial celebration.

Thanks to Mrs. Mary Miller, Librarian for the Lakewood Memorial Library, a grant was applied for and received to digitally record all the photos and other historical items displayed in the museum and which will be located on the New York State web site.

Mr. Barone said, last but not least the museum has a memorial section, thanks to the Lakewood High School class of 1950 and classmate Jerry Mattison, who recently passed away. To date over \$ 3,000.00 has been donated to the museum via memorials to Jerry Mattison and others. Special thanks go out to the family of Jerry Mattison and classmate Mickey Donner for setting-up this memorial.

Mr. Barone wished to commend the entire history committee for their hard work as well as thank Department of Public Works Supervisor Thomas R. Pilling and his crew for their assistance in setting-up the historic markers. Mr. Barone said he would like to especially thank Deputy Clerk/Treasurer Mary Currie for all the little extra chores she does for him and the history committee.

Mayor Wordelmann thanked Mr. Barone and his entire committee for all they've done. He added committees need leaders to get things done and Mr. Barone, through his tireless efforts, has proven to be a great leader of the history committee. Mr. Barone's leadership as a local historian is unmatched in this area.

APPROVAL OF MINUTES

Motion by Trustee Troche, seconded by Trustee Jablonski, to approve the minutes of the last regular meeting held May 29, 2012.

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 June 11, 2012 be approved and that the Clerk shall execute said abstracts, (#56 old year, #1 new year) and direct payment by the Treasurer. General Fund: (Abstract #56) \$ 36,165.49, Check #8551 thru #8602, (Abstract #1) \$ 94,311.62, Check #8603 thru #8622.

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

REPORTS

Police Chief John R. Bentley reported that the Lakewood-Busti Police Department has answered five thousand two hundred five reportable incidents year-to-date, with a little over one thousand reportable incidents last month alone. The recent good weather has a direct correlation on the higher number reportable incidents.

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Fire Chief Kurt W. Hallberg reported that the Lakewood Volunteer Fire Department has responded to three hundred forty nine alarms year-to-date, which included five today. Today's alarms included a boat fire, where a victim was transported to WCA Hospital after sustaining minor burns and a structure fire at the KFC/Taco Bell restaurant on East Fairmount Ave., caused by someone who tossed a lit cigarette into the dry mulch whereby starting a fire which burned the outside wall which spread to the inside.

Mayor Wordelmann indicated to Village Attorney Edward P. Wright that one of the conditions of Special Use Permit which was granted to Ms. Tammy Magnuson, proprietor of Yesterdays Bar/Tavern, was that the Village of Lakewood was to approve any outdoor event on the premises. It is important the Village of Lakewood makes sure she has the proper permits to dispense beer outside the building and that she abides by the rules and regulations as set forth by the New York State Liquor Authority.

Building Inspector Charles L. Smith reported that he has been in contact with representatives from L.D. Reeves & Associates, Covington, VA, and Darden Restaurants, Orlando, Florida, regarding the proposed Olive Garden restaurant on East Fairmount Ave., near the Chautauqua Mall. The proposed site plan and construction drawings should be received within a few days. The former Firestone building which is on the site of the proposed restaurant has been razed and the demolition contractor is finishing up their work.

Building Inspector Smith said in response to the complaints expressed by Mr. & Mrs. Dusenbury, regarding the property at 10 Canal Street, he has taken a look at the property and will speak to the owner and instruct him to correct those property maintenance issues.

Mayor Wordelmann asked Mr. Smith when he receives a complaint about dog feces and odor of urine, what steps are taken to get the property owner to correct the situation.

Mr. Smith said although the Village Code doesn't address this particular problem he would contact the owner asking that they do a better job in cleaning-up after their dogs. If necessary he would then ask for the Chautauqua County Health Department to take the lead in the enforcement process.

Building Inspector Smith also reported that two new skateboard ramps have been recently constructed in densely populated residential neighborhoods. Again, the Village Code doesn't specifically address skateboard ramps. Take skateboarding, add youthful excitement, music, time when they enjoy the sport, plus a pinch of foul language and you've got potential for a disturbance of the peace issue. Mr. Smith said with permission from the Board of Trustees, he would favor sending the owner's of the skateboard ramps a letter explaining the Village of Lakewood's concern about them, in particular the potential of creating a disturbance of the peace scenario for the neighborhood. Mr. Smith suggested the construction and use of skateboard ramps should be reviewed when considering future amendments to the local zoning law.

Village Treasurer Andrea J. Windoft suggested that some land off Linwood Ave. could be set aside for those interested in establishing a skateboard ramp.

COMMITTEE REPORTS

Trustee Joseph M. Troche indicated that he and Mayor Wordelmann will be meeting this Thursday, (June 14th) with representatives from the Town of Busti to continue their negotiations regarding the police services agreement between the two entities.

JUNE 11, 2012 (CONTINUED)

RESOLUTION #14-2012-2013 – RESCIND PART OF RESOLUTION #116-2011-2012

Motion by Trustee Troche, seconded by Trustee Drago, for the Board of Trustees to rescind the part of Resolution #116-2011-2012, adopted March 12, 2012, relating to the internet service contract with Windstream New York, Inc. NOTE: The Village of Lakewood has since agreed to enter into a contract/agreement with Chautauqua County regarding a planned fiber optic connection for internet service at the Anthony C. Caprino Municipal Building.

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

RESOLUTION #15-2012-2013 – SET DATE & TIMES FOR PUBLIC HEARINGS

Motion by Trustee Drago, seconded by Trustee Troche, per the recommendation of Mayor David T. Wordelmann, for the Board of Trustees to set 6:45 PM, June 25, 2012, as the time and date to conduct a public hearing on a Special Use Permit (Fence) application as submitted by Mr. Matthew Thomas, 297.5 Shadyside Ave. and to set 6:50 PM, June 25, 2012, as the time and date to conduct a public hearing on a Special Use Permit (Fence) application as submitted by Mr. Jimmy La, 387 East Fairmount Ave.

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

RESOLUTION #16-2012-2013 – AUTHORIZE FIRE CONFERENCE ATTENDANCE

Motion by Trustee Troche, seconded by Trustee Jablonski, for the Board of Trustees, acting as the Board of Fire Commissioners, to authorize Fire Chief Kurt W. Hallberg, First Assistant Fire Chief Steve Smouse and Fire Lieutenant Jack Knowlton to attend the NYS Association of Fire Chief's Conference at the Turning Stone Resort in Verona, New York, June 13th – June 16th. The fire department officers will be reimbursed for any and all legal expenses incurred.

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

RESOLUTION #17-2012-2013 – APPROVE LEGAL SERVICES AGREEMENT

Motion by Trustee Troche, seconded by Trustee Drago, to approve an agreement between Wright, Wright & Hampton, Attorneys at Law, Jamestown, N.Y., and the Village of Lakewood, whereby the Village of Lakewood agrees to pay Wright, Wright & Hampton \$ 10,000.00 for legal services rendered during the period of June 1, 2012 – May 31, 2013. Payment shall be made the first month of the new fiscal year.

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

RESOLUTION #18-2012-2013 – APPROVE ANNUAL WEBSITE MAINTENANCE FEE

Motion by Trustee Drago, seconded by Trustee Troche, to approve a quote submitted by Earth Spark, Jamestown, N.Y., in the amount of \$ 750.00, to continue hosting and maintaining the Village of Lakewood's web-site for the period of June 1, 2012 – May 31, 2013. Payment shall be made the first month of the new fiscal year.

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

JUNE 11, 2012 (CONTINUED)

RESOLUTION #19-2012-2013 – APPROVE MEMORIAL PLAQUE PURCHASE

Motion by Trustee Troche, seconded by Trustee Drago, to approve the purchase of a memorial plaque, honoring Mr. & Mrs. J.W. Packard, from Artistic Bronze, Inc., for the quoted price of \$ 2,025.00, plus shipping charges. One third of the remittance will be transferred from the history museum's Trust & Agency Account, one third will be paid as an encumbrance from the previous fiscal year and the final third will be paid from the current fiscal year's Historian Account (A-7510.20).

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

RESOLUTION #20-2012-2013 – AUTHORIZE SALE OF ROAD MILLINGS

Motion by Trustee Troche, seconded by Trustee Drago, authorizing Department of Public Works Supervisor Thomas R. Pilling to sell stockpiled road millings and to record the revenue in the Department of Public Works Reserve Equipment Account, (A-230.2).

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

RESOLUTION #21-2012-2013 – AUTHORIZE YEAR END BUDGET TRANSFERS

Motion by Trustee Troche, seconded by Trustee Jablonski, authorizing Village Treasurer Andrea J. Windoft to make the necessary year end budget transfers as follows:

VILLAGE OF LAKEWOOD
 BUDGET TRANSFERS
 2011-2012
 GENERAL FUND

(TO)

(FROM)

OVER ACCOUNT #	OVER AMOUNT	TRANSFER ACCOUNT	FROM AMOUNT		
1010.10	135.10	1010.40	135.10		
1210.10	288.42	1210.20	200.00		
1210.10	88.42	1010.40	88.42		
1325.10	3578.58	1325.40	2824.32		
1325.10	500.00	1325.20	500.00		
1325.10	254.26	1450.40	254.26		
1410.10	2201.83	1410.20	1000.00		
1410.10	1201.83	1410.40	1201.83		
3620.10	1324.37	3620.42	500.00		
3620.10	824.37	5110.11	824.37		
4020.10	0.92	5110.11	0.92		
5110.10	915.58	5110.11	915.58		
3120.10	35195.85	1420.40	22079.00		
3120.10	13116.85	3989.10	10055.59		
3120.10	3061.26	3989.20	3061.26		
3120.11	294.30	3120.45	294.30		
3120.12	40271.26	9060.80	32000.00		
3120.12	8271.26	3120.40	4300.00		
3120.12	3971.26	3120.41	3971.26		
1210.40	8.90	1010.40	8.90		
3120.20	826.14	3120.43	826.14		
3120.42	8893.09	3120.40	5295.60		
3120.42	3597.49	5142.11	3597.49		
3410.40	1946.47	3410.43	1946.47		
3410.48	814.60	3410.42	814.60		
3620.41	84.93	3620.40	84.93		
5110.45	225.37	5110.44	225.37		
7140.40	860.01	7140.42	860.01		
7510.40	118.73	1620.40	118.73		
7550.40	92.92	8510.40	92.92		
9060.80	2211.25	9030.80	2205.68		
9060.80	5.57	9040.80	5.57		
9060.81	184.74	3120.44	184.74		
	\$ 135,365.93				

JUNE 11, 2012 (CONTINUED)

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

RESOLUTION #22-2012-2013 – APPOINT LIFEGUARD STAFF – 2012

Motion by Trustee Troche, seconded by Trustee Drago, that per the recommendation of Village Clerk Joseph M. Johnson, to appoint the following individuals as lifeguards at Richard O. Hartley Park/Beach for the summer of 2012: Supervisory Lifeguard: Ellen V. Burns, Jamestown, N.Y., (\$ 8.50/hr.), and Lifeguards Emily K. Windoft, Lakewood, N.Y., (\$ 7.75/hr.), Paul J. Armstrong, Lakewood, N.Y., (\$7.75/hr.), Nina LaMantia, Jamestown, N.Y., (\$ 7.50/hr.), Erica L. Stevens, Lakewood, N.Y., (\$ 7.50/hr.), Jordan J. Powers, Lakewood, N.Y., (\$ 7.50/hr.), Jenna A. Nagel, Panama, N.Y., (\$ 7.25/hr.) and Harrison R. Troche, Lakewood, N.Y., (\$ 7.25/hr.)

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

RESOLUTION #23-2012-2013 – AUTHORIZE USE OF VILLAGE STREETS

Motion by Trustee Troche, seconded by Trustee Drago, authorizing the Senior Class of Southwestern Central School to make use of village streets to conduct a 5-kilometer run as a fundraiser, Sunday, June 17, 2012.

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

Motion by Trustee Troche, seconded by Trustee Drago, and unanimously carried the Board adjourned at 7:09 PM.

Joseph M. Johnson
Village Clerk