

NOVEMBER 28, 2011

The seventeenth regular meeting of the Board of Trustees of the Village of Lakewood, NY, was held Monday, November 28, 2011 at 6:30 PM, with Mayor David T. Wordelmann presiding. Trustees present were Gale A. Denn, Susan F. Drago, Joseph M. Troche and P.J. Wendel. Also present were Village Clerk Joseph M. Johnson, Village Treasurer Andrea J. Windoft, Village Attorney Edward P. Wright, Police Chief John R. Bentley, Department of Public Works Supervisor Thomas R. Pilling and Building Inspector Charles L. Smith. Absent was Fire Chief Kurt W. Hallberg.

APPROVAL OF MINUTES

Motion by Trustee Denn, seconded by Trustee Troche, to approve the minutes of the last regular meeting of the Board of Trustees, held November 14, 2011.

Adopted: 4 ayes, no nays (Denn, Drago, Troche, Wendel)

AUDIT OF CLAIMS

Motion by Trustee Drago, seconded by Trustee Denn, that the claims as audited by the Auditing Committee of the abstract dated November 28, 2011, be approved and that the Clerk shall execute said abstract and direct payment by the Treasurer. General Fund: \$ 237,587.94

Adopted: 4 ayes, no nays (Denn, Drago, Troche, Wendel)

REPORTS

Department of Public Works Supervisor Thomas R. Pilling reported that the plow frame for the new 2012 International dump truck has been installed and is expected to be in service very shortly. Mr. Pilling also reported that the D.P.W. crew will finish the annual leaf pick-up later this week.

Police Chief John R. Bentley reported the Lakewood-Busti Police Department experienced a very busy Thanksgiving holiday weekend which included "Black Friday". Chief Bentley said he assigned a police car to specifically patrol the commercial corridor along East Fairmount Ave., which ended up handling a number of traffic related calls.

Mayor Wordelmann indicated to Chief Bentley he had heard that officers from the Lakewood-Busti Police Department were seen inside the Wal-Mart Super Center on "Black Friday".

Chief Bentley said on more than one occasion officers entered the Wal-Mart Super Center in response to police related calls inside the store.

Mayor Wordelmann asked Chief Bentley if Wal-Mart or other large retail stores have their own security detail.

Chief Bentley said Wal-Mart and the Chautauqua Mall do have limited security teams. He said that he and Sgt./Investigator Paul A. Gustafson did meet with Wal-Mart officials to review plans as to how they were going to handle the throngs of shoppers while at the same time manage lines for their special sale merchandise. Chief Bentley said everything went pretty smooth all things considered.

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Mayor Wordelmann said he is concerned that “Black Friday” has become such a huge event that it has the potential of occupying a local police force for an extended period of time. He asked whether or not the Village of Lakewood could charge large department stores for crowd control services on “Black Fridays” if it became necessary.

Chief Bentley indicated that the stores do not specifically request crowd control and added he didn’t think the Village of Lakewood could legally charge for police related services in this particular situation.

Trustee Gale A. Denn indicated it is his understanding that the local law enforcement’s responsibility ends at the outside door of the store unless there is a report of some sort of criminal activities being carried out inside the store.

Trustee P.J. Wendel asked Chief Bentley if there were any traffic related problems at the Lakewood Village Center on “Black Friday”.

Chief Bentley indicated that traffic flow at the Lakewood Village Center has increased considerably since the opening of the new stores, but there were no significant traffic related incidents on “Black Friday”.

Police Chief also reported that the Lakewood-Busti Police Department responded to nine thousand two hundred forty-one reportable incidents year-to-date. Chief Bentley said he had the opportunity to break down the number of reportable incidents into different categories. Year-to-date the department has issued approximately 1,600 vehicle & traffic summonses and handled approximately 600 criminal complaints. He said the balance of the reportable incidents are calls for some type of service.

Chief Bentley then reported the Village of Lakewood was recently reimbursed \$ 1,024.60 in connection with the purchase of some bullet proof vests for new members of the Lakewood-Busti Police Department. The \$ 1,024.60 received from the State of New York accounts for 50% of the bullet proof vest purchase. The remaining 50% will be reimbursed by the federal government. He also indicated that the Lakewood-Busti Police Department received a grant through the New York State sponsored Selected Traffic Enforcement Program (S.T.E.P.) grant in the amount of \$ 2,009.00. He said because of the state budget restraints the amount of the was about one-third of what is normally received. Chief Bentley also reported that the Buckle-Up New York (B.U.N.Y.) grant which was recently applied for was denied.

Chief Bentley also reported that the Lakewood-Busti Police Department has received an official letter from the New York State Commissioner of Corrections noting that the department’s detention area passed inspection.

Trustee Denn asked Chief Bentley if he received any rifle complaints since the opening day of deer season.

Chief Bentley said he hasn’t received any complaints about the use of rifles by deer hunters this year.

Village Treasurer Andrea J. Windoft reminded Mayor Wordelmann that she would like for the Board of Trustees to enter into executive session to discuss a few questions she has relating to the police union’s labor contract agreement.

Mayor Wordelmann said he attended a zoning & planning seminar recently and wished to ask Building Inspector Charles L. Smith if the Village of Lakewood keeps a data base of past decisions relative to the enforcement of the local zoning law.

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Building Inspector Smith said he has begun re-filing assorted documents and records utilizing the new parcel numbers that have been assigned to the various properties throughout the village.

Mayor Wordelmann then asked Mr. Smith if he has heard anything more about the possibility of someone reopening Yesterdays Bar/Restaurant at 103 Chautauqua Ave. He said a specific question he asked at the aforementioned zoning & planning seminar related to the exact situation at Yesterdays. He was told that any person reopening Yesterdays as a bar would have to reapply for a Special Use Permit, per the zoning regulations for that particular district, which is a B-1, Retail Business District.

Building Inspector Smith agreed that if anyone were to reopen Yesterdays as a bar, they would have to apply for a Special Use Permit.

Mayor Wordelmann then asked Building Inspector Smith if the Village of Lakewood has a person to “fill in” for him when he is out of town or on vacation.

Mr. Smith said Mr. Randy Woodbury, the Code Enforcement Officer for the Town of Ellicott, used to “fill in” for him before he changed jobs and took a teaching position at Fredonia State. Mr. Smith said he will give consideration to other local code enforcements officers that will be able to “fill-in” for him in the future.

COMMITTEE REPORTS

Trustee Joseph M. Troche happily reported that after about two years, Solarliberty, Buffalo, New York has finally installed the solar panels on the roof of the Lakewood Fire Station. As soon as National Grid connects the existing electric grid to the solar electric system it will be placed into service.

RESOLUTION #86-2011-2012 – APPROVE HEALTH CARE PLANS, RATES & DEDUCTIBLES

Motion by Trustee Troche, seconded by Trustee Drago, per the recommendation of Mayor Wordelmann to approve the following health care plans offered to eligible employees of the Village of Lakewood, retirees and their dependents for 2012; (Independent Health - iDirect1Series & Medicare Passport Plan), (Blue Cross/Blue Shield – Forever Blue Medicare PPO-799), approve the respective monthly premium rates for the iDirect1Series plan as \$ 315.23 for single coverage and \$ 835.36 for family coverage and to set the 2012 health insurance deductible coverage for Independent Health’s iDirect1Series for union and non-union subscribers as follows. The Village of Lakewood agrees to fund \$ 1,250.00 of the \$ 1,500.00 deductible for single subscribers that are non-union members and to fund the entire \$ 1,500.00 deductible for single subscribers who are union members. The Village of Lakewood also agrees to fund \$ 2,500.00 of the \$ 3,000.00 deductible for family subscribers who are non-union members and to fund the entire \$3,000.00 deductible for family subscribers who are union members.

NOTE: The only difference in the coverage under the 2012 iDirect1Series plan will be any prescription drug purchases will be transacted via co-pays of \$10/\$20/\$35 rather than credited towards the subscriber’s deductible.

Adopted: 4 ayes, no nays (Denn, Drago, Troche, Wendel)

NOVEMBER 28, 2011 (CONTINUED)

RESOLUTION #87-2011-2012 – TABLE ACTION ON SECOND BOARD MEETING IN DECEMBER

Motion by Trustee Wendel, seconded by Trustee Troche, for the Board of Trustees to table any action to either postpone or cancel the Village Board of Trustees meeting scheduled for Monday, December 26, 2011, until the next regular meeting which is scheduled for Monday, December 12, 2011. NOTE: Village Offices will be officially closed for the Christmas Holiday, Monday, December 26, 2011.

Adopted: 4 ayes, no nays (Denn, Drago, Troche, Wendel)

RESOLUTION #88-2011-2012 – AUTHORIZE THE CHAUTAUQUA CO. BOARD OF ELECTIONS TO CONDUCT THE UPCOMING GENERAL VILLAGE ELECTION

Motion by Trustee Wendel, seconded by Trustee Denn, per the recommendation of Mayor Wordelmann, to designate the Chautauqua County Board of Elections as the Chief Election Officer of the Village of Lakewood and in doing so authorize them to conduct from start to finish the General Village Election to be held Tuesday, March 20, 2012, at the Busti-Lakewood Recreation Center, 9 West Summit Street, from 12:00 noon to 9:00 PM.

Adopted: 4 ayes, no nays (Denn, Drago, Troche, Wendel)

MAYOR'S REPORT

Mayor Wordelmann reminded everyone about the upcoming holiday event "Christmas In The Village", to be held Saturday, December 3, 2011, between 10:00 AM and 4:00 PM, which is being organized and presented by The Women's Club of Lakewood. Mayor Wordelmann indicated there will a raffle, bake sale, refreshments and vendors at the Busti-Lakewood Recreation Center plus a tree lighting ceremony at Recognition Park at 3:00 PM.

RECESS

Motion by Trustee Wendel, seconded by Trustee Troche, to recess the regular meeting of the Board of Trustees at 6:51 PM, so as to enter into executive session to discuss particulars of the current labor agreement between the Village of Lakewood and the police union.

Adopted: 4 ayes, no nays (Denn, Drago, Troche, Wendel)

EXECUTIVE SESSION

Present at the executive session were Mayor David T. Wordelmann, Trustee Gale A. Denn, Trustee Susan F. Drago, Trustee Joseph M. Troche, Trustee P.J. Wendel, Village Attorney Edward P. Wright, Village Clerk Joseph M. Johnson and Village Treasurer Andrea J. Windoft. Motion by Trustee Wendel, seconded by Trustee Troche, to adjourn the executive session at 7:10 PM and to reopen the regular meeting of the Board of Trustees.

Adopted: 4 ayes, nays (Denn, Drago, Troche, Wendel)

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Motion by Trustee Wendel seconded by Trustee Troche, and unanimously carried the Board adjourned at 7:11 PM.

Joseph M. Johnson
Village Clerk