

SEPTEMBER 12, 2011

The twelfth regular meeting of the Board of Trustees of the Village of Lakewood, NY, was held Monday, September 12, 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, Fire Chief Kurt W. Hallberg, and Building Inspector Charles L. Smith.

#### MOMENT OF SILENCE

Mayor David T. Wordelmann asked everyone to remain standing following the pledge of allegiance to observe a moment of silence to remember those who lost their lives as a result of the terrorist attacks against America on September 11<sup>th</sup> ten years ago yesterday.

#### ANYONE TO BE HEARD

Mr. Derek Svenson, 12 East Terrace Ave., appeared before Mayor David T. Wordelmann and the Board of Trustees to bring to their attention a concern of his regarding the property at 27 Ohio Ave., Mr. Svenson then shared a couple of photos with members of the Board of Trustees which depicts the condition of the property at the aforementioned address. He went on to say that the condition of the property in question is no doubt reducing the property values of nearby residences. Mr. Svenson then asked if the Village of Lakewood zoning law addresses conditions such as those depicted and if so could they be enforced.

Code Enforcement Officer Charles L. Smith indicated he last investigated a complaint at 27 Ohio Ave., back in May 2011, but hasn't received any additional complaints about the property recently.

Trustee Susan F. Drago interjected saying, you have now.

Mr. Smith said in addition to the Village of Lakewood zoning law, certain property maintenance conditions are enforceable via the Property Maintenance Code of New York State. Mr. Smith indicated the owners of 27 Ohio Ave., have been cited previously for various property maintenance issues and stated he will revisit the property. Mr. Smith said it has been awhile since he has been down Ohio Ave. and that he knows the property well.

Trustee Joseph M. Troche asked Mr. Smith how will he proceed in response to Mr. Svenson's complaint.

Mr. Smith said he will take another look at the property for any violations and if necessary issue a Notice of Violation requesting that the owners correct the problem within a certain timeframe.

Mr. Svenson thanked the Village of Lakewood for previously addressing some issues regarding tenants of 28 Ohio Ave., adding there is still the issue of the boarded-up church at 31 Ohio Ave.

Mayor Wordelmann indicated to Mr. Svenson that the Village of Lakewood will address the situation.

Mr. Joseph Paterniti, 29 Chautauqua Ave., also appeared before Mayor Wordelmann and the Board of Trustees to voice some additional concerns regarding Ohio Ave.

## SEPTEMBER 12, 2011 (CONTINUED)

Mr. Paterniti indicated that there are portable basketball hoops located along Ohio Ave. and didn't know if they are legal or illegal to be there.

Police Chief John R. Bentley indicated to Mr. Paterniti he will gladly look into the matter and review the New York State Vehicle & Traffic Law to determine if the basketball hoops would fall under an obstruction within a roadway violation.

### 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 August 22, 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 September 12, 2011, be approved and that the Clerk shall execute said abstract (#16) and direct payment by the Treasurer. General Fund: \$ 203,929.26

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

### REPORTS

Department of Public Works Supervisor Thomas R. Pilling reported that Squires Ave. and Oakland Ave. were recently milled and will be resurfaced with hot mix macadam by the end of the month. Mr. Pilling also reported that four hundred eighty lineal feet of sidewalk was replaced on Case Ave. and fourteen streets were surface treated with tar and crushed limestone. Mr. Pilling then indicated that the D.P.W. crew will soon be undertaking a minor drainage project on Brook Street.

Trustee Gale A. Denn asked D.P.W. Supervisor Pilling if he could have one of the street department employees trim the weeds growing up along the curb line on Fairdale Ave. It is very unsightly.

Police Chief John R. Bentley reported that the Lakewood-Busti Police Department has responded to seven thousand one hundred fifty-seven reportable incidents year-to-date. Chief Bentley then reported that last week the Lakewood-Busti Police Department, along with the U.S. Border Patrol and the Southern Tier Regional Drug Task Force conducted marijuana eradication raids in various locations throughout the Town of Busti. A total of six hundred two plants were confiscated.

Trustee Susan F. Drago asked Chief Bentley if there was anything to report about the dangerous dog on Stoneman Ave.

Chief Bentley indicated that Town of Busti Court Judge Walter H. Dahlgren ordered the dog to be "put to sleep" due to the fact the dog bit numerous individuals over time.

Fire Chief Kurt W. Hallberg reported the Lakewood Volunteer Fire Department has responded to five hundred sixty-one alarms year-to-date.

SEPTEMBER 12, 2011 (CONTINUED)

Chief Hallberg also reported that ten members of the Lakewood Volunteer Fire Department recently returned from training at the New York State Fire Academy in Montour Falls, New York.

Village Attorney Edward P. Wright had nothing to report but said he is still awaiting court decisions on a couple of pending cases.

Trustee Denn indicated that the area around the former restaurant at 5 West Fairmount Ave., has become very unsightly and wondered if the Code Enforcement Officer could look into the matter.

Building Inspector Charles L. Smith indicated he had issued the property owner a Notice of Violation a couple of months ago and said he will follow-up on it.

COMMITTEE REPORTS

Trustee Joseph M. Troche reported that he and Mayor Wordelmann are continuing to negotiate the labor contract agreement with the police union. He said the negotiations are moving slower than what he had hoped and that it is likely they will last into the winter months.

Trustee Troche also reported that as Chairman of the Highway Committee, he, Mayor Wordelmann and D.P.W. Supervisor Thomas Pilling met on Chautauqua Ave. last week and looked into the possibility of establishing four handicapped parking spaces to serve the business corridor along Chautauqua Ave. which will be dependent upon some research by D.P.W. Supervisor Pilling.

Mayor Wordelmann indicated that the Village of Lakewood is looking to stripe-off a minimum of four handicapped parking spaces along Chautauqua Ave.

RESOLUTION #65-2011-2012 – AUTHORIZE USE OF VILLAGE STREETS

Motion by Trustee Wendel, seconded by Trustee Troche, authorizing the Lakewood Family YMCA to make use of the streets of the Village of Lakewood, Saturday, September 17<sup>th</sup>, for the Battle of the Businesses 2 mile run and Saturday, November 26<sup>th</sup> for the Amy King Memorial 5-K race.  
Adopted: 4 ayes, no nays (Denn, Drago, Troche, Wendel)

RESOLUTION #66-2011-2012 – TABLE ACTION ON THE 2012 B-L R.C. BUDGET

Motion by Trustee Troche, seconded by Trustee Drago, per the recommendation of Mayor Wordelmann, to table any action on the Busti-Lakewood Recreation Commission's 2012 budget until the next regular meeting. Mayor Wordelmann said he would like to invite Rec. Director Diana Peterson to the next board meeting to have her explain where the Village of Lakewood's annual appropriation of \$ 15,000.00 to the recreation commission is used.  
Adopted: 4 ayes, no nays (Denn, Drago, Troche, Wendel)

SEPTEMBER 12, 2011 (CONTINUED)

RESOLUTION #67-2011-2012 – APPROVE AMENDMENT TO PERSONNEL RULES  
& REGULATIONS

Motion by Trustee Troche, seconded by Trustee Wendel, to accept and approve an amendment to Chapter 16, (Personnel Rules & Regulations), of the Code of the Village of Lakewood, which explains the Family & Medical Leave Act.

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

RESOLUTION #68-2011-2012 – AUTHORIZE USE OF VILLAGE STREETS

Motion by Trustee Wendel, seconded by Trustee Troche, authorizing the Lakewood Volunteer Fire Department to make use of a section of Chautauqua Ave., (Terrace Ave. to Packard Ave.), Monday, October 31<sup>st</sup>, in order to hold a Halloween costume parade for kids from the SWCS school district.

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

MAYOR'S REPORT

Mayor Wordelmann wished to remind registered republicans to vote in Tuesday's (September 13, 2011) primary for Town of Busti Supervisor and then invited everyone to attend the ceremony this Thursday evening, (September 15, 2011), naming the Village Hall as the Anthony C. Caprino Municipal Building in honor and memory of the late Anthony C. Caprino who served as Mayor for the Village of Lakewood from April 6, 1981 – March 4, 2011.

Motion by Trustee Denn, seconded by Trustee Wendel, and unanimously carried the Board adjourned at 6:56 PM

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Joseph M. Johnson  
Village Clerk