

FEBRUARY 10, 2014

The twenty-first regular meeting of the Board of Trustees of the Village of Lakewood, NY, was held Monday, February 10, 2014 at 6:30 PM, with Mayor David T. Wordelmann presiding. Trustees present were Gale A. Denn, David J. Di Salvo, 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, Fire Chief Kurt W. Hallberg and Building Inspector Charles L. Smith.

CHRIC PROGRAMS

Mr. Joshua Freifeld, Executive Director of the Chautauqua Home Rehabilitation & Improvement Corporation, (CHRIC), on an invitation from Trustee Di Salvo, appeared before Mayor Wordelmann and the Board of Trustees to briefly explain a CHRIC program whereby certain residential properties may qualify for home rehabilitation funding. Mr. Freifeld indicated to move the process forward it would be just a matter of having the Village of Lakewood agree to participate. Mr. Freifeld said CHRIC has also assisted with main street/streetscape projects in the villages of Sherman, Brocton and Bemus Point. Mayor Wordelmann said speaking on behalf of the Board of Trustees, he would like to see the Village of Lakewood participate in this home rehab program offered through CHRIC. Mayor Wordelmann thanked Mr. Freifeld for taking the time to attend tonight's meeting.

RESOLUTION #122-2013-2014 - AUTHORIZE CHRIC PROGRAM PARTICIPATION

Motion by Trustee Denn, seconded by Trustee Di Salvo, authorizing the Village of Lakewood to participate in the home rehabilitation program, via a Community Development Block Grant (CDBG) offered through the Chautauqua Home Rehabilitation & Improvement Corporation (CHRIC), Mayville, N.Y.
Adopted: 4 ayes, no nays (Denn, Di Salvo, Drago, Jablonski)

APPROVAL OF MINUTES

Motion by Trustee Drago, seconded by Trustee Jablonski, to approve the minutes of the last regular meeting of the Board of Trustees, held January 27, 2014.
Adopted: 4 ayes, no nays (Denn, Di Salvo, Drago, Jablonski)

AUDIT OF CLAIMS

Motion by Trustee Drago, seconded by Trustee Di Salvo, that the claims as audited by the Auditing Committee of the abstracts dated February 10, 2014, be approved and that the Clerk shall execute said abstracts (#38 & #39) and direct payment by the Treasurer. Trust & Agency Fund: \$ 54,532.26 (Checks #2813 thru #2828) General Fund: \$ 36,543.11 (Checks #10391 thru #10424)
Adopted: 4 ayes, no nays (Denn, Di Salvo, Drago, Jablonski)

REPORTS

Department of Public Works Supervisor Thomas R. Pilling reported that the village's snow removal equipment is holding up real well and that the two hundred ton supply of road salt available should last until winter's end.

Mayor Wordelmann asked Mr. Pilling if he has had an opportunity to talk with New York State Department of Transportation officials concerning the pot hole riddled condition of Rt. 394. The harsh winter has really taken a toll on road's surface.

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Police Chief John R. Bentley reported that the Lakewood-Busti Police Department has responded to one thousand three hundred ninety reportable incidents year-to-date and that the department is keeping busy.

Mayor Wordelmann asked Chief Bentley about a police report that appeared in the Village of Lakewood's official newspaper which stated that an eighty-six year old gentleman was arrested by the Lakewood-Busti Police Department for shop-lifting \$ 7.96 worth of merchandise at Wal-Mart.

Chief Bentley indicated the Lakewood-Busti Police Department nor the Village of Lakewood has any say in a situation such as the one described by Mayor Wordelmann. The store alone decides whether or not to prosecute a case such as this or not.

Fire Chief Kurt W. Hallberg reported that the Lakewood Volunteer Fire Department has responded to eighty-two alarms year-to-date. Chief Hallberg also reported that he and other first responders were called to a horrific vehicle fire last Thursday morning (February 6, 2014) in which the operator perished.

Village Treasurer Andrea J. Windoft reported she received a call from Lakewood Memorial Library Director Mary Miller asking whether Mayor Wordelmann or some other representatives from the Village of Lakewood could attend an on-site demonstration, 10:00 AM, Tuesday, February 18th, showcasing a new sign being considered by the library.

COMMITTEE REPORTS

Mayor Wordelmann reported that the next meeting of the Zoning Law Review Committee has been scheduled for Tuesday, February 25th.

Trustee Jablonski reported that he and Trustee Di Salvo have met with Mr. Don McCord of Small Town Planning Services, Westfield, N.Y., to discuss the process for developing a strategic plan for the Village of Lakewood. Trustee Jablonski said Mr. McCord will be getting back to him with a skeleton proposal. Trustee Jablonski said it would be very helpful to receive some public input on what issues the Village of Lakewood might wish to focus on. Trustee Jablonski said Mr. McCord would like to sit down with Mayor Wordelmann sometime soon to get some ideas on what direction the Village of Lakewood would like to take with respect to its strategic plan.

Trustee Di Salvo indicated he received an e-mail from Ms. Lisa Schmidfrerick-Miller, Healthy Communities Consultant, from the Chautauqua County Department of Health, confirming the announcement that there will be 50 million dollars available from New York State to fund construction of bicycle trails, pedestrian walkways and public access improvements. Trustee

Di Salvo suggested to Mayor Wordelmann that the Complete Streets Ordinance be considered as part of the revised zoning law. By doing so the Village of Lakewood will have in place a set of priorities going forward which could improve its chances for funding under the New York State program.

Mayor Wordelmann told Trustee Di Salvo that the Complete Streets Ordinance will be included on the agenda of the next meeting of the Zoning Law Review Committee.

As Chairman of the Parks & Recreation Committee, Trustee Jablonski said he would like permission to put together a Request for Proposal (RFP), asking area food vendors to submit ideas on offering limited concessions at Richard O. Hartley Park/Beach during the summer months.

Trustee Di Salvo said a simple RFP could be drafted and made available to see if there is any interest. Trustee Di Salvo added the process shouldn't cost any money and for that reason the Village of Lakewood should at least explore the possibility.

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ANYONE TO BE HEARD

Phillip D. "Flip" Yates, 9 Oakland Ave., asked Mayor Wordelmann if there has been any progress to consolidate the offices of the Town of Busti with the Village of Lakewood in the Anthony C. Caprino Municipal Building. Mr. Yates said he trusts there has been an appropriate invitation made to the township.

Mayor Wordelmann indicated to Mr. Yates that the Town of Busti is considering selling their present office building at 121 Chautauqua Ave., and moving next door, into 125-127 Chautauqua Ave., unfortunately neither he nor the Village of Lakewood has a vote in the matter.

Mayor Wordelmann said for a number of years the Village of Lakewood has asked the Town of Busti to consider moving their offices into the Anthony C. Caprino Municipal Building, adding tonight's agenda includes a resolution reiterating that offer.

RESOLUTION #123-2013-2014 - OFFER TEMPORARY OFFICE SPACE TO TOWNSHIP

Mayor Wordelmann indicated it is in the best interest of the Village of Lakewood for the Town of Busti to sell their current office building. Regardless where the Town of Busti may relocate, the sale of their office building at 121 Chautauqua Ave., will likely result in an increase of foot traffic which should have a positive impact on the small businesses located along Chautauqua Ave.

Trustee Drago said she has a problem with the wording of the last sentence in the proposed resolution, saying to her it sounds as if the Village of Lakewood is forcing the Town of Busti's hand by putting the cart before the horse. It is her opinion that the Town of Busti needs to make a decision to move here first before any feasibility studies be done.

Trustee Di Salvo said the Village of Lakewood is just offering an invitation to the Town of Busti and going on record to support the sale of their administration building and ultimately the possible consolidation of the two offices.

Trustee Jablonski said he would suggest amending the resolution to read, the Village of Lakewood invites the Town of Busti to conduct a detailed engineering/architectural study of various alternatives to determine the suitability of consolidation the town and village functions into one building.

Village Attorney Wright said amending the wording of the resolution as suggested by Trustee Jablonski changes the impetus, leaving the impression the village will move forward without the town, when in reality the town needs to take the first step.

Mayor Wordelmann asked Mr. Wright if he had any issues with the language contained in the resolution as proposed.

Village Attorney Wright said he doesn't have any issues with the resolution as it is written.

Motion by Trustee Jablonski, seconded by Trustee Di Salvo, that the Village of Lakewood Board of Trustees hereby supports the Town of Busti's proposal to sell the Town of Busti Administration Building, 121 Chautauqua Ave. As a result of this possible sale, it is understood that the Town government officials and various town employees may need temporary office space to conduct its day to day operations. To that end, the Village Board of Trustees is offering to temporarily accommodate the Town of Busti employees in the Anthony C. Caprino Municipal Building. Ultimately the Village would like to work with the Town in conducting a detailed engineering/architectural study of various alternatives to determine the suitability of consolidating the Town and Village functions into one building.

Adopted: 4 ayes, no nays (Denn, Di Salvo, Drago, Jablonski)

FEBRUARY 10, 2014 (CONTINUED)

RESOLUTION #124-2013-2014 - APPROVE NEW FIRE DEPARTMENT MEMBER

Motion by Trustee Denn, seconded by Trustee Di Salvo, for the Board of Trustees acting as the Board of Fire Commissioners, to approve Mr. David W. Erickson, 1450 Winch Road, as a new member of the Lakewood Volunteer Fire Department.

Adopted: 4 ayes, no nays (Denn, Di Salvo, Drago, Jablonski)

RESOLUTION #125-2013-2014 - AUTHORIZE BUDGET TRANSFERS

Motion by Trustee Denn, seconded by Trustee Drago, authorizing Village Treasurer Andrea J. Windoft to make budget transfer due to overages in contractual accounts as follows: Transfer \$ 3,000.00 from Account A3120.12 (Part Time Police Salaries) into Account A3120.11 (Police Salaries-Overtime) and transfer \$ 825.00 from Account A5110.40 (Streets-Contractual) into Account A5110.46 (Tree Service).

Adopted: 4 ayes, no nays (Denn, Di Salvo, Drago, Jablonski)

TRUSTEE REPORT

Trustee Jablonski indicated he read a recent article in the local newspaper that the Village of Lakewood and the Town of Busti are planning to share a code enforcement/building inspector in anticipation of current Building Inspector Charles L. Smith's plans to retire in a few months. Trustee Jablonski said he was surprised to read something like this in the paper in that the subject hadn't been discussed by the Board of Trustees prior.

With the upcoming retirement of Building Inspector Smith, Mayor Wordelmann said he and Town of Busti Supervisor Robbins have discussed for a few months now, the idea of creating one position to carry out the code enforcement and building inspector duties for both the town and village, but nothing has been officially agreed upon. The public has been clamoring to merge services when possible and this is one way to do so. Mayor Wordelmann said the Town of Busti has hired Mr. Jeff Swanson as a part-time code enforcement officer in training with the hope he will become a candidate to fill the aforementioned position.

Mayor Wordelmann said Mr. Swanson will likely work with Building Inspector Smith in an on the job training role as he learns the various aspects of the position. Mayor Wordelmann said although the Town of Busti has hired Mr. Swanson, he is getting paid through employment program administered by Chautauqua Works.

Trustee Di Salvo asked Mayor Wordelmann if the position does indeed become full time, wouldn't the Village of Lakewood be compelled to advertise the job and conduct interviews.

Trustee Jablonski suggested that the position be advertised as soon as possible, so that there is an open and competitive process in place so that the most qualified candidate surfaces.

Trustee Di Salvo said the bigger pool of candidates the more beneficial it would be for both municipalities.

Village Attorney Wright said if Mr. Swanson is hired full time by the Town of Busti the Village of Lakewood would have the option of hiring a different candidate or contracting with the Town of Busti for code enforcement officer and building inspector services.

Mayor Wordelmann said contracting out the code enforcement duties would work very much like contracting out the Village of Lakewood's assessing duties to the Town of Busti, and by doing so would save the Village of Lakewood some money.

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Trustee Di Salvo indicated to Mayor Wordelmann that it is a great idea however he is concerned about how much input the Board of Trustees will have in the matter to ensure that we, as the board, will have an individual in that position that will do the job necessary for the Village of Lakewood.

Mayor Wordelmann reminded members of the Board of Trustees that all appointments are per his recommendation for the Board of Trustees to vote on.

RECESS

Motion by Trustee Denn, seconded by Trustee Drago, to recess the regular meeting of the Board of Trustees at 7:05 PM, so as to enter into executive session to discuss a personnel matter.

Adopted: 4 ayes, no nays (Denn, Di Salvo, Drago, Jablonski)

EXECUTIVE SESSION

Present at the executive session were Mayor David T. Wordelmann, Trustee Susan F. Drago, Trustee Gale A. Denn, Trustee David J. Di Salvo, Trustee John Jablonski, Village Attorney Edward P. "Tad" Wright, Police Chief John R. Bentley and Officer Jeffrey G. Spencer. Motion by Trustee Denn, seconded by Trustee Jablonski to adjourn the executive session at 7:42 PM and reopen the regular meeting.

Adopted: 4 ayes, no nays (Denn, Di Salvo, Drago, Jablonski)

RESOLUTION #126-2013-2014 - APPROVE PROVISIONAL APPOINTMENT & PAY RATE

Motion by Trustee Di Salvo, seconded by Trustee Denn, to approve the provisional appointment of Officer Jeffrey G. Spencer to the rank of Police Sergeant retroactive to January 22, 2014. Sergeant Spencer who began his law enforcement career with the Lakewood-Busti Police Department as a part-time police officer February 27, 1992, will be compensated at an annual salary of \$ 64,453.00.

Adopted: 4 ayes, no nays (Denn, Di Salvo, Drago, Jablonski)

Motion by Trustee Denn, seconded by Trustee Jablonski, and unanimously carried the Board adjourned at 7:44 PM.

Joseph M. Johnson
Village Clerk