

APRIL 13, 2015

The twenty-fifth regular meeting of the Board of Trustees of the Village of Lakewood, NY, was held Monday, April 13, 2015 at 6:30 PM, with Mayor David T. Wordelmann presiding. Trustees present were 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 Jeffrey A. Swanson. Absent was Trustee Gale A. Denn.

#### APPROVAL OF MINUTES

Motion by Trustee Drago, seconded by Trustee Di Salvo, to approve the minutes of the last regular meeting of the Board of Trustees, held March 23, 2015. Adopted: 3 ayes, no nays (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 March 31, 2015 and April 13, 2015 be approved and that the Clerk shall execute said abstracts (#14, #46, #47 & #48) and direct payment by the Treasurer. General Fund: \$18,472.03, (End-of-Month), (Checks #11561 thru #11564), Capital Fund: \$ 3,685.97 (Checks #11565 thru #11564) General Fund: \$ 32,044.15, (Checks #11570 thru #11618), Trust & Agency Fund: \$ 52,188.00, (Checks #3308 thru #3318), General Fund: \$ 32,044.15, (Checks #11570 thru #11618) Adopted: 3 ayes, no nays (Di Salvo, Drago, Jablonski)

#### REPORTS

Department of Public Works Supervisor Thomas R. Pilling indicated if the Village of Lakewood would like to go forward with a curbing and sidewalk project along the west side of Mall Blvd., there will be some extra funding available through the Consolidated Local Street & Highway Improvement Program, (CHIPS). Mr. Pilling also reported that the Department of Public Works will soon be tackling a drainage project within the alleyway adjacent to 2 East Second Street and improve the storm water culvert adjacent to Richard O. Hartley Park.

Trustee Drago asked Mr. Pilling when will the brush and leaves pick-up begin, since residents have already started piling yard waste out in the streets in front of their homes.

Mr. Pilling indicated as in previous years, brush pick-up will begin the first Monday in May. Mr. Pilling said if the monthly brush pick-up is going to be an issue, the Board of Trustees can decide to discontinue this service.

Mayor Wordelmann indicated that those violating the brush pick-up rules and regulations should be sent letters reminding them of the prescribed timetable as to when yard waste may be placed in front of their homes for pick-up.

Trustee Jablonski asked Mr. Pilling if in conjunction with the curbing and sidewalk project along the west side of Mall Blvd., would he consider the

possibility of introducing some storm water drainage structures into the existing system as a means to temporary trap and slow down the storm water runoff discharge downstream.

Tree Committee Chairman Richard Rose suggested to Mr. Pilling that the planting of some new trees along Mall Blvd., should be included in the proposed sidewalk and curbing project along Mall Blvd.

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Mayor Wordelmann asked Mr. Pilling what is the schedule to repair the pot holes following the harsh winter. He then reminded those in attendance that the pot holes on Rt. 394 are the responsibility of the NYS Department of Transportation while the pot holes on Summit Street, (County Highway #110) are the responsibility of the Chautauqua County Department of Public Facilities.

Mr. Pilling indicated he and the D.P.W. crew will first address the areas under the two railroad viaducts, adding he hopes to make some surface water drainage improvements in the vicinity of the Fairdale Ave. viaduct.

Police Chief John R. Bentley reported that the Lakewood-Busti Police Department has responded to three thousand two hundred seventy-five reportable incidents year-to-date. Chief Bentley also indicated that he recently sent two officers to child safety seat class, where they learned how to properly install children's car seats, adding this class was sponsored by Governor Cuomo's Traffic Safety Committee. Chief Bentley also reported that officers saved the life of an individual they had previously saved through the administration of the opiate antidote Narcan.

RECESS

Motion by Trustee Drago, seconded by Trustee Di Salvo, to recess the regular meeting of the Board of Trustees so as to conduct a previously scheduled public hearing.

PUBLIC HEARING: 6:40 PM  
SPECIAL USE PERMIT  
DRIVE-IN ESTABLISHMENT/RESTAURANT  
274 EAST FAIRMOUNT AVE.

Mr. Jeremy Hirliman, 1122 Forest Ave., Jamestown, N.Y., has submitted an application for a Special Use Permit regarding a proposal to establish a drive-in establishment/restaurant, (Farmer Brown's Beef & More), at 274 East Fairmount Ave. In accordance with Section #25-41, [Drive-In Establishments], of the Village of Lakewood Zoning Law, the establishment of a drive-in establishment within a B-2, Highway Business District shall require a Special Use Permit.

Mayor Wordelmann indicated he met with Mr. Hirliman a couple weeks ago to discuss his proposal and the guidelines he is expected to work within. Mayor Wordelmann said he supports Mr. Hirliman's efforts and although we hear all the time about young people leaving the area, this young man wants to remain in the area and start a new business in our community. For that we should applaud and encourage him in doing so. Mayor Wordelmann said a couple local

restaurants, namely Alfie's and Davidson's, started small years ago, but look at them now. Mayor Wordelmann said he believes Mr. Hirliman deserves our support.

Mr. Hirliman indicated that he met with Building Inspector Jeff Swanson to go over some of the items that needed to be included when preparing an updated site plan. Mr. Hirliman indicated he has done everything he has been asked to do by the Building Inspector and that at the last regular meeting of the Village of Lakewood Planning Board, held March 18, 2015, it was recommended that the Board of Trustees approve his Special Use Permit application for the drive-in establishment/restaurant.

Mr. P. Scott Sawyer, 105 Winchester Road, said Mr. Hirliman's restaurant is a great establishment and applauds Mayor Wordelmann's support of it. Mr. Sawyer said he would like to see Mr. Hirliman's application be approved by the Board of Trustees.

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Mrs. Joanie Greenwood, 184 Bentley Ave., said she came from a family that ran an independent restaurant and realizes how important they are for a community. She added Mr. Hirilman's restaurant will be a nice fit for Lakewood.

Trustee Drago indicated that over the past five or six months Mr. Hirliman has done everything we have asked of him and thanked him for sticking with it.

With no one else to be heard Mayor Wordelmann closed the public hearing at 6:44 PM.

RESOLUTION #119-2014-2015 - APPROVE SPECIAL USE PERMIT - DRIVE-IN  
ESTABLISHMENT

Motion by Trustee Drago, seconded by Trustee Di Salvo, for the Board of Trustees to grant/approve the Special Use Permit application as submitted by Mr. Jeremy Hirliman, 1122 Forest Ave., Jamestown, N.Y., whereby he will be allowed to establish a drive-in establishment/restaurant at 274 East Fairmount Ave., in accordance with Section #25-41, [Drive-In Establishments], of the Village of Lakewood Zoning Law.

Adopted: 3 ayes, no nays (Di Salvo, Drago, Jablonski)

PUBLIC HEARING: 6:45 PM  
SITE PLAN REVIEW  
SAVE A LOT FOOD STORE  
167 WEST FAIRMOUNT AVE.

Bocar Family Holdings Limited, Miami, Florida has submitted an application for Site Plan Review regarding their proposal to do an interior remodel of 17,346 sq. ft. of the commercial building at 167 West Fairmount Ave., converting the space into a Save A Lot Food Store. In accordance with Section #25-89, [Site Plan Review], of the Village of Lakewood Zoning Law, the alteration/conversion of an existing structure having 5,000 sq. ft. or more of commercial floor space shall require site plan review.

Mayor Wordelmann asked if there was anyone present who would like to explain the proposal to convert the commercial floor space at 167 West Fairmount Ave. into a Save A Lot Food Store.

Mr. David Waller indicated that he is currently the manager of the Save A Lot Food Store located on Fluvanna Ave. in Jamestown, N.Y., and will be managing the store in Lakewood. Mr. Waller said he will be working closely with the plaza owners (Bocar Family Holdings) on this project. Mr. Waller said a Save A Lot Food Store in Lakewood will be able to offer options to the area consumers when it comes to grocery shopping. Besides Lakewood residents the store will serve those living in Ashville, Panama, Sherman and even Mayville. Mr. Waller indicated the Save A Lot Food Store will be a wonderful addition to the plaza as well as the community.

Trustee Di Salvo indicated that the proposed Save A Lot Food Store appears to be a wonderful project, however he did have a question concerning signage. Trustee Di Salvo said the current sign regulations call for monument type signs no more than 9 ft. in height.

Mr. Waller indicated that it is his understanding that signage is a separate issue and it is likely the plaza owners will note a hardship with respect to the current pylon type sign, in that the canopy of trees along West Fairmount Ave. block the sign.

Trustee Jablonski said the local zoning law calls for signage to be a part of the site plan review process.

Building Inspector Jeffrey A. Swanson said it is his understanding that representatives from Save A Lot Food Stores were in contact with a sign company to put together some ideas on signage alternatives. Mr. Swanson added if any signs were going to be added to the site a variance would be necessary.

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Trustee Di Salvo indicate that he doesn't like the idea the Board of Trustees is being asked to approve a project and then have a developer go directly to the Zoning Board of Appeals to ask for a variance.

Trustee Jablonski said he would like to commend the plaza owners and Save A Lot representatives for putting together such a project, adding it is a great use for the property. Trustee Jablonski suggested that any new signage for the plaza match the theme the developer has introduced to the plaza complex. Trustee Jablonski said he would like to table any action on the project until a detailed sign proposal is submitted.

Mayor Wordelmann asked Village Attorney Wright if the Board of Trustees could conditionally approve the interior renovation of this commercial space, with the understanding that the signage issue be addressed at a later time.

Village Attorney Wright indicated that the Board of Trustees could conditionally approve this project or elect to table it.

Mayor Wordelmann said discussion on the Save A Lot project will continue following the public hearing on the Tentative Budget, previously set for 6:50 PM.

PUBLIC HEARING: 6:50 PM  
2015-2016 TENTATIVE BUDGET  
VILLAGE OF LAKEWOOD

Mayor Wordelmann opened the public hearing at 6:50 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 said to better explain the Village of Lakewood's tentative budget figures he thought he would include an easel flip chart as a visual aid. Mayor Wordelmann began his tentative budget presentation by giving folks an overview on spending, revenues, assessments, employee benefits and how the actual tax rate is arrived at. Mayor Wordelmann indicated that in 2010-2011 employee benefits totaled \$ 484,072.00, in 2015-2016 they will reach \$ 678,849.00. The biggest driver in the increase comes in the form of New York State mandated pension costs. Other budgetary increases include the cost of employee medical insurance and workers' compensation insurance.

Mayor Wordelmann indicated that although some costs have increased, revenues other than property taxes have also increased over the past few years. Back in 2012-2013 the Village of Lakewood negotiated a new police services contract with the Town of Busti at a much more equitable rate. Sales tax revenue has also increased over the last few years. The formula as to how sales tax revenue is allocated includes two variables; population and assessment. An important factor in determining the tax rate is the total assessment of properties within the Village of Lakewood. Mayor Wordelmann said the overall assessment increased by 12 million dollars this past year, which factored heavily into being able to reduce the tentative budget's tax rate by \$.36/1,000 assessed value. Mayor Wordelmann said when new commercial development comes to Lakewood it keeps property tax rates in check.

Mr. David Bargar, 11 Sunset Ave., asked Mayor Wordelmann if he knew what portion of the 12 million dollars may be attributable to new business development.

Mayor Wordelmann indicated to Mr. Barger he doesn't have an exact figure, but believes it is in the 8 million dollar range.

Mayor Wordelmann then took a minute to briefly explain the tax levy.

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Mayor Wordelmann said the tax levy is the Village of Lakewood's total spending figure, (\$3,362,131.00) less revenues received other than real property taxes, (\$1,536,606.00) which equals \$ 1,705,525.00. This amount is what is divided, based on one's assessment, among residential, commercial or industrial property owners. Because the tax levy has remained consistent the past few years, village taxes paid by property owners has also remained consistent. The tax rate is reached by dividing the \$ 1,705,525.00 by the Village of Lakewood's total assessment of \$ 239,308,409.00. If the overall assessment of the Village of Lakewood increases, it is only natural that the tax rate be reduced. Mayor Wordelmann indicated that the tax rate for the tentative budget as presented is the lowest in the new century.

One final point Mayor Wordelmann wished to make involved the overall costs associated with providing police protection. Mayor Wordelmann said tax payers have questioned whether or not the cost is worth it or if the service could be provided at a lower cost. The current annual cost of the Lakewood-Busti Police Department, which has remained steady the past few years, is at 1.4 million dollars. When the Village of Lakewood and the Town of Busti sat down to negotiate the current police services agreement, the position the Village of Lakewood took was that the township wasn't paying its fair share for the service. The township was generating about 30% to 35% of the calls, while only paying 20% of the cost. Although the overall cost for police services has remained steady, payments received from the Town of Busti are more in line with the percentage of service they receive. Mayor Wordelmann said believe it or not, businesses within the Village of Lakewood pay about 40% of the total taxes. Forty percent of the 1.4 million dollar police department's operating costs, or approximately \$ 580,000.00 is paid by the business community. It is a service businesses demand and in the end pay for it. Per the police services agreement the current annual subsidy received from the Town of Busti totals \$ 427,000.00, with the Village of Lakewood taxpayers paying the balance of \$ 442,000.00, which is approximately one-third of the police department's total cost.

Trustee Di Salvo asked Mayor Wordelmann if he would like to briefly explain the tax cap to the folks and indicate the amount of revenue the Village of Lakewood could generate while staying under the tax cap.

Mayor Wordelmann said there is a difference between a tax cap and a tax freeze. With the 2% tax cap the Village of Lakewood is allowed to raise tax revenue by 2% or the rate of inflation, 1.68%, whichever figure is lower. If municipalities comply with the tax freeze concept, taxpayers qualify for small tax rebates.

Mayor Wordelmann indicated that the Village of Lakewood could have raised an additional \$ 70,000.00 while staying under the 2% tax cap. Mayor said he doesn't believe in raising taxes for the sake of raising taxes and never will, adding the tentative budget he has presented is sound.

Trustee Di Salvo suggested to Mayor Wordelmann that the tax rate could have been lowered by about \$.20/1,000, which could have generated an additional \$ 26,000.00 in tax revenue. This extra revenue could have been channeled to a maintenance fund for this building that will be celebrating its centennial anniversary in August, which is significant. As the stewards of this building the Board of Trustees need to invest some money for its upkeep. By doing so Mayor Wordelmann could still achieve his goal to lower the tax rate while at the same time start a building maintenance fund. Trustee Di Salvo commended Mayor Wordelmann for his efforts in preparing the tentative budget, and for his budget presentation this evening, but going below the tax rate figure allowed under the NYS imposed 2% tax cap might be a little short sighted.

Mayor Wordelmann said his goal while preparing the tentative budget was to try to keep the tax levy figure consistent with previous years. In his opinion, Mayor Wordelmann said it would be wrong to set aside money for this building without developing some sort of long range plan for it first.

Trustee Di Salvo indicated regardless what the long range plans for this building might be there are some basic things that need to be done maintenance wise. It is the most iconic building in the Village of Lakewood and needs to be treated as such. Looking ahead to the very near future when the Village of Lakewood will be incurring the cost of a new fire pumper, at approximately one million dollars, (principal & interest) over ten years,

maintaining a tax rate just under the tax cap figure might not be a bad idea.

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Trustee Jablonski commended Mayor Wordelmann for setting aside funding for the comprehensive plan, which has been long overdue and for establishing a revenue account for use by the Tree Committee. Although he agrees with most of the Mayor Wordelmann's tentative budget he supports the proposal made by Trustee Di Salvo to reduce the tax levy by \$ .25. As a Trustee for the Village of Lakewood one of our jobs is to protect its assets. It is therefore, on behalf of our residents, in our best interest to invest in this building as a means to protect this iconic asset with or without a long range plan in place.

Mayor Wordelmann indicated that local government is the most efficient form of government, most everything within the budget pays for services that the taxpayer is on the receiving end of. In simple terms, a home owner with a house assessed at \$100,000.00, will pay \$ 712.00, for police protection, fire/ambulance service, garbage pick-up, street lighting, snow removal, library, parks, etc., which is a tremendous deal when compared with their other property taxes.

Mr. Joseph Troche, 19 Winchester Road, indicated before a decision is made to raise the proposed tax rate to create a building maintenance fund, the Board of Trustees need to formulate a long range plan for this building.

Mr. David Bargar, 11 Sunset Ave., agrees that this is a great old building. He suggested that a plan for it be developed before any additional money is invested in it, however it is very important to take good care of "our" assets. Mr. Bargar also said the Village of Lakewood is doing a great job in generating private investment. In that there are currently two libraries in the Town of Busti, Mr. Bargar asked Mayor Wordelmann if he would care to comment on the Lakewood Memorial Library and what its future may hold.

Mayor Wordelmann indicated to Mr. Bargar that is a good question. Mayor Wordelmann said with advances in technology the trend would seem to imply that less people are reading books from local libraries but that is something he would like to sit down and discuss with the Librarian and board members of the Lakewood Memorial Library. Mayor Wordelmann indicated that although the Lakewood Memorial Library's budget request was just slightly higher than the year prior, he decided to freeze the amount to be appropriated, due to the fact that the Village of Lakewood has no say in how the money is spent. Libraries and their future in the local community is a subject that needs to be discussed sooner rather than later.

Mr. Bargar said it becomes a challenge when within the Town of Busti there are two libraries serving eight thousand residents.

Librarian Mrs. Mary Miller said the Lakewood Memorial Library gets a lot of use adding during the first quarter of 2015 there were nine hundred thirty-four more visitors to the library than during the corresponding quarter in 2014.

Mr. Lou Drago, 9 Brook Street, said he would like to commend Mayor Wordelmann saying, with thirty years of experience in fund balance accounting, to put tonight's budget presentation together in a way everyone in the room could

understand it was phenomenal. Mr. Drago said as a homeowner and taxpayer for the past twenty-five years, to maintain the level of the tax levy is very commendable. Mr. Drago said before the Village of Lakewood begins tossing some incidental costs around with respect to this building, he suggested a plan be put in place first, then appropriate the necessary monies.

With no one else to be heard, Mayor Wordelmann closed the public hearing at 7:40PM.

APRIL 13, 2015 (CONTINUED)

RESOLUTION #119-2014-2015 - APPROVE AMENDED TAX RATE/BUDGET ADJUSTMENT

Motion by Trustee Jablonski, seconded by Trustee Di Salvo, to set the tax rate at \$7.23/1,000 assessed value, versus the \$ 7.12/1,000 assessed value rate Mayor Wordelmann has proposed in the tentative budget for 2015-2016, and with the extra revenue, (\$ 25,000.00) establish a building maintenance fund for the Village Hall.

2 ayes, (Di Salvo, Jablonski) 2 nays, (Wordelmann, Drago)

Town of Busti Supervisor Jesse Robbins, indicated it takes a tremendous amount of hard work to get a budget to where Mayor Wordelmann has taken the Village of Lakewood's tentative budget for the upcoming fiscal year, and to undermine that effort in asking for a slight increase to the proposed tax rate

is absurd. Mayor Wordelmann has done an outstanding job in the preparation of his budget as presented.

Trustee Di Salvo said no one on this board is suggesting that it isn't outstanding. As a Trustee, Mr. Di Salvo said he has every right to ask questions on what is being proposed.

Trustee Jablonski indicated that this is when members of the Board of Trustees have the opportunity to suggest amendments to the budget as presented. Although members of the Board of Trustees have asked for additional time to review and discuss budget figures as they are being compiled, the current budget timeframe makes it difficult to suggest changes prior to when the Mayor submits his tentative budget.

Trustee Drago said it is unbelievable, after listening to a number of comments this evening, that certain members of the Board of Trustees would suggest raising the tax rate, in essence to start a building maintenance fund, without first having a plan for this building in place.

Trustee Di Salvo said waiting for a plan to be in place can only be a setback for the Village of Lakewood financially. If the tax rate is dropped drastically this year and with the potential for more debt next year, it is only logical that the tax rate would have to be increased drastically. What is gained by decreasing the tax rate considerably below the Governor's 2% tax cap figure?

Mayor Wordelmann said it will be his duty as Budget Officer to find a way to

pay for the fire truck as well as look where additional spending can be cut. Mayor Wordelmann said the financing of a \$ 700,000.00 fire truck over a ten or twenty year period isn't going to cost the Village of Lakewood \$ 100,000.00 per year.

Ms. Cara Birrittieri, 15 Sunset Ave., said the idea to set some money aside for the upkeep of this building is a good one and should be done at some point. Everyone here this evening would probably agree that the Village Hall needs some work. Ms. Birrittieri also said she is pleased that the Village of Lakewood is going forward with a comprehensive plan.

Mayor Wordelmann indicated that the last major renovation that was done to the Village Hall occurred twenty years ago, and doesn't disagree with the idea to eventually set aside some money for a building maintenance fund. Mayor Wordelmann said this building and how it best be utilized should be addressed in the upcoming comprehensive plan process.

Trustee Jablonski said he understands an energy audit was done on this building a few years ago, but would suggest investing in a new energy audit to determine what could be done to reduce its energy costs. Secondly, with the purchase of a new fire pumper next year, he expects the Village of Lakewood to be on an uphill climb financially and therefore encourages Mayor Wordelmann to consider the suggested alternate tax rate of \$ 7.23/1,000 assessed value.

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Joseph M. Troche, 19 Winchester Road, said everyone agrees that something needs to be done to approve this building, however it would be smart to first develop a plan for it.

Mayor Wordelmann then proceeded ask for a motion to approve the tentative budget as presented for the fiscal year 2015-2016. A motion by Trustee Drago to approve the tentative spending plan was introduced but failed to receive a second.

REPORTS (CONTINUED)

Fire Chief Kurt W. Hallberg reported that the Lakewood Volunteer Fire Department has responded to two hundred fifty-six alarms year-to-date. Thirty-four of the forty-nine alarms in the past two weeks were emergency medical service related.

Trustee Di Salvo asked Chief Hallberg if the joint committee made up of Lakewood and Busti fire department members, which is currently researching the concept of charging those patients who are transported to WCA Hospital, have met recently and if so are they any closer to a resolution regarding the idea.

Chief Hallberg said the committee is in the process of setting-up a meeting, however currently there is a bill before the NYS Legislature, giving permission to volunteer fire departments across the State to charge patients for transportation to a hospital. Insurance companies obviously are going to lobby against this legislation. In a related matter Chautauqua County is conducting a study relating to the lack of manpower

within the volunteer fire & ems services. Chief Hallberg suggested it wouldn't be prudent to go forward on the matter until the NYS Legislature votes on the matter.

Trustee Di Salvo asked Village Attorney Wright how difficult is it to create a separate and incorporated ambulance service which apparently would be required for local volunteer fire departments to charge for hospital transports, keeping in mind the bill that is on the floor of the NYS Legislature.

Village Attorney Wright estimated it would take a couple months to complete the necessary paperwork at an approximate cost of up to twenty-five hundred dollars.

Trustee Di Salvo said after talking about the process for over a year now, if "we" could get it up and running within a couple of months "we" should consider doing so.

Mr. Jack Knowlton, President of the Lakewood Fire Company, said doing this right now on the spur of the moment would split the fire department in half, between firefighters and emergency medical service personnel. Mr. Knowlton said this organization has been a single incorporated entity since 1894 and now you are telling us we half to split the department.

Trustee Di Salvo said this is this is the first he has heard anything about any split within the department and he isn't telling the fire department to do anything, rather he is suggesting that they continue to look into the process to allow it to charge for hospital transports as a source of revenue for the department.

Mr. Knowlton said in order to form a separate ambulance corporation, it must split from the rest of the fire department and we are not going to jump into something without researching it thoroughly first. The fire department wants to be able to consider this option at our own pace. Also, if a separate corporation is formed, it would be for the entire township, and jointly run by the Lakewood Fire Department and the Busti Fire Department. To do so the department needs to be able to guarantee transport services 24/7, 365 days a year. Right now during the day that becomes very difficult to do without mutual aid from Busti, Celoron or Ashville, or dispatching a private ambulance service.

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Mr. Richard Rose, 42 Gifford Ave., asked Mr. Knowlton why would it be necessary to split-up the department in forming the ambulance service.

Mr. Knowlton said each volunteer could decide to belong to both the firefighter side and ems side of the department but both entities are run under separate bylaws. Unfortunately, most individuals don't know the amount of training it takes to become an interior fireman, an EMT or paramedic.

Mr. David Bargar, 11 Sunset Ave., said it goes without saying each resident values the service provided by the Lakewood Fire Department however he understands the challenge in providing volunteers during the work days, Monday - Friday. Mr. Bargar said the Village of Lakewood should be in a position to someday charge for this life saving transport service, which

unfortunately is likely abused at times or the patient doesn't realize that its cost is borne by the local taxpayer. A group, headed up by members of the fire department and the Board of Trustees needs to be formed to study this matter more closely.

Chautauqua County Legislator P.J. Wendel indicated this issue surfaced last year when at a Village Board meeting someone made mention of how much money could be made by a paid ambulance service over the course of a year. Stating this misinformation in a public forum was a big mistake. There is very little to go on in estimating any kind of revenue potential for a paid hospital transport service. Legislator Wendel said the Board of Trustees has entrusted the Lakewood Fire Department to do the right thing for the past 120 years. As a former member of the Board of Trustees he understands how an individual could be enticed with the thought of making money in providing paid hospital transport service. This is more than forming an ambulance service so insurance companies can pick-up the tab. It is going to take a certificate of need, which is hard to come by, how to bill the patient or insurance company will have to be figured out, etc. etc. It is something that is not taken lightly by members of the fire department. As the Lakewood Fire Department has done in the past when confronted with a situation, it will take the right steps, in the right direction, for the right reasons.

Mr. Joseph M. Troche said if a paid hospital transport service is established, any money generated will stay in the fire department, specifically in EMS to defray future expenses.

Mr. Knowlton said any money received for transport services would go directly into the ambulance service corporation. The Village of Lakewood would likely realize a savings in that it would be able to reduce the amount of money that is appropriated annually to the Emergency Medical Service's portion of the Lakewood Fire Department's budget. In closing Mr. Knowlton said the Lakewood Fire Department has always prided itself in its planned approach to various situations over the years and to have our ducks in a row before we jump into something.

Mr. Peter G. Dawson, 24 Lakeview Ave., a longtime member of the Lakewood Fire Department, said he has never doubted that people appreciate what the Lakewood Fire Department does for the community. He said some people may be unaware that when one applies to become a member of the Lakewood Fire Department, he or she applies for membership in the Lakewood Fire Company, which as Mr. Knowlton previously said is an independent privately held corporation. Mr. Dawson said the Lakewood Fire Company establishes its own set of bylaws that require training beyond NYS and Federal guidelines and wanted to make it clear that the terms Lakewood Fire Department and Lakewood Fire Company are not necessarily interchangeable.

PUBLIC HEARING: 6:45 PM (CONTINUED)  
SITE PLAN REVIEW  
SAVE A LOT FOOD STORE  
167 WEST FAIRMOUNT AVE.

APRIL 13, 2015 (CONTINUED)

Mayor Wordelmann apologized to the representatives from Save A Lot Food

Stores for the delay in returning to the public hearing regarding their application for site plan review.

Mr. Rod Velez, property manager for the plaza on West Fairmount Ave. indicated that during the planning board held back on March 18, 2015, questions concerning signage surfaced. He indicated that due to the tree canopy in front of the plaza the existing pylon sign is difficult to see from either direction. During the planning board meeting he introduced an idea to establish some small Save A Lot signs at the plaza entrances to give the new store some visibility. Mr. Velez said so as not to delay action on the site plan review application, which calls for the renovation of 17,346 sq. ft. of the commercial floor space, he would like to withdraw their sign proposal.

Village Attorney Wright said in going back to a question Mayor Wordelmann asked previously about what is to be included in a complete site plan review application. A complete application does require that signs be included.

Mr. Velez said because the existing pylon sign isn't as visible as we'd like, our desire would be to include a couple small signs at the entrances to let passing motorists that a Save A Lot Food Store is located within the plaza. Mr. Velez then showed members of the Board of Trustees a sketch of such a sign. Mr. Velez said Save A Lot is very willing to work with the Village of Lakewood on this matter. He said this particular plaza has been dead for some time and we are just trying to bring it back to life with some appropriate signage.

Trustee Di Salvo indicated signage was not included in the site plan review process conducted by the planning board however he agrees with Trustee Jablonski who would rather review the project as a whole, which would include signage plans.

Ms. Orli Teitelbaum, owner of the plaza said we would have liked to have included a signage proposal with the building renovation plans, to make it a nice neat package, however priority one is to get the building weather tight to allow renovations to begin so Save A Lot can open. Ms. Teitelbaum indicated because they have been approached by a respected nationally known business showing interest in becoming a tenant, additional investment will be made to improve the overall appearance of the plaza to include the building, parking lot, and lighting, with the end goal of bringing more traffic into the plaza.

Building Inspector Jeffrey A. Swanson indicated there are a number of issues that need to be addressed when it comes to signage for the West Fairmount Ave. plaza. According to the local zoning law the maximum number of signs per business is two. Mr. Swanson said according to his sources if the Village of Lakewood fails to act on this proposal now, there is a chance that the Village of Lakewood will lose the Save A Lot Food Store.

Mayor Wordelmann indicated we could discuss signage all night long, but the real reason for the public hearing is to hear arguments for or against a proposal by Save A Lot to locate a supermarket in a space where there had been a supermarket in years past. It would be wrong to challenge this proposal over a few questions regarding signage.

Mr. Velez said he will be glad to work with Village of Lakewood officials that will allow Save A Lot to establish signage at the plaza entrances so as to give the store some exposure from the road. Mr. Velez said it appears we are on the same page, however the quicker we can get started, the quicker we

can open, which translates into more new jobs for the area and more traffic for the plaza.

Trustee Di Salvo said he has no problem with approving the Save A Lot project with the condition that they subsequently submit a detailed signage proposal for the plaza.

APRIL 13, 2015 (CONTINUED)

Mayor Wordelmann said he just wanted it make it clear everyone understands what is being presented this evening for their review. He suggested that members of the Board of Trustees focus on the proposed remodel of the building into a Save A Lot Food Store and forget about signs for the time being. Signs will be another issue for another day.

Trustee Jablonski said he would like to refer back to the sign at the used car dealership at the corner of Fairdale Ave. and East Fairmount Ave. that was approved over a year ago. It was his opinion at the time that the sign did not comply as a monument sign and since then we've lost the handle to have it converted into a monument sign. Trustee Jablonski said he still believes signs need to be part of the site plan review process.

Trustee Jablonski commended Ms. Teitelbaum for the theme that the plaza's façade exhibits and asked if that same theme would be carried by Save A Lot.

Ms. Teitelbaum said Save A Lot will likely follow their own guidelines.

Mr. Richard Rose said when he asked to see the Save A Lot site plan, it included only the proposed interior renovations. He said what is revealed on a detailed site plan can be very important as well informational. He then asked would it be so difficult for Save A Lot to submit a detailed site plan regarding this project.

Mayor Wordelmann said we don't have time to go back to the drawing board.

Trustee Jablonski said this is a permitted use by right for this particular zoning district and we are not questioning that use. What we would have liked to have seen, via a detailed site plan are traffic flows, parking spaces, (including handicapped parking), signage, lighting, landscaping, storage of shopping carts, etc.

Building Inspector Swanson said, per Section #25-89, of the Village of Lakewood Zoning Law, this project qualified for site plan review because it involved the renovation/conversion of 5,000 sq. ft. or more of commercial space.

Trustee Di Salvo indicated that the Planning Board made a recommendation that the Board of Trustees consider granting this project.

Planning Board member Edward J, McCague, indicated the Planning Board reviewed plans for the interior redesign and remodel of 167 West Fairmount Ave. and listened to discussion about the possible need for Save A Lot to apply for a sign variance at a later date.

RESOLUTION #120-2014-2015 - APPROVE PROPOSED SAVE A LOT FOOD STORE PROJECT

Motion by Trustee Drago, seconded by Trustee Jablonski, for the Board of Trustees approve a proposal by Bocar Family Holdings Limited, Miami, Florida to remodel 17,346 sq. ft. of the interior of the commercial building at 167 West Fairmount Ave., converting the space into a Save A Lot Food Store. Adopted: 3 ayes, (Wordelmann, Di Salvo, Drago), 1 nay (Jablonski)

REPORTS (CONTINUED)

Building Inspector Jeffrey A. Swanson reported that property maintenance issues are moving forward including the landscaping and sign removal at the former Grazer Restaurant, 5 W. Fairmount Ave., and having a car removed from the former El Azteca Mexican Restaruant, 12 W. Fairmount Ave.

APRIL 13, 2015 (CONTINUED)

Trustee Di Salvo asked Mr. Swanson if he has had any luck in getting the sign removed at the former Wilson Farms store on Chautauqua Ave.

Ms. Swanson said he has contacted the property owner again regarding the sign and if they don't comply, the Village of Lakewood can choose to have it removed at the owner's expense.

RESOLUTION #121-2014-2015 - AUTHORIZE FUND TRANSFER

Motion by Trustee Jablonski, seconded by Trustee Drago, to authorizing Village Treasurer Andrea J. Windoft to transfer \$ 11,295.00 from Account #A-230-20, [Reserve Fund] into Account #A-5110.20 [Streets-Equipment], for the purchase of two new lawn mowers. Adopted: 3 ayes, no nays (Di Salvo, Drago, Jablonski)

RESOLUTION #122-2014-2015 - AUTHORIZE PURCHASE OF TWO NEW LAWN MOWERS

Motion by Trustee Drago, seconded by Trustee Di Salvo, authorizing Department of Public Works Supervisor Thomas R. Pilling to purchase two (2) new John Deere lawn mowers: A John Deere #300 lawn mower for \$ 2,645.00 and a John Deere z925m 60 inch lawn mower for \$ 8,650.00. Adopted: 3 ayes, no nays (Di Salvo, Drago, Jablonski)

RESOLUTION #123-2014-2015 - AUTHORIZE FUND TRANSFER

Motin by Trustee Drago, seconded by Trustee Di Salvo, authorizing Village Treasurer Andrea J. Windoft to transfer the balance of the grant received from the Sheldon Foundation from the General Fund into the Trust & Agency Fund, [T-1093.45]. Transfers will be made back into the General Fund as expenses are incurred. The current balance is \$ 21,021.14. Adopted: 3 ayes, no nays (Di Salvo, Drago, Jablonski)

RESOLUTION #124-2014-2015 - AUTHORIZE VILLAGE TAX BILL PREPARATION

Motion by Trustee Di Salvo, seconded by Trustee Jablonski authorizing Village

Treasurer Andrea J. Windoft and the Chautauqua County Division of Taxation to produce the Village of Lakewood's 2015-2016 tax bills in accordance with the most recent tax roll on file. NOTE: Due to a software change over at the Jamestown Board of Public Utilities, there will not be any unpaid water bills levied onto the 2015-2016 Village of Lakewood tax bills.  
Adopted: 3 ayes, no nays (Di Salvo, Drago, Jablonski)

RESOLUTION #125-2014-2015 - AUTHORIZE HIRING OF SEASONAL DPW EMPLOYEE

Motion by Trustee Drago, seconded by Trustee Jablonski, authorizing the hiring of Mr. Ryan Vik as a seasonal Department of Public Works employee with an effective start date of April 15, 2015, per the recommendation of DPW Supervisor Thomas R. Pilling. Mr. Vik will be compensated at a rate of \$ 14.50 per hour.  
Adopted: 3 ayes, no nays (Di Salvo, Drago, Jablonski)

APRIL 13, 2015 (CONTINUED)

RESOLUTION #126-2014-2015 - AUTHORIZE HIRING OF PART-TIME PARKS DEPT. EMPLOYEE

Motion by Trustee Di Salvo, seconded by Trustee Drago, authorizing the hiring of Mr. James Fye as a part-time Parks Department employee with an effective sate date of May 13, 2015, per the recommendation of DPW Supervisor Thomas R. Pilling. Mr. Fye will be compensated at a rate of \$ 9.00 per hour.  
Adopted: 3 ayes, no nays (Di Salvo, Drago, Jablonski)

RESOLUTION #127-2014-2015 - APPROVE 2015 DOCK PERMIT APPLICATIONS

Motion by Trustee Di Salvo, seconded by Trustee Drago, to approve the following 2015 dock permit applications as submitted by Jeff Rog & Jeff Weemhoff, 158 & 159 East Terrace Ave., for the Glenwood Ave. right-of-way and Eric Steinbrenner, 5 Pleasantview Ave. for the Pleasantview Ave. right-of-way.  
Adopted: 3 ayes, no nays (Di Salvo, Drago, Jablonski)

RESOLUTION #128-2014-2015 - AUTHORIZE NYCOM ANNUAL MEETING ATTENDANCE

Motion y Trustee Drago, seconded by Trustee Jablonski, authorizing Mayor David T. Wordelmann to attend NYCOM'S Annual Meeting & Training School to be held Sunday, May 3rd thru Tuesday, May 5<sup>th</sup> at the Gideon Putnam Hotel, Saratoga Springs, New York. Mayor Wordelmann shall be reimbursed for any legal expenses incurred.  
Adopted: 3 ayes, no nays (Di Salvo, Drago, Jablonski)

ANYONE TO BE HEARD

Mr. Roger Gilbert, 133 Winch Road, and a member of the Lakewood History Committee, indicated as a history buff he completed research and wrote a book

entitled The History of The Land & Building - 9 West Summit Street, which everyone knows was the former Busti-Lakewood Recreation Center. Mr. Gilbert said the building was originally constructed as the Summit (Movie) Theater by Mr. Arthur Kettle in 1949, which was converted into Brad's Hardware in 1956. Mr. Gilbert said the Lakewood History Museum will be having an "open house", Saturday, May 16<sup>th</sup>, 1:00 - 4:00 PM, at which he will be participating in a book signing. There will be refreshments and everyone is cordially invited to attend. Mr. Gilbert also wished to thank Mary Currie, Andrea Windoft and Joe Johnson, from the Village Clerk's/Treasurer's office for their assistance on gathering information for the book.

Mrs. Tillie Solomonson, 2 Waldemere Way, wanted to let people know that on behalf of the League of Women Voters and the American Association of University Women, a drug task force has been set-up to conduct an open discussion on the drug problems plaguing the county, Wednesday, April 22, 2015 at Moon Brook Country Club, Jamestown, New York. Lunch will be served at 12:00 noon followed by the program at 1:00 PM. She urged everyone to attend this important symposium.

Motion by Trustee Drago, seconded by Trustee Di Salvo, and unanimously carried the Board adjourned at 8:47 PM.

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Joseph M. Johnson  
Village Clerk