

JULY 13, 2015

The thirty-first regular meeting of the Board of Trustees of the Village of Lakewood, NY, was held Monday, July 13, 2015 at 6:30 PM, with Mayor David T. Wordelmann presiding. Trustees present were Ellen E. Barnes, David J. Di Salvo, Susan F. Drago, and John Jablonski. Also present were Village Clerk Joseph M. Johnson, Deputy Village Treasurer Mary B. Currie, 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 Village Treasurer Andrea J. Windoft.

APPROVAL OF MINUTES

Motion by Trustee Di Salvo, seconded by Trustee Drago, to approve the minutes of the last regular meeting of the Board of Trustees, held June 22, 2015. Adopted: 4 ayes, no nays (Barnes, Di Salvo, Drago, Jablonski)

AUDIT OF CLAIMS

Motion by Trustee Drago, seconded by Trustee Barnes, that the claims as audited by the Auditing Committee of the abstracts dated June 30, 2015 and July 13, 2015 be approved and that the Clerk shall execute said abstracts (#4, #5, #6 & #7) and direct payment by the Treasurer. Trust & Agency Fund: \$55,096.44, (Checks #3385 thru #3399, General Fund: \$ 140,362.08, (Checks #11861 thru #11919), End of month Trust & Agency Fund: \$ 57,375.74, (Checks #3400 thru #3417), General Fund End of Month: \$17,395.83, (Checks #11857 thru #11860)

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

REPORTS

Department of Public Works Supervisor Thomas R. Pilling asked Mayor Wordelmann and the Board of Trustees how they would like to proceed regarding the repair or replacement of the crumbling retaining wall along East Terrace Ave. between New York Ave and Lakeview Ave. Mr. Pilling indicated that the wall was damaged earlier this spring when a motorist lost control of his vehicle and ran into it.

Mayor Wordelmann suggested to Mr. Pilling that he may proceed to replace the damaged wall with pre-cast concrete block per the \$ 4,000.00 quote as prepared by Jamestown Macadam, Inc., Jamestown, N.Y.

Mr. Pilling then indicated that the raft at Richard O. Hartley Park/Beach has been removed from the water because it was in such disrepair. When it was taken to Alumidock Division of Metallic Ladder Mfg. Corp. in Randolph, N.Y., for evaluation it was deemed unrepairable. Mr. Pilling said a new similar style raft will cost around \$ 6,700.00. Because it would take about a month for delivery it wouldn't make any sense to order a new raft at this time. Mr. Pilling said a decision will have to be made whether or not to include a new raft in next year's budget.

Mr. Pilling then indicated he and Busti Highway Superintendent Melvin Peterson have heard the Tub Grinder they are interested in purchasing run, but have not yet seen it operate. The Town of Busti did approve going 50%-50%

with the Village of Lakewood on its purchase, however Mr. Pilling said we would prefer to see it in action before making a final decision. Mr. Pilling said he and Mr. Peterson have agreed to make an offer of \$ 25,000.00, for the piece of equipment, in that the machine is in need of a few new hydraulic hoses and other parts.

Mr. Pilling also reported that West Terrace Ave., from the intersection of West Summit Street to Chautauqua Ave., is expected to be milled and paved within the next two weeks.

JULY 13, 2015 (CONTINUED)

Mr. Pilling said he recently met with Andy Johnson, of Ecostrategies Civil Engineering, Falconer, N.Y., regarding the sidewalk and curbing project being considered along the west side of Mall Blvd. Mr. Johnson has agreed to prepare a set of plans for the first phase of it, which will run from Rt. 394, south to the northerly driveway at Arby's Restaurant. Once the plans are completed the Board of Trustees can elect to seek bids for the project.

In conclusion, Mr. Pilling indicated that Mr. Pat Marlinski of Marlinski Landscaping & Stonework, Lakewood, N.Y., agreed to volunteer his crew's labor to spruce up the flower beds throughout the Village of Lakewood prior to the 4th of July Festival/Summerfest Celebration.

Police Chief John R. Bentley reported that the Lakewood-Busti Police Department has responded to six thousand one hundred forty-one reportable incidents year-to-date, six hundred twenty-five of which occurred the past two weeks. Chief Bentley indicated that over the 4th of July weekend the L-BPD had one hundred sixty-two requests for services. In the past two weeks the L-BPD also was involved with two hundred traffic arrests, three DWI's, seven drug arrests, sixty-one criminal arrests, eighteen traffic accidents and five domestic disputes. Chief Bentley said needless to say it has been very busy lately.

Chief Bentley then reported that one part-time officer resigned today and another is considering doing the same. He indicated Officer Corbin Meleen has accepted a full-time position with the Village of Westfield Police Department and Officer Randy Pike is expected to accept a full-time position with the Village of Fredonia. Chief Bentley then asked Mayor Wordelmann and the Board of Trustees for permission to begin interviewing candidates to fill the vacant part-time positions. Chief Bentley said the L-BPD currently employs three part-time officers that have special skills and keeping them on staff saves a lot of money for the department. The question again becomes, is it time to consider hiring another full-time police officer.

Chief Bentley said he recently sent Investigator Jarrett Reed to a two day Social Media Investigator School in Erie County which was a very relevant and valuable seminar.

Chief Bentley concluded his report by saying he is the final steps of an asset forfeiture whereby the Lakewood-Busti Police Department will be receiving \$ 70,000.00 stemming from a drug arrest on Baker Street a couple years ago.

Mr. William Chandler, 207 West Summit Street, asked Chief Bentley about the speed trailer and wondered if it could be placed up on West Summit Street sometime soon.

Chief Bentley indicated to Mr. Chandler he'll see to it that the speed trailer will be put into service for a day or two up on West Summit Street.

Fire Chief Hallberg reported that the Lakewood Volunteer Fire Department has responded to four hundred eighty alarms year-to-date, fifty-seven of which occurred since the last meeting. Chief Hallberg said the LFD had responded to several motor vehicle accidents in the past two weeks, one at the four corners in Panama involving an elderly driver with a medical condition who died a few days later and a high speed fatal crash on Butts Road where one person was pronounced dead at the scene.

Mayor Wordelmann wished to thank Chief Hallberg and the Lakewood Fire Department, Chief Bentley and the Lakewood-Busti Police Department, D.P.W. Supervisor Thomas R. Pilling and the D.P.W. crew, Village Clerk Joseph M. Johnson and Deputy Clerk/Treasurer Mary B. Currie for all their work in connection with this year's annual 4th of July Festival/Summerfest celebration.

JULY 13, 2015 (CONTINUED)

Although currently on vacation leave, Village Treasurer Andrea J. Windoft previously submitted the following report. Village taxpayers have remitted nearly 90% of the tax base during the month of June 2015 totaling \$ 1,542,933.89 in tax revenue. The Lakewood Fire Department's Homeland Security Grant money for new radios for fire departments across Chautauqua County has been received and payment to Motorola will be remitted soon. Chautauqua Hydroseeding has completed phase I of the project to re-seed the dog park and the fencing around the newly seeded area will be in place until July 15th. Mrs. Windoft added Chautauqua Hydroseeding owner Bob Lucas has graciously donated his time and materials for this very worthwhile project and will be undertaking phase II of the project sometime in the fall. The Annual Update Document (AUD), which is the Village of Lakewood's annual financial report has been completed and sent to the NYS Comptroller's Office for their review. In conclusion, Mrs. Windoft asked for members of the Auditing Committee to kindly set a time and date in the near future to audit the Village Treasurer's records as required by the NYS Comptroller's Office.

Building Inspector Jeffrey A. Swanson reported that the Chautauqua Mall recently dredged-out the creek bed on the south end of their property which will allow the creek to retain additional storm water following a hard rain event. Mr. Swanson also reported that Save-A-Lot Food Store at 167 West Fairmount Ave. is expected to have its grand opening this Wednesday, (July 15th). Mr. Swanson also indicated he is attending the initial course for an Asbestos Inspector in Buffalo, New York which entails 16 hours of classroom lecture and 8 hours of hands-on lab work. Mr. Swanson then asked if the Board of Trustees will be revisiting the Village of Lakewood sign ordinance.

Mayor Wordelmann indicated that it is his understanding that the Board of Trustees wouldn't be revisiting the sign ordinance until the Village's comprehensive plan has been completed later this year, at which time the entire zoning law will come under review again. Mayor Wordelmann said for the time being the current section on signs remains enforceable. Mayor Wordelmann

then asked Mr. Swanson to look into a couple matters including the property at 40 Vista Way, the lot at 12 W. Fairmount Ave. which is the site of the former Mexican restaurant and the former Dairy Queen property at 156 W. Fairmount Ave.

Mr. John Rowan, 86 East Terrace Ave., suggested one way to deal with property owners who don't mow their lawns, would be to mow the property maintenance violator's lawn and charge them accordingly via a lien on their village tax bill.

Village Attorney Wright indicated to Mr. Rowan that particular scenario may have worked in Ohio, however it is not allowed to be carried out in the State of New York.

COMMITTEE REPORTS

Village of Lakewood Historian Susan Lane reported that the 100th Anniversary Celebration of the Village Hall will be held in conjunction with the Open House at the Lakewood Fire Department, Saturday, October 10, 2015. Ms. Lane then asked Police Chief Bentley if it would be possible for the Lakewood-Busti Police Department to also participate in the celebration, by having the K-9 unit or a couple patrol cars on display.

ANYONE TO BE HEARD

Mr. John Rowan, 86 East Terrace Ave., indicated that the D.P.W. crew did a tremendous job in cleaning-up Richard O. Hartley Park and Chautauqua Ave. following the recent 4th of July Festival/Summefest and although there are personnel rules and regulations to follow, they should be rewarded in some way for all the extra work that lands in their lap. Mr. Rowan also commended D.P.W. Supervisor Thomas Pilling for paving the area within the brush dump on Packard Ave. Residents now have no excuse not to dump their yard waste and brush all the way back. Speaking of brush, Mr. Rowan said it is his opinion that it is a waste of time and money for the D.P.W. crew to conduct weekly brush pick-up in one of the village's four sectors.

JULY 13, 2015 (CONTINUED)

Their time could be better spent fixing roads and doing other jobs rather than being in the brush hauling business every week. Mr. Rowan suggested that the Village of Lakewood end this weekly service because it impacts only a minority of the residents.

Mayor Wordelmann indicated to Mr. Rowan that the Board of Trustees has discussed the subject at length. Although it is too late to suspend or alter the brush pick-up program this year the Board of Trustees will be discussing possible brush pick-up options for next year over the winter months.

RESOLUTION #164-2014-2015 - AUTHORIZE REDUCTION OF THE 2015-2016 TAX ROLL

Motion by Trustee Jablonski, seconded by Trustee Drago, authorizing Mayor David T. Wordelmann and the Board of Trustees to reduce the 2015-2016 tax roll by \$ 167,000.00, due to a clerical error by the Assessor's Office. The reduced assessment on parcel #368.19-4-9, (51 East Terrace Ave.) results in a lower village tax revenue total by \$ 1,195.89.

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

RESOLUTION #165-2014-2015 - APPROVE NEW FIRE DEPARTMENT MEMBER

Motion by Trustee Di Salvo, seconded by Trustee Barnes, that the Board of Trustees acting as the Board of Fire Commissioners approve Ms. Carlie J. Bernhard, 4036 Mead Road, Jamestown, N.Y. as a new member of the Lakewood Volunteer Fire Department.

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

RESOLUTION #166-2014-2015 - AUTHORIZE USE OF VILLAGE STREETS

Motion by Trustee Drago, seconded by Trustee Jablonski, authorizing the Southwestern Central School's Education Foundation to make use of Village of Lakewood streets, (East Terrace Ave., East Summit Street and West Summit Street), Saturday, July 18th as a portion of the route for their annual bike tour fund raising event.

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

RESOLUTION #167-2014-2015 - COMMITTEE APPOINTMENTS FOR TRUSTEE BARNES

Motion by Trustee Di Salvo, seconded by Trustee Drago, per the recommendations Mayor David T. Wordelmann and Deputy Mayor Susan F. Drago, to appoint Trustee Ellen E. Barnes to the following committees; Highway Committee, Building Committee and Public Safety Committee replacing the late Gale A. Denn, Trustee and the Auditing Committee, replacing Trustee Susan F. Drago.

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

RESOLUTION #168-2014-2015 - SET TIME AND DATE FOR PUBLIC HEARING

Motion by Trustee Barnes, seconded by Trustee Jablonski, per the recommendation of Mayor David T. Wordelmann, to set 6:45 PM, Monday, July 27, 2015, as the time and date to conduct a public hearing to discuss the traffic flow on the alleyway adjacent to the Town of Busti Court building as it relates to safety concerns for those entering and exiting Town Court.

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

JULY 13, 2015 (CONTINUED)

Motion by Trustee Jablonski, seconded by Trustee Di Salvo, and unanimously carried, the Board adjourned at 7:09 PM.

Joseph M. Johnson
Village Clerk

