

OCTOBER 14, 2013

The thirteenth regular meeting of the Board of Trustees of the Village of Lakewood, NY, was held Monday, October 14, 2013 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 and Building Inspector Charles L. Smith. Absent was Fire Chief Kurt W. Hallberg.

APPROVAL OF MINUTES

Motion by Trustee Denn, seconded by Trustee Drago, to approve the minutes of the last regular meeting of the Board of Trustees, held September 23, 2013.

Adopted: 4 ayes, no nays (Denn, Di Salvo, Denn, 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 October 14, 2013, be approved and that the Clerk shall execute said abstracts (#17, #18 & #19) and direct payment by the Treasurer. General Fund: \$ 5,523.60, (Checks #10065 thru #10071), Trust & Agency: \$ 53,761.59, (Checks #2670 thru # 2683), General Fund: \$ 135,511.61, (Checks #10072 thru #10121)

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

REPORTS

Department of Public Works Supervisor Thomas R. Pilling reported that a few projects are being completed before the crew begins the Village of Lakewood's annual leaf pick-up on Monday, October 28th.

Police Chief John R. Bentley reported that the Lakewood-Busti Police Department has responded to eight thousand two hundred forty-four reportable incidents year-to-date and that officers are busy with typical day to day law enforcement matters.

Village Treasurer Andrea J. Windoft reported that the proposed dog park project is moving along and said she is hopeful that fencing will be in place by the end of the month. Mrs. Windoft indicated she is in the process of establishing a set of rules for the dog park and upon completion will present a copy to each member of the Board of Trustees for their review and comment.

Mayor Wordelmann wished to thank Mrs. Windoft for all her work in getting this project off the ground and moving forward. Mayor Wordelmann said because it will be the only dog park in the area, it should draw people to the Village of Lakewood.

Trustee Di Salvo asked Building Inspector Charles L. Smith if he had an opportunity to revisit 8 Olive Ave. regarding reoccurring property maintenance issues and code violations at that address.

Building Inspector Smith indicated that the owner had cleaned the property up to a certain degree but will gladly conduct a follow-up inspection.

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Trustee Di Salvo then asked Building Inspector Smith about the situation where boats are being stored in the parking lot of the vacated business at 125-127 Chautauqua Ave., because he couldn't find anything in the zoning law permitting such a use. Trustee Di Salvo added the situation he described is unsightly.

Building Inspector Smith indicated the storage of boats is not a use by right in a B-1, Retail Business District. Mr. Smith said he believes the present situation is temporary while the owner of 141 Chautauqua Ave. makes room in his building to store the boats.

Trustee Di Salvo asked Mr. Smith if he will be sending a letter to the person responsible for the boats presently being stored in the parking lot.

Mr. Smith indicated to Trustee Di Salvo that he will work with the property owner to make sure the matter is cleared-up shortly.

Trustee Di Salvo asked Building Inspector Smith about the dilapidated fence adjacent to the former Wilson Farms store on the corner of Chautauqua Ave. and East Summit Street.

Mr. Smith indicated that he has sent letters to the property owner, (Benderson Capital Co.), regarding the situation without any reply.

Trustee Di Salvo indicated the building has been vacant and for sale or lease for some time and the owner should be in a position to repair or replace that fence, adding the present situation is unfortunate.

Trustee Drago indicated to Building Inspector Smith that there are also boats being stored in the parking lot of the plaza on West Fairmount Ave.

Mr. Smith said he noticed the boats in the parking lot however he believes boat storage is a use by right in that particular zoning district.

COMMITTEE REPORTS

Mayor Wordelmann indicated the Zoning Law Review Committee met on October 7th and reviewed and discussed the current regulations pertaining to car dealerships and some proposed amendments to those regulations as well as the possibility of establishing a new/separate zoning district specifically for new and/or used car/truck dealerships. Mayor Wordelmann indicated the next meeting of the Zoning Law Review Committee is scheduled for Monday, October 21st at which the subject adult novelty stores will be reviewed and discussed. Mayor Wordelmann also indicated that he would like for members of the Zoning Law Review Committee to meet with the Planning & Zoning Sub-Committee to review and discuss their particular recommendations with respect to the various moratoria and proposed revisions of the current zoning law prior to conducting any public hearings on the subjects.

Trustee Di Salvo asked Village Attorney Wright if the Village of Lakewood would be required to file an Environmental Impact Statement (EIS) prior to making any amendments to the current zoning law or zoning districts in that the law references a threshold of 25 acres.

Village Attorney Wright said he would have to look at the law but noted he doesn't believe any other area municipalities have filed an Environmental Impact Statement (EIS) as part of the process to amend their respective zoning laws and/or maps.

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Mr. Wright added because the Chautauqua County Planning Department would be involved in the process they could advise the municipality accordingly as to whether or not an (EIS) would be required.

ANYONE TO BE HEARD

Mr. Peter Conley, 7 Winchester Road, along with a few fellow neighbors, appeared before Mayor Wordelmann and the Board of Trustees to express his concerns regarding the use of the house and property at 35 West Lake Street as a weekly vacation rental.

Mr. Conley indicated that he and his neighbors have lived at their respective homes between ten to forty years. Mr. Conley said he and his neighbors are in attendance this evening to express their unhappiness with how the owner has been able to utilize the property as a high end vacation rental, which is advertised on line as able to sleep seventeen plus people. The once peaceful residence has become a nuisance and its use as a weekly vacation rental has negatively impacted the entire neighborhood. This past summer on more than one occasion loud noise, partying and frequent fires in the lakeside fire pit turned the peaceful neighborhood upside down. Week after week numerous vehicles belonging to those renting the house at 35 West Lake Street, have threatened our safety and the safety of our children and grandchildren, as they traveled carelessly throughout the nearby neighborhood. Mr. Conley went on to say that he and his neighbors understand that the neighborhood is zoned residential, which begs the questions how can a commercial use of the property as a weekly vacation rental be allowed to continue and why doesn't the Village of Lakewood enforce its own zoning laws. Mr. Conley said he and his neighbors are concerned about the possible erosion of their property values. Mr. Conley said he is hopeful the Village Board of Trustees does not turn its back on the residents who have called this neighborhood home for the past ten to forty years. Mr. Conley implored Mayor Wordelmann and the Board of Trustees to intervene and enforce the existing zoning law by requesting that the owner of the property at 35 West Lake Street cease the commercial use of the residence as a weekly vacation rental.

Mayor Wordelmann indicated to Mr. Conley that he wasn't aware of the situation at 35 West Lake Street until a little over a month ago and at that time Building Inspector Charles L. Smith sent a letter to the owner letting them know that use of the property as a short term rental does not comply with the local zoning law. Mayor Wordelmann went on to say the Village of Lakewood intends to enforce its own zoning law with respect to this situation.

Village Attorney Edward P. "Tad" Wright indicated the property in question is located within a residential district and a weekly rental has been held by the courts to be a commercial use of the property.

Mayor Wordelmann indicated weekly rentals are currently occurring in other neighborhoods throughout the Village of Lakewood, so any enforcement of this particular practice will have to be village wide. Mayor Wordelmann also indicated this matter will certainly be discussed by the Zoning Law review Committee when consider amendments to the current zoning law.

Building Inspector Smith, when asked by Mayor Wordelmann about enforcement, indicated that an initial interpretation about this use was that a municipality could not control weekly rentals but since that time Village Attorney Wright has researched case law which states differently.

Mr. Conley indicated the advertisement for the weekly rental of 35 West Lake Street remains up on line where families can reserve times for the upcoming holidays and next summer. Having four or five families with kids on vacation living across the street can be a nightmare.

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Mayor Wordelmann indicated to Mr. Conley and his neighbors that he and members of the Board of Trustees understand your concerns.

Village Attorney Wright indicated there is a provision of the law that allows individuals to commence legal action on their own against the offending neighbor without relying on Village of Lakewood officials.

RECESS

Motion by Trustee Denn, seconded by Trustee Drago, to recess the regular meeting of the Board of Trustees at 6:48 PM, so as to conduct a previously scheduled public hearing.

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

PUBLIC HEARING – 6:45 PM
LOCAL LAW #4-2013
AMENDMENTS TO CHAPTER #22 [VEHICLE & TRAFFIC]
OF THE VILLAGE CODE

Mayor Wordelmann opened the public hearing at 6:49 PM and asked the Clerk to read the notice of public hearing as it appeared in the Village of Lakewood's official newspaper and proceeded to ask if anyone would like to comment on the proposed amendment to the Village Code.

Village Attorney Wright briefly explained what this amendment will accomplish with respect to the enforcement of the New York State Vehicle & Traffic Law. He said when a motorist receives a traffic ticket for violating the NYS Vehicle & Traffic Law on a state or county highway and wants to have the charge reduced to a parking ticket there are certain fines and penalties imposed. Currently when a motorist receives a traffic ticket for violating the NYS Vehicle & Traffic Law on a village street and wants to have the charges reduced to a village parking ticket the same fines and penalties are not imposed. This amendment will make it less cumbersome for the Court and make the fines and penalties equal for motorists violating the NYS Vehicle & Traffic Law when traveling on state, county and/or village roads.

Per the request of Town of Busti Judge Lyle T. Hajdu, the Village of Lakewood has been asked to amend Section #7, [Penalties for Violation of Ordinance] of Chapter #22 [Vehicle & Traffic] of its Village Code to read as follows: "Every person convicted of a traffic infraction for violation of any of the provisions of the Vehicle & Traffic Law of the State of New York shall be subject to punishment in an amount commensurate with the penalties, including without limitation, fines, surcharges and/or imprisonment imposed by New York State for traffic infractions.

Motion by Trustee Denn, seconded by Trustee Jablonski, to close the public hearing at 6:52 PM and to reopen the regular meeting of the Board of Trustees.

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

OCTOBER 14, 2013 (CONTINUED)

RESOLUTION #80-2013-2014 – ADOPT LOCAL LAW #4-2013 – AMENDING CHAPTER #22

Motion by Trustee Denn, seconded by Trustee Di Salvo, that per the request of Town of Busti Judge Lyle T. Hajdu, to amend Section #7 [Penalties for Violation of Ordinance] of Chapter #22 [Vehicle & Traffic] of the Village Code to read as follows: “Every person convicted of a traffic infraction for violation of any of the provisions of the Vehicle & Traffic Law of the State of New York shall be subject to punishment in an amount commensurate with the penalties, including without limitation, fines, surcharges and/or imprisonment imposed by New York State for traffic infractions.

RECESS

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

PUBLIC HEARING – 6:50 PM
SPECIAL USE PERMIT APPLICATION
& SITE PLAN REVIEW
205 EAST FAIRMOUNT AVE.

Mr. William McFadden, owner of LUV Toyota, 215 East Fairmount Ave. has submitted an application for a Special Use Permit and Site Plan Review regarding his proposal to construct a 3,090 sq. ft. vehicle service station (express lube & car wash) just east of the Tractor Supply Company store on East Fairmount Ave. In accordance with Section #25-14 [Highway Business (B-2) District] of the Village of Lakewood Zoning Law, the establishment of a vehicle service station within a B-2, Highway Business District requires a Special Use Permit. NOTE: In accordance with Section #25-85, [Site Plan Review] of the Village of Lakewood Zoning Law, site plan review is required on proposals involving the development of 5,000 sq. ft or more of commercial floor space or other significant projects that could have an impact with respect to traffic safety, neighborhood character, environment, etc.

Mayor Wordelmann opened the public hearing at 6:55 PM and asked the Clerk to read the notice of public hearing as it appeared in the Village of Lakewood’s official newspaper

Mr. McFadden while distributing information to Mayor Wordelmann and the Board of Trustees explained it is his desire to construct a 3,090 sq. ft. express service and car wash facility on property he owns which is located between the Tractor Supply Company store and the LUV Toyota dealership. Mr. McFadden went on to say that the building’s exterior will have a similar look to that of the LUV Toyota dealership and the LUV used car facility. The building will consist of four bays, three used for service and one wash bay. Mr. McFadden then reviewed the business plan of the operation and said there is no other locally owned or franchise service facility that offers to motorists what this facility will offer. Mr. McFadden then reviewed the proposed site plan and traffic study with members of the Board of Trustees. He expects the business to service thirty-five cars per day initially and within three years it is projected the business will be servicing sixty cars per day. Mr. McFadden about 40% of the business is expected to be generated by drive-by customers. Taking these numbers into account there will be about one customer every twenty minutes which will have a negligible impact on traffic along Rt. 394. The next subject Mr. McFadden wished to discuss was storm water management noting that there are plans to create a grassy swale north of the building. The impervious surfaces on site will drain into this grassy swale where storm water will be temporarily retained prior to it leaching into the ground.

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Mr. McFadden then went over the proposed landscaping plan as prepared by Mr. Pat Marlinski, of Marlinski Landscape and Stone Work, Lakewood, N.Y. Mr. McFadden said Mr. Marlinski's plan calls for the addition of seven trees to the project site on which two trees currently exist and the overall landscaping scheme will be fashioned after the landscaping in front of the LUV Toyota dealership and the LUV Toyota used car facility.

Trustee Jablonski asked Mr. McFadden about the location of the proposed entrances and/or exists.

Mr. McFadden asked Trustee Jablonski to refer to the site plan noting there will be an entrance/exit off Rt. 394 and one off the driveway to the Tractor Supply Company store.

Trustee Di Salvo asked Mr. McFadden who is doing the engineering work for the proposed bio-swale.

Mr. McFadden said Mr. Mark D. Alianello, P.E., from Ellicottville, N.Y., is overseeing the engineering to be done on the project site.

Trustee Drago asked Mr. McFadden if changing oil and lubricating vehicles is the only service being offered at the facility.

Mr. McFadden indicated other than changing out a set of windshield wipers now and then any other service such as inspections and tire changes, etc, will be handled by the LUV Toyota service staff.

Trustee Denn asked Mr. McFadden if the car wash will be using recycled water.

Mr. McFadden indicated to Trustee Denn it is not a requirement and therefore the car wash will not be utilizing recycled water.

Trustee Di Salvo asked Mr. McFadden if there have been any easement issues with the nursery or the Tractor Supply Company store.

Mr. McFadden indicated to Trustee Di Salvo that the easement for ingress and egress located between the nursery and the project site is plenty wide enough and doesn't anticipate any issues with the neighboring businesses.

Trustee Di Salvo then asked Mr. McFadden if a Short Environmental Assessment Form (EAF) has been completed for review by the Chautauqua County Planning Department, in accordance with Section #239m of the General Municipal Law.

Mr. McFadden indicated to Trustee Di Salvo he submitted the Short Environmental Assessment Form (EAF) to the Village Clerk earlier this evening.

Mayor Wordelmann said customers of Mike's Nursery currently park on the project site and wondered if Mr. McFadden anticipates any parking issues.

Mr. McFadden said he doesn't anticipate any problems and is hopeful customers of the nursery will be courteous and cooperative.

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Trustee Di Salvo asked Mayor Wordelmann and Mr. McFadden how would they feel if the Village of Lakewood Tree Committee were given the opportunity to review Mr. McFadden's landscape plan for the project and to offer any ideas or suggestions.

Mr. McFadden said having the tree committee review the landscaping plans would be great and he will gladly welcome any suggestions they might have. Mr. McFadden noted landscaping is a very important aspect of a project such as this.

Trustee Jablonski asked Mr. McFadden how many people will be employed at this facility.

Mr. McFadden said there will be nine people employed at the new service facility.

Trustee Di Salvo asked Mr. McFadden if the signage for the new business has been finalized.

Mr. McFadden indicated the signage on the building is not finalized because a decision has not been made as to whether or not the sign will include a Toyota logo. Mr. McFadden added whatever the decision the sign will be of high quality.

Mayor Wordelmann then asked Mr. McFadden if plans call for a roadside sign or monument type sign.

Mr. McFadden said he has no plans currently on doing a monument sign however he is working with a consultant that developed this business model and it is possible we might consider additional signage in the future.

Trustee Denn asked Mr. McFadden what would be the timetable for construction if and when the project is approved.

Mr. McFadden said originally we wanted to break ground before winter but realistically construction will likely begin in the spring of 2014.

Trustee Di Salvo indicated to Mr. McFadden he would like to review a final site plan, including signage after the tree committee has had an opportunity to review the proposed landscaping plan.

Mr. Richard E. Turner, Jr., 105 East Terrace Ave., would urge the Board of Trustees, if they are considering approving Mr. McFadden's project, that adequate plans are in place to manage soil erosion and sedimentation control of the entire property, including the two lane access road. Mr. Turner said he is very pleased to see that a swale is being proposed for the north edge of the property to collect and retain storm water generated on the project site. Mr. Turner said the Village of Lakewood should make sure the proposed swale is adequate to handle the storm water run-off and that in the event of a severe rain storm it will prevent any overflow of storm water that would end up in Chautauqua Lake. Mr. Turner said there are guidelines as set forth by the State of New York for proper erosion control and storm water management.

With no one else to be heard, a motion was introduced by Trustee Denn, seconded by Trustee Drago to close the public hearing and to reopen the regular meeting of the Board of Trustees.

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

RESOLUTION #81-2013-2014 – TABLE ACTION ON MCFADDEN PROPOSAL

Motion by Trustee Di Salvo, seconded by Trustee Denn, per the recommendation of Mayor Wordelmann for the Board of Trustees to table any action on Mr. William McFadden's proposal to construct a 3,090 sq. ft. vehicle service facility (express lube & car wash) on a .78 acre site at 205 East Fairmount Ave., until the Chautauqua County Planning Department has had ample time to comment on the project and that a final site plan be submitted by the developer for review by the Board of Trustees.

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

ANYONE TO BE HEARD (CONTINUED)

Mr. Richard E. Turner, Jr., 105 East Terrace Ave., said he would like to make a couple comments. Firstly, he would like to congratulate and commend the Department of Public Works and the Village of Lakewood for the tremendous job everyone did in cleaning-up following the devastating wind and hail storm that struck the afternoon of Labor Day. Mr. Turner said he wasn't able to attend the last few meetings but wanted to thank the D.P.W. crew and the Village of Lakewood for handling a real mess promptly and efficiently. Congratulations go out to everyone involved in the clean-up.

Secondly, Mr. Turner wished to talk about the New York State draft law regarding storm water management in particular erosion and sediment control. Mr. Turner said he came before the Board of Trustees back in June and July urging them to adopt this law. Mr. Turner reminded the Board of Trustees back in June he raised concerns about the continual build-up of sediment at the Crescent Creek outfall into Chautauqua Lake. Mr. Turner said the response at the time was that the Village of Lakewood has done some things to reduce the sediment that reaches the lake, but more can and should be done. Mr. Turner then showed members of the Board of Trustees a photo of him standing 300 yards off shore from the Crescent Creek outfall and the water is less than waist deep. Although the Village of Lakewood has dredged the area where Crescent Creek empties into the lake the actual delta extends way out into the lake giving evidence that more needs to be done to reduce the sediment entering the creek and its tributaries.

Mr. Turner then distributed a letter from the Chautauqua Watershed Conservancy and the Chautauqua Lake Association to County Executive Greg Edwards encouraging Chautauqua County to take action to reduce the amount of nutrients which flow into Chautauqua Lake. The flow of sediments and nutrients into the lake is contributing to the algal bloom which is depreciating the asset that we have.

To emphasize this problem Mr. Turner distributed a recent photo of the Chautauqua Lake shoreline not far from Richard O. Hartley Park & Beach, depicting Kelly green water.

Mr. Turner said the Village of Celoron has taken the initiative to adopt an erosion and sedimentation control plan but we haven't done anything here in Lakewood. Mr. Turner again urged the Board of Trustees to do likewise because every little bit helps.

Mrs. Linda Swanson, 2 Vista Way, in revisiting the weekly rental issue, said she thinks an education is needed to provide residents with information on the various zoning districts throughout the Village of Lakewood and what is allowed and/or not allowed within specific districts. Mrs. Swanson said she is aware of a number of short term rental properties within the Village of Lakewood and a comprehensive look at this subject should be considered by the Board of Trustees or a zoning task force. The Village of Lakewood should also look at what other communities are doing with respect to short term rentals, such as implementing specific rules, establish registries, dealing with traffic issues, noise ordinances, etc.

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Mrs. Swanson said any rules established concerning this use should be easy to understand and fair for everyone.

When the question about bed taxes was raised, it was noted by someone in the audience that in the on-line advertisement the rate includes the 5% the Chautauqua County bed tax.

Mrs. Swanson said she believes a local noise ordinance would be a good thing.

Mrs. Jill Conley, 7 Winchester Road, said she and her family just want to live in a peaceful, quiet neighborhood and would ask that local zoning code be enforced.

Ms. Melissa Wilson, 11 Waldemere Way, indicated that there is a weekly rental next to her house at 13 Waldemere Way. The owners, who have rented the house since 2007, take pretty good care of the property during the summer months but as soon as the prime rental season ends care of the property diminishes considerably. Ms. Wilson said the on-line ad states use of a private dock which doesn't sit well with members of the Winchester Road dock association.

Mr. Mark Wilson, 11 Waldemere Way, said he has rental property in the City of Buffalo which maintains a registry, requiring property owners who rent dwellings for specific time periods to register them annually with the city. Mr. Wilson said by registering their rental properties owners are apprised of what is expected of them as a landlord.

Village Attorney Wright indicated that he and other members of the Zoning Law Review Committee will likely look into this concern at a future meeting and determine if this use should be allowed under a set of rules and regulations one of which could be to register the rental property so the municipality would have some local contact information if there are any problems with a particular weekly rental unit.

Mr. Wilson said he personally isn't against weekly rentals, however there needs to be a set of regulations in place as a guide for both owners and renters.

RESOLUTION #82-2013-2014 – AUTHORIZE USE OF VILLAGE STREETS

Motion by Trustee Jablonski, seconded by Trustee Drago authorizing the Lakewood Fire Department to make use of Chautauqua Ave., as the route for the annual Halloween costume parade to be held from 5:30 PM – 6:30 PM, Thursday, October 31st.

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

RESOLUTION #83-2013-2014 – DESIGNATE LEAD AGENCY RE: SEQR PROCESS

Motion by Trustee Di Salvo, seconded by Trustee Drago, to designate the Village of Lakewood as the Lead Agency with respect to the State Environmental Quality Review process in connection with the proposal by Mr. William McFadden to construct a 3,090 sq. ft. vehicle service facility (express lube & car wash) at 205 East Fairmount Ave.

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

OCTOBER 14, 2013 (CONTINUED)

RESOLUTION #84-2013-2014 – REGRETFULLY ACCEPT THE RESIGNATION OF
POLICE SGT./INVESTIGATOR PAUL A. GUSTAFSON

Motion by Trustee Denn, seconded by Trustee Drago, to regretfully accept the resignation of Lakewood-Busti Police Sgt./Investigator Paul A. Gustafson effective November 12, 2013. Officer Gustafson has worked for the Lakewood-Busti Police Department in various capacities since June 26, 1991. It was suggested by Trustee Denn that a letter of commendation be sent to Officer Gustafson for his service to the community.

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

RESOLUTION #85-2013-2014 – AUTHORIZE POLICE OFFICER CANDIDATE INTERVIEWS

Motion by Trustee Denn, seconded by Trustee Drago, authorizing Police Chief John R. Bentley to conduct interviews of qualified candidates for an open full-time police office position.

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

RESOLUTION #86-2013-2014 – AUTHORIZE HIRING OF PART-TIME POLICE OFFICER

Motion by Trustee Denn, seconded by Trustee Di Salvo, per the recommendation of Police Chief John R. Bentley, to authorize the hiring of Ms. Justina L. Preston, Mayville, N.Y., as a part-time Police Officer retroactive to October 10, 2013. Officer Preston will be compensated at \$ 16.49/hr.

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

RESOLUTION #87-2013-2014 – SET HALLOWEEN TRICK OR TREAT HOURS

Motion by Trustee Drago, seconded by Trustee Di Salvo, to set 6:00 PM – 8:00 PM as the hours designated for Trick or Treat in the Village of Lakewood on Halloween, Thursday, October 31, 2013.

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

RECESS

Motion by Trustee Denn, seconded by Trustee Drago, to recess the regular meeting of the Board of Trustees at 7:44 PM, so as to enter into executive session to discuss an upcoming arbitration hearing and potential payouts to two police officers of the Lakewood-Busti Police Department.

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

EXECUTIVE SESSION

Present at the executive session were Mayor David T. Wordelmann, Trustee Gale A. Denn, Trustee, David J. Di Salvo, Trustee Susan F. Drago, Trustee John Jablonski and Village Attorney Edward P. “Tad” Wright. Motion by Trustee Denn, seconded by Trustee Jablonski to adjourn the executive session at 8:12 PM and to reopen the regular meeting.

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

OCTOBER 14, 2013 (CONTINUED)

Motion by Trustee Drago, seconded by Trustee Denn, and unanimously carried the Board adjourned at 8:13 PM.

Joseph M. Johnson
Village Clerk