

FEBRUARY 22, 2016

The fourth regular meeting of the Board of Trustees of the Village of Lakewood, NY, was held Monday, February 22, 2016 at 6:30 PM, with Mayor Cara Birrittieri presiding. Trustees present were Ellen E. Barnes, David J. Di Salvo, Susan F. Drago, and Randall G. Holcomb. Also present were Village Clerk Joseph M. Johnson, Village Treasurer Andrea J. Windoft, Police Chief John R. Bentley, Department of Public Works Supervisor Thomas R. Pilling and Fire Chief Kurt W. Hallberg. Absent were Village Attorney Edward P. "Tad" Wright and Building Inspector Jeffrey A. Swanson.

#### APPROVAL OF MINUTES

Motion by Trustee Holcomb, seconded by Trustee Drago, to approve the minutes of the last regular meeting of the Board of Trustees, held February 8, 2016. Adopted: 4 ayes, no nays (Barnes, Di Salvo, Drago, Holcomb)

#### AUDIT OF CLAIMS

Motion by Trustee Di Salvo, seconded by Trustee Barnes, that the claims as audited by the Auditing Committee of the abstracts dated February 22, 2016 be approved and that the Clerk shall execute said abstracts (#8, #39 & #40) and direct payment by the Treasurer. Capital Fund: \$ 136.65, (Check #12495), Trust & Agency Fund: \$ 58,814.70 (Checks #3656 thru #3670), General Fund: \$ 32,877.29, (Checks #12496 thru #12526)  
Adopted: 4 ayes, no nays (Barnes, Di Salvo, Drago, Holcomb)

#### REPORTS

Mayor Birrittieri indicated today she received a letter from the Chautauqua Region Community Foundation informing the Village of Lakewood that they were awarded a Community Service Grant in the amount of \$4,000.00, to be used to update its 2000 Urban Forest Management Plan & Tree Survey. Monies for the grant came from the Edwin L. Danielson Community Service Fund. Mayor Birrittieri thanked Village of Lakewood Tree Committee Chairman Richard Rose for pursuing this funding.

Mayor Birrittieri said work has begun on the preparation of the budget for the upcoming fiscal year. With the tax cap and new expenses looming it will be a challenging process that will require some "belt tightening". Mayor Birrittieri said she is hopeful to initiate efforts to plan better financially both short and long term. She indicated that the Citizens Budget Advisory Committee is now meeting and looking at creative ways to better manage the Village of Lakewood's finances.

Mayor Birrittieri noted the Events & Marketing Committee is taking shape and several residents have stepped forward to assist in planning the annual 4<sup>th</sup> of July Celebration and other events throughout the year. She said the initial meeting of this committee will be held next week. As stated previously the Village of Lakewood will be hosting golfers and their families participating in the web.com PGA tour stop at Peak 'n Peek Resort, Clymer, N.Y., the week of July 4<sup>th</sup>.

Changing subjects, Mayor Birrittieri said she is determined to form a

Lakewood Merchants Association. When formed, the merchants will have a collective voice and be in a position to advertise as a group. As a vision is formed for upcoming events it will be important to be able to communicate with our merchants.

Mayor Birrittieri said she had the opportunity to meet Governor Andrew Cuomo in Dunkirk on February 11<sup>th</sup> where he announced that a major bio-tech facility would be built nearby, creating 900 good jobs to WNY. Mayor Birrittieri said she succeeded in introducing herself to the Governor. Mayor Birrittieri said she followed-up her brief encounter with Governor Cuomo with a letter welcoming any kind of tax relief or economic stimulus along with an invitation to visit the Village of Lakewood.

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Department of Public Works Supervisor Thomas R. Pilling asked for Board of Trustees approval to look into the feasibility of acquiring a 1,000 gallon diesel fuel tank and a 1,000 gallon unleaded gasoline tank for the D.P.W. Garage versus paying the higher pump prices at a local gasoline station. Mr. Pilling said by doing so he is hopeful to save around \$ 3,000.00 per year. In addition to the two new above ground tanks, a card reader system would be installed that could track the fuel usage by each department. Mr. Pilling said he will present some cost figures to the Mayor and Board of Trustees for their review.

Trustee Di Salvo asked Mr. Pilling if there is an opportunity to share the fuel dispensing facility with the local school district, recalling this idea was talked about a couple of years ago. Trustee Di Salvo said the idea is worth exploring.

Mr. Pilling said he will be happy to contact Mr. Scott Hoot, the Business Manager for the Southwestern Central School District to see if the school district has any interest in the idea.

Mr. Pilling then reported he recently attended Crisis Training at the Office of Emergency Services in Mayville, N.Y., which guided participants on the steps in dealing with a major F.E.M.A (Federal Emergency Management Act) incident such as a tornado or other disaster. Mr. Pilling said through his cell phone he will now be able to send disaster related information to the Office of Emergency Services to determine if a certain area qualifies for F.E.M.A. funding. This cell phone application could also work for the police department, fire department and/or code enforcement.

Mr. Pilling also reported that with assistance from Deputy Clerk Mary Currie, he updated/revised the Village of Lakewood's Chautauqua County Multi-Jurisdictional Mitigation Plan which was originally submitted two years ago. Mr. Pilling said the revised plan requires approval by the Board of Trustees and asked if this matter could be added to this evening's agenda.

In closing Mr. Pilling asked Mayor Birrittieri if indeed members of the Citizen's Budget Advisory Committee were going to review individual departmental budgets, when some if not most of its members haven't been closely involved with the inner workings of the respective departments.

Mayor Birrittieri indicated that the Citizen's Budget Advisory Committee will be looking at the overall budget as a whole versus singular departmental budgets and making long term budget recommendations as necessary.

Mr. Robert Stevens, 6 Fairwood Dr., former SWCS school board member, suggested that the Village of Lakewood should approach the school district again about the possibility of sharing a fuel dispensing facility in the future.

RECESS

Motion by Trustee Barnes, seconded by Trustee Holcomb, for the Board of Trustees to recess its regular meeting so as to conduct a previously scheduled public hearing.

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

PUBLIC HEARING: 6:15 PM  
LOCAL LAW #1-2016  
HAWKING, PEDDLING & SOLICITING

Mayor Birrittieri opened the public hearing and asked the Village Clerk to read the notice of public hearing as it appeared in the Village of Lakewood's official newspaper.

With no to be heard, Mayor Birrittieri closed the public hearing at 6:17 PM and proceeded to reopen the regular meeting of the Board of Trustees.

FEBRUARY 22, 2016 (CONTINUED)

RESOLUTION #17-2016 - ADOPT LOCAL LAW #1-2016

Motion by Trustee Barnes, seconded by Trustee Di Salvo, for the Village of Lakewood to adopt Local Law #1-2016 which amends/replaces Chapter 13 of the Village Code, providing new rules and regulations relating to Hawking, Peddling & Soliciting within the Village of Lakewood.

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

REPORTS (CONTINUED)

Police Chief John R. Bentley reported that the Lakewood-Busti Police Department has responded to one thousand five hundred forty-eight reportable incidents year-to-date, four hundred twenty-three of which occurred within the past two weeks. They included one hundred thirty-four traffic stops, fifteen arrests, three domestic incidents, three driving while intoxicated (DWI) arrests, fourteen criminal arrests and twenty-two motor vehicle accidents.

Chief Bentley also reported that L-BPD officers recently administered the opiate antidote Narcan to an individual who has overdosed, saving his life.

Chief Bentley said he attended a recent Chautauqua County Traffic Safety Committee meeting and a topic of discussion was the traffic study to be done by the NYS DOT to determine if a traffic control devise is warranted at the intersection of East Fairmount Ave. (Rt. 394) and Shadyside Ave. Chief Bentley said there was also some discussion about the possibility of constructing a bridge over the creek connecting the Wal-Mart plaza to the Chautauqua Mall property.

RECESS

Motion by Trustee Holcomb, seconded by Trustee Barnes, to recess the regular meeting so as to conduct a previously scheduled public hearing.

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

PUBLIC HEARING: 6:20 PM  
LOCAL LAW #2-2016  
REGULATING ELECTRICAL INSPECTORS

Mayor Birrittieri opened the public hearing and asked the Village Clerk to read the notice of public hearing as it appeared in the Village of Lakewood's official newspaper.

With no one to be heard Mayor Birrittieri closed the public hearing at 6:22 PM and proceeded to reopen the regular meeting.

RESOLUTION #18-2016 - ADOPT LOCAL LAW #2-2016

Motion by Trustee Holcomb, seconded by Trustee Barnes, for the Village of Lakewood to adopt Local Law #2-2016, providing rules Regulating Electrical Inspectors, as a means to ensure compliance with the New York State Uniform Fire Prevention & Building Code.

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

FEBRUARY 22, 2016 (CONTINUED)

Fire Chief Kurt W. Hallberg reported the Lakewood Volunteer Fire Department has responded to one hundred nine alarms year-to-date, twenty-one of which occurred the past two weeks. Chief Hallberg also reported the annual report has been completed and distributed to the Board of Trustees, who act as the Board of Fire Commissioners. The report notes a total of eight hundred ninety-seven alarms, amassing over three million man hours of service, plus drills and meetings.

Chief Hallberg indicated that Fairway Pointe Senior Village, 2123 Southwestern Drive, is expected to open March 1<sup>st</sup> and members of the Lakewood Vol. Fire Department will be touring the complex tomorrow to get acquainted with the facility's alarm systems and layout. Chief Hallberg indicated the one hundred sixteen unit facility will definitely add to the LFD's number of alarms over the course of a year.

Village Treasurer Andrea J. Windoft reported the Village of Lakewood received its quarterly sales tax check in the amount of \$ 169,695.00, for the period of November, December & January. Mrs. Windoft also said she has provided a flier from the NYS Comptroller's Office to Mayor Birrittieri and the Board of Trustees identifying municipalities that are experiencing "fiscal stress". It also noted that the "fiscal stress" level for the Village of Lakewood is very low at 25.4%.

COMMITTEE REPORTS

Trustee Di Salvo indicated that he and Trustee Holcomb recently met for the purpose of reviewing the current fee and fine schedule. He said they hope to meet again before the next meeting and be in a position to submit a revised fee and fine schedule to the Board of Trustees for their review and comment.

Trustee Holcomb said he would like to address the Village of Lakewood's Procurement Policy and proceeded to hand out a revised policy to Mayor Birrittieri and the Board of Trustees. Trustee Holcomb said he would like to go over the few revisions to the policy. He said the first revision is 1b, which adds language, directly from the NYS Office of General Services, making the terms of contracts one to three years, at the discretion of the Board of Trustees. The second revision is under section 3e, which adds language that "beefs-up" the reasons why the lowest bid may not be the one accepted/awarded. Section 6 now notes that the Procurement Policy will be reviewed annually by the Auditing Committee and approved by the Board of Trustees rather than reviewed by the Board of Trustees. Trustee Holcomb said, per the suggestion of Village Attorney Wright, those responsible for purchasing shall be listed by title only, versus by title and name.

RESOLUTION #19-2016 - APPROVE REVISED PROCUREMENT POLICY

Motion by Trustee Di Salvo, seconded by Trustee Drago that the Board of Trustees approve the Village of Lakewood's revised Procurement Policy, per the recommendation of Trustee Randall G. Holcomb.

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

ANYONE TO BE HEARD

Matthew T. Kerwin, Esq., an attorney with Barclay Damon, Syracuse, N.Y., appeared before Mayor Birrittieri and the Board of Trustees, on behalf of Up State Tower Co., LLC, regarding their desire to locate a wireless telecommunications facility in the community. Mr. Kerwin indicated last fall he submitted an application for a proposed cell tower off West First Street. He said in light of the comments made at the Zoning Board of Appeals meeting held October 29, 2015, he and his client went back to the drawing board and began researching alternate sites.

FEBRUARY 22, 2016 (CONTINUED)

Mr. Kerwin said the purpose of his visit this evening is to advise Mayor Birrittieri and the Board of Trustees that Up State Tower Co., LLP has entered into an agreement with the Lakewood Fire Company regarding the lease of a portion of their property off Glenwood Ave., along the railroad tracks. Mr. Kerwin went on to say that the original application for the cell tower off West First Street was tabled, however it hasn't been withdrawn yet. Mr. Kerwin said we would consider withdrawing that application if he were to get Mayor Birrittieri's and the Board of Trustees' support for their cell tower proposal on the Lakewood Fire Company's property. If the agreement with the fire company comes to fruition, it would provide revenue to the fire company and provide coverage for current and future Blue Wireless customers. The bottom line is Blue Wireless needs to establish a wireless telecommunications facility within the Village of Lakewood and sees this proposal as a win-win

situation. Mr. Kerwin said because the newly proposed cell tower would be located about three-quarters of a mile to the east, there will be a shift in coverage which will require a slightly taller cell tower. Mr. Kerwin asked for feedback from members of the Board of Trustees, whether they prefer the site off West First Street or the latest site being proposed on fire company property.

Trustee Drago said she thinks it is great that Up State Tower Co., LLP has partnered with the Lakewood Fire Company on this venture and believes the latest proposal is the better site of the two. Trustee Drago said the proposed site for the cell tower is well hidden and therefore she is in favor of it.

Trustee Barnes indicated that she too is in favor of the Lakewood Fire Company site. With the proposed cell tower location back next to the railroad tracks, it should have very little impact on nearby properties.

Mayor Birrittieri said Mr. Kerwin has put her and the Board of Trustees in a difficult position, in that it is her understanding that we as a board decided not to consider a second site until the application for the initial site had been withdrawn. Mayor Birrittieri said she mentioned to Mr. Kerwin a few weeks back that the initial site was not a good fit for the community and although the site on the Lakewood Fire Company property might look more promising, there still is a lot that needs to be discussed. Mayor Birrittieri said the newly proposed cell tower site is somewhat isolated and further away from residential properties, however it would be visible from the beautiful baseball field currently under construction, the Lakewood Family YMCA and the proposed Busti-Lakewood Rail-Trail along the railroad tracks. Mayor Birrittieri said she couldn't give Mr. Kerwin a yea or a nay regarding the newly proposed site due to the fact that this proposal requires more discussion.

Mr. Kerwin said he understands that an application for a wireless telecommunications facility on Lakewood Fire Company owned property would require review by both the Zoning Board of Appeals and Planning Board as the process moves forward. He said before we "pull the plug" on the initial application he was hoping for some assurance that the Board of Trustees would prefer the newly proposed site. Mr. Kerwin said his client needs to be able to provide wireless service to its customers or risk jeopardizing their license. Mr. Kerwin added that he will work with the Village of Lakewood and is hopeful the municipality will reciprocate in search of a middle ground that will satisfy everyone involved.

Trustee Di Salvo said, since Village Attorney Wright isn't present this evening, he isn't comfortable in going into any detail of any sort. Trustee Di Salvo indicated that Mr. Wright mentioned there were some issues associated with an alternate site that will need to be worked out before moving forward on a second application.

Trustee Holcomb said he agrees with Trustee Drago saying the newly proposed location would benefit the Lakewood Fire Company and believes a cell tower at that site would be the least obtrusive location in Lakewood for one.

Mr. Kerwin thanked Mayor Birrittieri and the Board of Trustees for their time this evening and said he will be getting in touch with Village Attorney Wright to discuss moving forward with the application process.

FEBRUARY 22, 2016 (CONTINUED)

Mr. Kerwin said he and his client have concerns with the Wireless Telecommunications Facilities consultant the Village of Lakewood has selected for a hand full of reasons, in particular the dollar amount of the required escrow deposit. Mr. Kerwin noted there is no other use in the Village of Lakewood that requires an escrow in that amount, but we can address that at a separate time.

COMMITTEE REPORTS (CONTINUED)

Trustee Barnes indicated she and Trustee Drago as members of the Public Safety Committee met twice with the LFD ambulance committee and Mr. Thomas Toy, the sales representative from North Eastern Rescue Vehicles, Inc., Syracuse, N.Y. Trustee Barnes indicated she and Trustee Drago will tag-team together to review the particulars of the two bids.

Trustee Drago began the discussion noting the Village of Lakewood received two separate bids on January 6, 2016 for a 2016 Type III Ambulance, one from Gorman Emergency Vehicles, Elma, N.Y., for \$129,950.00 and the other from North Eastern Rescue Vehicles, Inc., Syracuse, N.Y., for \$ 157,350.00. The new ambulance is to replace the Lakewood Fire Department's 2006 ambulance. Trustee Drago noted there were zero exceptions with the ambulance bid by North Eastern Rescue Vehicles, (Road Rescue Ultramedic), however there were fifty-two exceptions with the vehicle bid by Gorman Emergency Vehicles, (Medix MSV-II). She indicated it is very important to review each exception so as to clearly document reasons to consider the higher of the two bids.

Trustee Drago started the review of the exceptions by stating that the Medix MSV-II does not have an ISO, (Insurance Services Office) rating which is used to set the community's insurance rates. Road Rescue carries this rating on all its models.

Trustee Barnes indicated that the Medix MSV-II has a 6 year electrical warranty versus a 7 year electrical warranty on the Road Rescue Ultramedic.

Trustee Drago noted that the Road Rescue Ultramedic has a 5 year paint warranty versus a 4 year paint warranty on the Medix MSV-II.

Trustee Barnes indicated that the Medix MSV-II offers only one alternator while Road Rescue Ultramedic provides two alternators which allows the operation of additional equipment. The installation of a second alternator in the Medix MSV-II would cost \$ 855.00.

Trustee Drago said the Road Rescue Ultramedic provides Velvac mirrors versus the standard Ford mirrors on the Medix MSV-II. It is a safety issue in that the Velvac mirrors are larger, heated and remote controlled. To add Velvac mirrors on the Medix MSV-II would cost \$ 784.00.

Trustee Barnes said extra insulation is added to the cab of the Road Rescue Ultramedic for noise and temperature reasons. The Medix MSV-II cab doesn't include the extra insulation.

Trustee Drago said materials used in the construction of the two ambulances differs, where wood is used in the construction of some parts of the Medix

MSV-II while the Road Rescue Ultramedic uses aluminum, which is stronger, lighter and doesn't splinter. Trustee Barnes added that wood surfaces in the Medix MSV-II could absorb materials increasing the chances of a bio-hazard issue.

Trustee Drago said there is no 5 inch "drop skirt" on the Medix MSV-II, which provides a step into and out of the ambulance. The cost to add a "drop skirt" would be \$ 453.00.

Trustee Barnes noted the Medix MSV-II doesn't have a recessed bumper, which makes it easier loading and unloading patients. A recessed bumper on the Medix MSV-II would cost an extra \$ 282.00.

FEBRUARY 22, 2016 (CONTINUED)

Trustee Drago said the Medix MSV-II doesn't have LED lighting on the rear bumper and to add it would cost \$ 131.00.

Trustee Barnes said the insulation installed in the box portion of the Road Rescue Ultramedic is superior to that of the Medix MSV-II, and is considered the industry's quietest ambulance.

The Medix MSV-II has aluminum rub rails versus rubber rub rails on the Road Rescue Ultramedic which absorbs the blows while aluminum may bend. Trustee Drago added this standard feature, with reflective strips, adds to the protection of the ambulance.

Trustee Barnes noted that in the Medix MSV-II there wasn't a separate door to access the vehicle's batteries if they were to fail.

Trustee Drago said in the "action area" of the ambulance the Medix MSV-II has formica tops, versus stainless steel in the Road Rescue Ultramedic, which is easier to keep clean. To replace the formica with stainless steel would cost \$352.00.

Trustee Barnes indicated that the Medix MSV-II doesn't have a medical device rail on the ceiling, which comes standard on the Road Rescue Ultramedic.

Trustee Drago indicated that the ceiling on the Medix MSV-II is vinyl versus a padded ceiling on the Road Rescue Ultramedic, which becomes a safety issue for the ambulance crew.

Trustee Barnes said there isn't any LED strip lighting in the ceiling of the Medix MSV-II, which is standard in the Road Rescue Ultramedic, providing more lighting and vehicle directional information to the crew.

Trustee Drago indicated that a concern of the ambulance crews is storage space. NYS regulations state that everything must be stored or secured. The Medix MSV-II doesn't include a cabinet over the CPR seat as specified. Adding the cabinet would cost \$ 465.00.

Trustee Barnes indicated the space in the action area to store the defibrillator is much smaller on the Medix MSV-II as compared to the Road Rescue Ultramedic which allows for a swivel mount defibrillator. To provide the extra space would cost \$ 222.00.

Trustee Drago indicated that the Medix MSV-II doesn't provide split squad

bench as specified, which becomes a safety issue for the crew.

Trustee Barnes said the Medix MSV-II doesn't have a recessed area for oxygen tanks as provided on the Road Rescue Ultramedic. Additional cost for the recessed storage area, \$ 342.00.

Trustee Drago indicated that heat and air conditioning ducts are located only in the front cab area in the Medix MSV-II while the Road Rescue Ultramedic has uniformed heat and air conditioning ducts throughout the vehicle keeping the crew and patient comfortable.

Trustee Barnes said Medix MSV-II did not provide a medical glove box in the rear doors of the ambulance as specified. To add a glove box in the rear doors would cost \$529.00.

Trustee Drago indicated that clear Lexan was specified in the cabinet doors, making it easier to view the equipment. The Medix MSV-II provides smoked Lexan in their cabinet doors.

Trustee Barnes said the electrical systems on each of the ambulances differ. Medix MSV-II uses rocker switches, which are bigger and draw more power from the alternator. Also the wiring in the Medix MSV-II is seventy pounds heavier than the multiplex system used in the Road Rescue Ultramedic, which also provides more options. If installed in the Medix MSV-II would cost an extra \$ 2,400.00.

FEBRUARY 22, 2016 (CONTINUED)

Trustee Drago said a minor exception on the Medix MSV-II was the location of the clock which was not over the rear doors as specified.

Trustee Barnes said Road Rescue Ultramedic comes with the 700 series grille lights which provide better visibility, a \$ 356.00 value.

Trustee Drago indicated that the Medix MSV-II doesn't provide any floor lighting, saying the ceiling lights would be sufficient. Cost of the additional floor lighting, \$ 423.00.

Trustee Barnes indicated that specifications called for a recessed trash receptacle forward of the CPR seat. The Road Rescue Ultramedic complies while Medix MSV-II locates the receptacle elsewhere.  
Value: \$ 232.00.

Trustee Drago indicated that Medix MSV-II did not include lettering or striping in its bid which could cost up to \$ 3,500.00

Trustee Barnes indicated that the Road Rescue Ultramedic provides additional strip lighting in the attendant area. Cost of the additional lighting is \$ 171.00.

Trustee Drago said Medix MSV-II has its siren/speakers in the bumper rather than in the grille as the Road Rescue Ultramedic does. A siren/speakers in the bumper could compromise the bumper.

Trustee Barnes said there are two other exceptions when it comes to storage. The Medix MSV-II ambulance doesn't have any drawers aft of the CPR seat and no cabinet on the countertop in the action area. Total value: \$ 923.00

Trustee Drago said the Medix MSV-II has no grip strut inside the curbside door, which makes it easier getting in and out of the ambulance during certain weather conditions. Cost of the grip strut, \$ 302.00.

Trustee Barnes indicated that the Medix MSV-II electrical system offers three 12 volt outlets versus the six as specified, three 110 volt outlets, versus the eight as specified and no oxygen outlet in the ceiling as specified. Total cost: \$ 1,208.00

Trustee Drago said the location of the sharps container was specified. The Road Rescue Ultramedic complied, the Medix MSV-II didn't.

Trustee Barnes indicated that the installation of the current patient load system into the new ambulance was part of the bid price as submitted by North Eastern Rescue Vehicles, Inc., while Gorman Emergency Vehicles did not include it in their bid. Approximate installation cost: \$ 1,800.00

Trustee Drago said the specifications called for the painting half of the cab red. Medix MSV-II offers a white cab and to paint half of it red would cost \$ 1,000.00.

Trustee Drago said taking into account the \$ 17,103.00 of exceptions noted on the Medix MSV-II and not including what is standard on the Road Rescue Ultramedic, the difference between the two bid prices is \$10,297.00. Additionally, the current 2006 LFD ambulance has more options than that of the 2016 Medix MSV-II.

Trustee Barnes said an important part of any vehicle purchase is service. North Eastern Rescue Vehicles, Inc. has qualified service technicians and three fully stocked service trucks that will travel to Lakewood to provide any necessary service. If by chance the ambulance is taken out of service for any length of time they will provide a loaner ambulance. Trustee Barnes added many fire departments throughout Chautauqua County utilize Road Rescue Ultramedic ambulances.

FEBRUARY 22, 2016 (CONTINUED)

Trustee Barnes concluded the Public Safety Committee's report on the ambulance bids by reading the last paragraph of Fire Chief Hallberg's bid recommendation as follows. "Some of the other changes may not directly affect safety but are not compliant with our original requests. It seems however to the ambulance committee that with 52 exceptions to our original specifications, we are not comparing two similar vehicles. Some of the things the Medix MSV-II bid changed could have been included but were not, presumably to keep the cost lower. The exceptions do not explain that some of these items were changed because it was logistically impossible to fit things where they were requested. They simply state that they are not going to provide a certain item and then offer something else. Again, it leaves us far from what we spent many hours determining what would be the best and safest for our operation as we conduct it. We therefore respectfully request that you approve the bid from North Eastern Rescue Vehicles, Inc., for a 2016 Road Rescue Ultramedic/Ford gas powered ambulance.

Trustee Barnes indicated that the New York State Fire Association put out a study recently which noted that volunteer fire departments across the Empire State save New York State taxpayers approximately 3 billion dollars per year.

Trustee Barnes commended everyone on the ambulance committee for all their hard work, time, energy and effort. The Board of Trustees acting as the Board of Fire Commissioners must do what they can to provide for the safety of the Emergency Medical Service crews and their patients. Trustee Barnes also recommended that the Board of Trustees accept the bid from North Eastern Rescue Vehicles, Inc.

Mayor Birrittieri said the bid review process was very educational and asked Chief Hallberg if he could provide her and members of the Board of Trustees a brief summary of the exceptions.

Trustee Di Salvo asked Chief Hallberg what is the timeframe between placing an order for the ambulance and its delivery.

Chief Hallberg said it should take about ten months.

Trustee Di Salvo then had a question for Village Treasurer Windoft, asking would the Village of Lakewood be taking out a 5 year Bond Anticipation Note to pay for the new ambulance.

Village Treasurer Windoft said she would recommend doing so, that would include five equal payments against the principal with added interest of approximately 3-3.25%.

Trustee Holcomb asked if there is a down payment required or if it is a lump sum payment upon delivery.

Village Treasurer Windoft indicated that the first payment wouldn't be due until the 2017-2018 budget year.

Mayor Birrittieri said the Village of Lakewood has incurred a huge amount of debt with the ordering of the new fire engine and this purchase coming on its heels is difficult to swallow. Given the ten month window will allow us plan ahead financially, which hasn't been the case in the recent past.

Chief Hallberg reiterated what he had mentioned to Mayor Birrittieri earlier in the day, if the Board of Trustees approves the purchase of the ambulance from North Eastern Rescue Vehicles, Inc., they won't be hearing from the LFD about a vehicle purchase for another ten years.

FREBRUARY 22, 2016 (CONTINUED)

RESOLUTION #20-2016 - ACCEPT/AWARD BID FOR A 2016 TYPE III AMBULANCE

Motion by Trustee Drago, seconded by Trustee Holcomb, for the Village of Lakewood to accept/award the bid in the amount of \$ 157,350.00, as received at 3:00 PM, January 6, 2016, from North Eastern Rescue Vehicles, Inc., Syracuse, N.Y., for a 2016 Type III Ambulance, Road Rescue Ultramedix, per the recommendation of Chief Hallberg and the Ambulance Committee, and in

accordance with the detailed specifications as prepared by the LFD Ambulance Committee. NOTE: Although it was the higher of the two bids received, there were fifty-two exceptions noted and documented in the bid received from Gorman Emergency Vehicles, Elma, N.Y., in the amount of \$ 129,950.00. Adopted: 4 ayes, no nays (Barnes, Di Salvo, Drago, Holcomb)

Fire Chief Hallberg indicated that the LFD will either sell the current 2006 Ford ambulance or trade it in on the purchase of the 2016 ambulance. He hopes to receive at least \$ 12,000.00 for the used ambulance.

Mr. Thomas Hurley, 12 Winding Way, Fire Department and Ambulance Committee member, thanked Trustees Barnes and Drago for their hard work in the review of the bids, demonstrating that the powers that be within a local government can work together towards a common goal.

Mayor Birrittieri agreed, saying their presentation was superb.

#### RESOLUTION #21-2016 - SET 4<sup>TH</sup> OF JULY/SUMMERFEST ACTIVITIES

Motion by Trustee Di Salvo, seconded by Trustee Barnes, to set this year's 4<sup>th</sup> of July/Summerfest Activities for Monday, July 4, 2016 and to authorize Mayor Birrittieri to execute a Contract/Agreement between the Village of Lakewood and Zambelli Fireworks Manufacturing Co., New Castle, PA, regarding the 10:00 PM, fireworks display. Cost of the fireworks will total \$ 10,000.00. Adopted: 4 ayes, no nays (Barnes, Di Salvo, Drago, Holcomb)

#### RESOLUTION #22-2016 - MANAGEMENT OF SUMMERFEST EXPENSES & REVENUES

Motion by Trustee Drago, seconded by Trustee Holcomb, authorizing Village Treasurer Andrea J. Windoft to oversee the revenues and expenses for the 2016 4<sup>th</sup> of July Summerfest to be held Monday, July 4, 2016. NOTE: Invoices paid from donations will be processed as any other claim and will be subject to approval by the Auditing Committee. Adopted: 4 ayes, no nays (Barnes, Di Salvo, Drago, Holcomb)

Mayor Birrittieri said it has come to her attention that the Board of Trustees consider amending the Local Law which established the Planning Board and Zoning Board of Appeals, to include two alternates on each of the review boards. With that said, Mayor Birrittieri indicated that she would like to set times to conduct public hearings to do so at the next regular meeting of the Board of Trustees to be held March 14, 2016.

Trustee Barnes asked Mayor Birrittieri what is the need for the alternates.

Mayor Birrittieri said under Village Law, a village may elect to add alternates to the Planning Board and Zoning Board of Appeals. The need arises if there is a conflict of interest with one or more of the review board members or when board members are absent for one reason or another. It is an option for the Village of Lakewood to consider.

Trustee Drago said it is her understanding that a village isn't obligated to include alternates on their Planning Board or Zoning Board of Appeals.

FEBRUARY 22, 2016 (CONTINUED)

Trustee Di Salvo said a village doesn't have to include alternates, but in his opinion it would be wise.

Planning Board Chairman Edward J. McCague, 12 Park Lane, said Mayor Birrittieri is correct in saying Village Law Sections: 7-712 & 7-718 does permit alternates on each review board, which are appointed by the Mayor and subject to the Board of Trustees' approval. Mr. McCague said having alternates is recommended by the NYS Department of State. The use of alternates generally occurs when there are conflicts of interest with one or more review board member.

Mayor Birrittieri said it is something the Village of Lakewood can do and it is recommended. The chairman of each review board is empowered to choose the alternates. To do so the Village of Lakewood needs to amend a local law or adopt a new local law creating alternate positions on each review board.

Trustee Drago said this process puts a lot of power into the hands of the review board chairmen who aren't elected officials.

Trustee Barnes asked Mr. McCague how long has he been on the Planning Board and how many conflicts of interest issues have there been.

Mr. McCague said he has been on the Planning Board for one year and during his tenure, the board hasn't experienced any conflicts of interest.

Village Clerk Johnson indicated a likely scenario for each review board could be to have only three members present, establishing a required quorum. However, any decision at that particular meeting would have to be unanimous, pro or con to pass, which could put undue pressure on a board member. Having alternates available would lessen that situation.

RESOLUTION #23-2016 - APPROVE MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN

Motion by Trustee Drago, seconded by Trustee Holcomb, to approve the revised Chautauqua County Multi-Jurisdictional Mitigation Plan for the Village of Lakewood in accordance with Disaster Mitigation Act of 2000, per the recommendation of Department of Public Works Supervisor Thomas R. Pilling. Adopted: 4 ayes, no nays (Barnes, Di Salvo, Drago, Holcomb)

RESOLUTION #24-2016 - SET TIME & DATE FOR A PUBLIC HEARING  
RE: PLANNING BOARD ALTERNATES

Motion by Trustee Di Salvo, seconded by Trustee Holcomb, to set 6:15 PM, Monday, March 14, 2016 as the time and date to conduct a public hearing to consider amending a Local Law to add two (2) alternates to the Village of Lakewood Planning Board. Adopted: 4 ayes, no nays (Barnes, Di Salvo, Drago, Holcomb)

RESOLUTION #25-2016 - SET TIME & DATE FOR A PUBLIC HEARING  
RE: ALTERNATES - ZONING BOARD OF APPEALS

Motion by Trustee Di Salvo, seconded by Trustee Barnes, to set 6:20 PM, Monday, March 14, 2016, as the time and date to conduct a public hearing to consider amending a Local Law to add two (2) alternates to the Village of

Lakewood Zoning Board of Appeals.

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

FEBRUARY 22, 2016 (CONTINUED)

Motion by Trustee Holcomb, seconded by Trustee Barnes, and unanimously carried the Board adjourned at 7:34 PM.

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Joseph M. Johnson  
Village Clerk