

NOVEMBER 23, 2015

The fortieth regular meeting of the Board of Trustees of the Village of Lakewood, NY, was held Monday, November 23, 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, 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.

#### APPROVAL OF MINUTES

Motion by Trustee Barnes, seconded by Trustee Jablonski, to approve the minutes of the last regular meeting of the Board of Trustees, held November 9, 2015.

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

#### AUDIT OF CLAIMS

Motion by Trustee Barnes, seconded by Trustee Di Salvo, that the claims as audited by the Auditing Committee of the abstracts dated November 23, 2015 be approved and that the Clerk shall execute said abstracts (#3, #23, & 26) and direct payment by the Treasurer. Capital Fund: \$ 672.09, (Checks #12248 & #12249) Trust & Agency Fund: \$ 54,610.48, (Checks #3548 thru #3559), General Fund: \$ 289,072.47, (Checks #12250 thru #12295)

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

#### REPORTS

Department of Public Works Supervisor Thomas R. Pilling reported that the annual leaf pick-up has been completed the D.P.W. crew is getting equipment ready for snow removal mode. Mr. Pilling indicated Mayor Wordelmann and the Board of Trustees previously agree to promote seasonal employee Ryan B. Vik to a full time employee, with the condition that he provide proof of having health insurance. Mr. Pilling said when Mr. Vik looked into health insurance coverage, the monthly premiums were more expensive than he could afford. Mr. Pilling said Mr. Vik has agreed to go without health insurance and/or opt to visit the local Urgent Care facility as necessary.

Mayor Wordelmann asked Village Attorney Wright for his opinion on the matter.

Mr. Wright said it is his opinion that unless Mr. Vik, takes the insurance buy-out, the Village of Lakewood should provide him health insurance coverage through its current plan, versus being in a position of having an uninsured employee.

Mayor Wordelmann said the choice to provide health insurance for Mr. Vik is up to the Board of Trustees to decide.

Trustee Drago indicated that the Village of Lakewood should provide health insurance for Mr. Vik, forbid something catastrophic should happen.

Mayor Wordelmann said although the hiring of Mr. Vik full-time and providing

him health insurance will cost money, some money will be saved when Mr. Vik will be working at a reduced straight time rate versus having an employee with more seniority getting paid time and one-half for doing the same job. Mayor Wordelmann said Mr. Vik will more or less be doing an internship for less than a year, when it is expected a senior D.P.W. employee retires.

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Mayor Wordelmann asked Mr. Pilling about several piles of leaves and brush that remain along the side of the road.

Mr. Pilling said some residents who mixed their leaves and brush together were sent letters asking them to separate the two so the leaf pick-up crew could return to vacuum them up. Those residents with piles of brush in front of their homes were also sent letters stating the monthly brush pick-up program ended in October. Mr. Pilling said anything left along the edge of the road will be pushed back onto private property until next year.

Police Chief John R. Bentley reported the Lakewood-Busti Police Department has responded to ten thousand three hundred twenty reportable incidents year-to-date and over the past two weeks the door locks throughout the department have been upgraded. Chief Bentley also reported that he recently ordered some new chairs for the patrol room and the other offices and that all the patrol cars are back in service. Chief Bentley concluded his report stating he recently received a \$ 500.00 donation which will be deposited in the equipment fund.

Mrs. Jane Gesing, 103 Lakeview Ave., asked Chief Bentley if it is legal to feed deer, because she is aware of some people near LaGrega Field that are constantly feeding them.

Chief Bentley indicated it is illegal to feed deer however a lot of people do it. If our officers catch people feeding deer, they are warned, however if a N.Y.S. Conservation Officer catches people feeding deer they are issued a summons which comes with a hefty fine.

Fire Chief Kurt W. Hallberg reported the Lakewood Volunteer Fire has responded to eight hundred five alarms year-to-date which surpasses last year's total of seven hundred ninety-eight. Chief Hallberg added most of the alarms during the past two weeks were routine emergency medical service (EMS) calls.

Mayor Wordelmann asked Chief Hallberg if there is any news on the new fire engine being fabricated and what is the timetable for its delivery.

Chief Hallberg said there are photos of the engine on line and the new fire engine is expected to be delivered by the end of February 2016.

Building Inspector Jeffrey A. Swanson reported that the interior remodel at 185 East Fairmount Ave. for the Harbor Freight Tools store is moving right along and that the parking lot in front of Harbor Freight Tools and the Bargain Outlet has been resurfaced. Mr. Swanson also reported that the owner of 22 East Summit Street has been sent a letter regarding the miscellaneous junk that was stockpiled out back near the alley by a departing tenant.

Mayor Wordelmann asked Mr. Swanson about the status of the situation at 101

Elizabeth Street.

Mr. Swanson said the owner of the property is expected in Town of Busti Court tomorrow and that some of the issues have been addressed. Mr. Swanson said there are still questions as to how to handle the vehicles and camper which were removed from the property and stored in the Lakewood-Busti Police Department's impound area.

Mayor Wordelmann then asked Mr. Swanson about the scheduled demolition of the unsafe structures at 8 Olive Ave.

Mr. Swanson said Mr. Carlson has been given some more time to remove personal property from the structures and that Village Attorney Wright has been working with owner's attorney, Dale C. Robbins, Esq., on a possible transfer of the property to the Village of Lakewood.

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Village Attorney Wright indicated that Mr. Robbins had requested that his client be given up to December 15<sup>th</sup> to remove any personal belongings from the premises at 8 Olive Ave. Mr. Wright said he has sent copies of the property transfer papers to Mr. Robbins for his review and comment, but hasn't heard back from him yet. Mr. Wright added, as a point of full disclosure, a copy of the engineer's report which mentions that any snow loads on the structure could be cause for concern was provided to Mr. Robbins.

#### COMMITTEE REPORTS

Trustee Drago indicated she attended the Lakewood Memorial Library's Board of Director's meeting November 10<sup>th</sup> and reported that Mr. Ted McCague made a brief presentation on the comprehensive plan survey results which indicated that 80% of the respondents were satisfied or very satisfied with the library's services. Trustee Drago said there was some discussion on who receives notices of the library's annual fund raising appeal and how best to reach out to other potential donors. It was suggested that the library prepare an appeal letter for inclusion in a future bulk mailing done by the Village of Lakewood. Trustee Drago also said the library's hours of operation were discussed, in particular whether to stay open longer on Saturdays. The subject of salaries and staffing was also discussed along with grant opportunities. In conclusion, Trustee Drago reminded everyone of the library's pancake breakfast fund raiser, Sunday, December 6<sup>th</sup>, from 9:00 to Noon, at Mindy's Place on Chautauqua Ave.

#### RESOLUTION #202-2014-2015 - AGREE TO PROVIDE HEALTH INSURANCE COVERAGE

Motion by Trustee Drago, seconded by Trustee Barnes, for the Village of Lakewood to agree to incur the cost to provide newly appointed full time D.P.W. employee Ryan B. Vik, with single health insurance through the Village of Lakewood's current health care plan effective January 1, 2016.  
Adopted: 4 ayes, no nays (Barnes, Di Salvo, Drago, Jablonski)

#### RESOLUTION #203-2014-2015 - ACKNOWLEDGE/APPROVE EXPANDED STREET INVENTORY

Motion by Trustee Di Salvo, seconded by Trustee Drago, for the Board of Trustees to acknowledge the Village of Lakewood's responsibility to maintain the alleys and street extensions which have been added to the Village of Lakewood's Street Inventory List as it relates to Consolidated Local Street & Highway Improvement Program (CHIPS) funding through the New York State Department of Transportation.

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

RESOLUTION #204-2014-2015 - AUTHORIZE USE OF VILLAGE STREETS

Motion by Trustee Jablonski, seconded by Trustee Barnes, authorizing the Lakewood Family YMCA to make use of village streets as the route for the 15<sup>th</sup> Annual Amy King 5K Run/Walk, to be held Saturday, November 28, 2015.

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

RESOLUTION #205-2014-2015 - APPROVE SNOW REMOVAL CONTRACT AGREEMENT

Motion by Trustee Barnes, seconded by Trustee Drago, per the recommendation of Mayor David T. Wordelmann, to approve the Ice Control & Snow Removal Contract Agreement between the Village of Lakewood and Chautauqua County, regarding ice control and snow removal along a 3.3 mile section of County Highway #110, (Summit Street) for a term from November 1, 2015 until April 30, 2018, and to authorize Mayor Wordelmann to execute same.

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

NOVEMBER 23, 2015 (CONTINUED)

RESOLUTION #206-2014-2015 - SET PUBLIC HEARINGS ON CELL TOWER MATTERS

Motion by Trustee Barnes, seconded by Trustee Drago, per the recommendation of Mayor David T. Wordelmann, for the Board of Trustees to set 6:45 PM, Monday, December 28, 2015, as the time and date to conduct a public hearing on a proposal to enact a moratorium on accepting applications for wireless telecommunications facilities within the Village of Lakewood and to set 6:50 PM, Monday, December 28, 2015, as the time and date to conduct a public hearing to consider amendments to Section #25-51, [Towers, Windmills], of the Village of Lakewood Zoning Law, pertaining to wireless telecommunications facilities.

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

Motion by Trustee Barnes, seconded by Trustee Drago, and unanimously carried the Board adjourned at 6:53 PM.

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Joseph M. Johnson  
Village Clerk

