

FEBRUARY 24, 2014

The twenty-second regular meeting of the Board of Trustees of the Village of Lakewood, NY, was held Monday, February 24, 2014 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, Department of Public Works Supervisor Thomas R. Pilling, Fire Chief Kurt W. Hallberg and Building Inspector Charles L. Smith. Absent was Village Attorney Edward P. Wright.

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 February 10, 2014.
Adopted: 4 ayes, no nays (Denn, Di Salvo, Drago, Jablonski)

AUDIT OF CLAIMS

Motion by Trustee Drago, seconded by Trustee Di Salvo, that the claims as audited by the Auditing Committee of the abstracts dated February 24, 2014, be approved and that the Clerk shall execute said abstracts (#40 & #41) and direct payment by the Treasurer. Trust and Agency Fund: \$ 55,030.90 (Checks #2829 thru #2843) General Fund: \$ 55,301.62 (Checks #10425 thru #10458)
Adopted: 4 ayes, no nays (Denn, Di Salvo, Drago, Jablonski)

REPORTS

Department of Public Works Supervisor Thomas R. Pilling said he would like to figure out a plan to better control the use and quite often the abuse of the brush containment area located on Packard Ave. Mr. Pilling went on to say the Jamestown Board of Public Utilities incorporates a sticker program to control the use of its yard waste site off Fluvanna Ave. Stickers would be issued at no cost to village residents which would allow them to make use of the brush containment site. Mr. Pilling said the D.P.W. crew hauled over four hundred loads of brush from the site last year. He indicated abuse of the site has gotten out of hand the past couple years and it is something we need to control a little better. Due to new regulations enforced by the New York State Department of Environmental Conservation, a good share of the materials hauled to the Hoag Road site for disposal are now required to be chipped, which adds to the cost of providing this service to the residents.

Trustee Drago indicated she would like to see the Village of Lakewood formulate a better plan when it comes to the roadside collection of brush and yard waste. She said residents sometimes place materials for collection too far into the road encroaching travel lanes and set out brush and other yards waste long before its scheduled pick-up.

Mr. Pilling said if the Board of Trustees have any ideas for establishing a set of rules and regulations when it comes to the collection and management of brush and yard waste to let him know.

Mr. Pilling also reported that he recently met with an engineer from the New York & Pennsylvania Rail Road who indicated that there are plans to rebuild

the railroad crossings at Chautauqua Ave. and Lakeview Ave., before the end of the upcoming construction season. The engineer also noted the three railroad overpasses within the Village of Lakewood, although not very visually appealing, are structurally sound. The engineer added if the Village of Lakewood would like to paint any of the overpasses, a proposal would have to be submitted to the New York & Pennsylvania Railroad for approval.

Police Chief John R. Bentley reported that the Lakewood-Busti Police Department has responded to one thousand eight hundred ninety reportable incidents year-to-date.

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Chief Bentley commended Fire Chief Kurt W. Hallberg for the excellent job he did as incident commander during the mass ice rescue exercise held this past Saturday. The exercise was conducted in an efficient and professional manner and all those taking part learned something from it.

Chief Bentley then wished to commend Officer Noel Guttman for applying for and receiving a grant from the National Rifle Association in the amount of \$ 2,004.17, which will be used to purchase firing range training equipment.

Fire Chief Kurt W. Hallberg reported that the Lakewood Volunteer Fire Department has responded to one hundred sixteen alarms year-to-date. Chief Hallberg returned the compliment, by thanking Police Chief John R. Bentley for his assistance inside the command unit last Saturday as well as the assistance the Lakewood-Busti Police Department provided during the mass ice rescue exercise. Chief Hallberg said he was very proud of the members of the Lakewood Fire Department who took part in the exercise. Chief Hallberg said a total of forty-three individuals were taken off the ice and triaged and all but seven were transported to WCA Hospital within an hour. One of the U.S. Coast Guard officers directing the exercise said it was one of the smoothest running exercises that he had ever been a part of. It was a great compliment to Chautauqua County and the three hundred twenty first responders that participated in the exercise.

Chief Hallberg said typically this type of exercise is conducted on one of the great lakes but because of some concerns regarding ice conditions, it was the first time this type of exercise was done on an inland lake.

Mayor Wordelmann commended Fire Chief Hallberg and members of the Lakewood Fire Department as well as Police Chief Bentley and the Lakewood-Busti Police Department for their professionalism exhibited during this exercise. Mayor Wordelmann said he has heard nothing but good comments on how well the exercise was conducted. The Village of Lakewood is a better place thanks to the dedication of the members of both departments.

Fire Chief Hallberg said several months of meetings paid off.

Mayor Wordelmann also thanked Fire Chief Hallberg and the Lakewood Volunteer Fire Department for the invitation to its annual banquet held Saturday, February 15th. The event recognizes the accomplishments of the fire department's unsung heroes who are at the community's beckon call 24/7. The award of the evening went to Ed Nelson, Jr., for his 65 years of continual service to the community as a member of the Lakewood Volunteer Fire Department. New York State Senator Catharine M. Young was in attendance and delivered a proclamation from the New York State Senate honoring Mr. Nelson for his 65 years of faithful and dedicated service to the fire department.

Trustee Denn asked Chief Hallberg how did the chain of command and unity of command play out during the ice rescue exercise with so many agencies involved.

Fire Chief Hallberg said everything went very smoothly and that the location of the emergency dictated he would be the initial incident commander. In a real life emergency other agencies such as the F.B.I., F.A.A. and the N.T.S.B. would become involved and the incident commander would change as the investigation progresses.

Trustee Drago also thanked Chief Hallberg for overseeing the exercise and said as a designated observer was briefed on what was going on. Trustee Drago said she was also impressed with how real the exercise was, all the equipment assembled and the seriousness by everyone who participated.

Chief Hallberg said we in Chautauqua County are very fortunate to have the equipment we have, some of which has been procured through grants.

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Building Inspector Charles L. Smith indicated that he has compiled and submitted to the Board of Trustees his annual report for 2013.

Trustee Di Salvo said after having had representatives from the Chautauqua Home Rehabilitation & Improvement Corporation (CHRIC) attend the last regular meeting of the Board of Trustees, wondered where the Village of Lakewood goes from here. Does the Village of Lakewood contract CHRIC or do we wait to hear from them. Trustee Di Salvo asked Building Inspector Smith if he had a list of possible candidates who might qualify and be willing to participate in the home rehabilitation program.

Village Clerk Johnson indicated to Trustee Di Salvo that he will be happy to contact a representative from CHRIC to determine what the Village of Lakewood needs to do in moving forward to make this program available to qualifying property owners within the village.

COMMITTEE REPORTS

Mayor Wordelmann indicated the zoning law review committee is scheduled to meet tomorrow evening (Tuesday, February 25th). Topics to be discussed include final review of the four moratoria, vacation/weekly rentals, site plan review and erosion & storm water management. Mayor Wordelmann said Ms. Lisa Schmidtfrerick-Miller, Healthy Communities Consultant, with the Chautauqua County Department of Health, has been invited to attend tomorrow evening's meeting to briefly explain the New York State Department of Transportation's Complete Streets program. The committee will discuss and determine if this program can be incorporated into the revised zoning law.

ANYONE TO BE HEARD

Mr. David O'Connor, 26 Ohio Street, Jamestown, N.Y., indicated he represents the Chautauqua County Advertiser & Transcript, the copyrighted name for chaut.com, which is an on line news source. Mr. O'Connor said the new

business is four months old and is doing well. Mr. O'Connor said although he likely won't be attending every meeting, he is here this evening to gather information on the Lakewood-Busti Police Department's proposal to form a K-9 unit. He noted they are doing an ongoing series on the breadth and scope of government in Chautauqua County and this particular topic fits in nicely with that subject matter.

Mr. Bruce Bretz, current member and former Fire Chief for the Lakewood Volunteer Fire Department appeared before Mayor Wordelmann and the Board of Trustees to briefly describe a proposal by the Lakewood Fire Department to construct a small memorial park near the intersection of Chautauqua Ave. and J.W. Packard Blvd. He said a few weeks ago members of the Board of Trustees were provided a copy of the proposed site plan. Mr. Bretz then asked if anyone had any questions concerning the proposal. Mr. Bretz went on to say that this memorial will honor past fire department members who passed away while serving their community.

Mayor Wordelmann asked Mr. Bretz to briefly explain what exactly will make up the memorial park.

Mr. Bretz indicated plans call for a monument with various plaques attached to it, along with a bench and two additional flag poles.

Trustee Di Salvo asked Mr. Bretz if he will be providing some final dimensions and a more detailed site plan.

Mr. Bretz indicated to Trustee Di Salvo once the Lakewood Fire Department receives permission to move forward with the project he will be happy to provide the Board of Trustees with a more detailed site plan.

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Mayor Wordelmann asked Mr. Bretz who is going to fund this project.

Mr. Bretz indicated to Mayor Wordelmann the only thing the fire department will be asking of the Village of Lakewood will be some in-kind service from the Department of Public Works to assist in the building of a retaining wall to be located along a section of the fire department's parking lot.

Mr. Jack Knowlton, President of the Lakewood Fire Company, said the retaining wall will allow the finished grade of the existing embankment along the parking lot to be raised up, adding this project will be paid with monies received from donations, gifts and memorials.

Trustee Denn said he thinks this project is a great idea.

RESOLUTION #127-2013-2014 - APPROVE L.F.D. MEMORIAL PARK

Motion by Trustee Denn, seconded by Trustee Drago, that the Board of Trustees acting as the Board of Fire Commissioners, approve the idea presented by the Lakewood Fire Department to establish a small memorial park near the southeast corner of the intersection of Chautauqua Ave. and J.W. Packard Blvd. and that a detailed site plan will be developed and submitted to them for their final review and comment.

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

ANYONE TO BE HEARD (CONTINUED)

Mr. Stephen P. Fardink, 140 Franklin Street, indicated he was a member of the Lakewood-Busti Police Department for twenty-three years before retiring last June, and wanted to clarify a misperception held by the general public about the K-9 dog. The public has questioned why does the Lakewood-Busti Police Department need a bomb dog. He noted the dog can be cross trained as a tracking dog, which could be utilized in finding a lost child or an elderly person suffering from dementia that might wander off. If approved, the K-9 dog trained for use by the Lakewood-Busti Police Department will do more than just sniff for bombs.

Ms. Ellen Barnes, 78 East Terrace Ave. said she was a twenty-five year member of the Lakewood-Busti Police Department before retiring last year. Ms. Barnes, as a part-time fire/police dispatcher wished to address the K-9 dog question from a dispatcher's perspective. She indicated dispatchers receive requests for K-9 dogs quite often and on numerous occasions not one of the dogs in the county is available. In a perfect world at least one dog should be available at all times. She said K-9 dogs have been very successful in sniffing out firearms in cars and concealed weapons on individuals, which produces a much safer environment for officers conducting traffic stops. A K-9 unit within the Lakewood-Busti Police Department would be a tremendous asset for the community as well as all of Chautauqua County.

Mayor Wordelmann asked Police Chief Bentley if there is a schedule for indicating what agency's dogs are available and when.

Chief Bentley indicated he is working with those law enforcement agencies that have K-9 units to develop a schedule wherein a K-9 unit within the county would be available 24/7. Obviously the more K-9 units there are throughout the county the better chance of having one available when the need arises.

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K-9 UNIT DISCUSSION

Prior to voting on a resolution to approve or disapprove the \$ 59,780.00 grant from the New York State Division of Homeland Security to fund a new Lakewood-Busti Police Department K-9 Unit, members of the Board of Trustees posed a few questions to Police Chief John R. Bentley regarding the grant and proposed K-9 Unit.

Trustee Jablonski indicated to Chief Bentley because the K-9 Officer would be driving his own vehicle it would reduce the wear and tear on the police car fleet in general.

Chief Bentley agreed saying the K-9 Officer would be driving the sport utility vehicle forty hours a week rather than one of the front line police patrol cars.

Trustee Di Salvo, in referencing the contract document, asked Chief Bentley if any of the \$ 21,032.00, allotted for overtime and backfill for approved training could be used for anything else or if he anticipates any additional expenses not covered by the grant.

Chief Bentley indicated it is his understanding that the \$ 21,032.00 can only be used for training related expenses and that he doesn't anticipate any unexpected costs associated with the start-up of the K-9 Unit. Chief Bentley said he has already received some private donations which could be used to defray any unexpected expenses not covered by the grant funding.

Trustee Di Salvo then asked Chief Bentley if he expects any cost carryovers into the new budget.

Chief Bentley indicated it has been his experience that grant money from the State of New York is reimbursed in a timely manner.

Mayor Wordelmann indicated he has gone back and forth on this particular issue, but has come to the conclusion that it is something the Village of Lakewood needs and it will be at no cost to village taxpayers. Mayor Wordelmann said a recent letter to the editor of The Post-Journal, penned by Ms. Cara Birrittieri, 15 Sunset Ave. really hit home, especially for a grandparent like himself. Mayor Wordelmann then asked what price can one put on a life. Having a highly trained dog available and at our disposal is worth it.

Chief Bentley said every tool we have makes us a better and more efficient law enforcement agency.

RESOLUTION #128-2013-2014 - ACCEPT GRANT TO FUND NEW K-9 UNIT

Motion by Trustee Denn, seconded by Trustee Jablonski, for the Board of Trustees to approve/accept a \$ 59,780.00 grant from the New York State Division of Homeland Security & Emergency Services to fund the Lakewood-Busti Police Department's new K-9 Unit as recommended and proposed by Police Chief John R. Bentley, and to authorize Mayor Wordelmann to execute the grant contract agreement. Trustee Denn thanked Chief Bentley for his time and effort in procuring the funding for the new K-9 Unit. Adopted: 4 ayes, no nays (Denn, Di Salvo, Drago, Jablonski)

RESOLUTION #129-2013-2014 - ACCEPT POLICE VEHICLE BIDS

Motion by Trustee Denn, seconded by Trustee Drago, to accept the bid for two (2) 2014 marked police patrol cars (Dodge Charger Pursuit) in the amount of \$ 25,496.00/car = \$ 50,992.00 and to accept the bid for one (1) 2014 marked sport utility vehicle (Dodge Durango) in the amount of \$ 27,539.00, as submitted by Lake County Dodge, Jamestown, New York, per the recommendation of Police Chief John R. Bentley. NOTE: The grant for the new K-9 Unit will fund the purchase of the 2014 Dodge Durango. Adopted: 4 ayes, no nays (Denn, Di Salvo, Drago, Jablonski)

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Motion by Trustee Denn, seconded by Trustee Di Salvo, and unanimously carried, the Board adjourned at 7:07 PM.

Joseph M. Johnson
Village Clerk