

MARCH 27, 2017

The sixth regular meeting of the Board of Trustees of the Village of Lakewood, N.Y., was held Monday, March 27, 2017, 6:30 PM, with Mayor Cara Birrittieri presiding. Trustees present were Ellen E. Barnes, Susan F. Drago, Randall G. Holcomb and Edward J. McCague. Also present were Village Clerk Joseph M. Johnson, Village Treasurer Andrea J. Windoft, Police Chief John R. Bentley, and Building Inspector Jeffrey A. Swanson. Absent were Village Attorney John I. LaMancuso, Department of Public Works Supervisor Thomas R. Pilling and Fire Chief Kurt W. Hallberg.

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 March 13, 2017.
Adopted: 4 ayes, no nays (Barnes, Drago, Holcomb, McCague)

AUDIT OF CLAIMS

Motion by Trustee Barnes, seconded by Trustee McCague, that the claims as audited by the Auditing Committee of the abstract dated March 27, 2017, be approved and that the Clerk shall execute said abstracts (#43 & #44) and direct payment by the Treasurer. Trust & Agency Fund: \$ 58,848.89, (Checks #4049 thru #4058), General Fund: \$ 43,167.81, (Checks #13604 thru #13629)
Adopted: 4 ayes, no nays (Barnes, Drago, Holcomb, McCague)

REPORTS

Mayor Birrittieri indicated that she attended a half day workshop in Mayville, N.Y. last Thursday to learn how municipalities go about applying for assistance through the Federal Emergency Management Agency (FEMA), if disaster should strike their community. She said the seminar was presented by staff from the New York State Office of Homeland Security & Emergency Services. The important point made throughout the session was if a disaster area is declared, it is critical for the impacted municipality to document every detail of not only the damage but also assign dollar amounts to the resources involved in addressing the damage.

Mayor Birrittieri also reported that she and some local business owners will be meeting with representatives from the Chautauqua County Chamber of Commerce tomorrow to learn more about the possibility of forming a local Community Chamber of Commerce here in Lakewood. She hopes to have more to report on the subject next month.

Mayor Birrittieri indicated that the Events & Marketing Committee recently met and they are putting together plans for this year's 4th of July/Summerfest. Activities during the day will include the YMCA Firecracker 10K race, kid's races, a Kid's Zone, food vendors, etc. She also revealed that the Village of Lakewood will again be teaming-up with the LECOM Health Challenge and the web.com PGA Tour in offering a VIP area in which folks will be treated to a meet & greet with a few of the golf professionals participating in the local event.

Mayor Birrittieri also indicated, with the Board of Trustees' approval, Ms.

Laurie Shults and Mr. Salvatore Rachuna of the Fitness Bunker, have offered to provide free fun exercise classes at Richard O. Hartley Park, Thursday evenings prior to the scheduled concerts/events in the park. She also said another food vendor, 3 C's Catering, Kennedy, N.Y., is interested in providing different food options for folks attending the concerts/events in the park on Thursdays.

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In closing, Mayor Birrittieri indicated the Tentative Village Budget for the fiscal year 06/01/2017 - 05/31/2018 has been submitted to the Village Clerk for distribution, copies of which are available to the public for review at the Village Clerk's Office. A public hearing on the tentative budget will be set for the April 10th meeting of the Board of Trustees.

Police Chief John R. Bentley reported the Lakewood-Busti Police Department has handled two thousand four hundred twenty-one reportable incidents year-to-date, four hundred twenty of which occurred within the past two weeks. Chief Bentley said the L-BPD will be ordering some new protective equipment with monies received via a grant in the amount of \$13,560.00.

Village Treasurer Andrea J. Windoft reported that she received correspondence from the Jamestown Board of Public Utilities stating that they again would like for the Village of Lakewood to levy any and all outstanding water bills on properties within the village limits onto the 2017-2018 Village Tax Bills for those corresponding properties. Because they have been going through major changes in their software program, the process to levy the unpaid water bills onto the village tax bills hasn't been done for the past three years. Mrs. Windoft said the amount of unpaid water bills due the B.P.U. Water Division is in excess of \$ 13,000.00. The B.P.U. has notified the current property owners of the situation and what isn't collected prior to mid May will be levied onto their respective village tax bills. Mrs. Windoft said she wouldn't be surprised if some of the property owners receiving a notice about an unpaid water bill might reach out to the Mayor or members of the Board of Trustees for an explanation.

Changing subjects, Treasurer Windoft said in looking at the tentative budget the last line item in the document is the interest payment for the new fire engine. She said although the line item total is zero dollars, she would prefer to include the interest payment of \$ 13,000.00 in the tentative budget and reference it as an inter-fund transfer. Although some numbers will change the proposed tax rate will not.

Mrs. Windoft said she massaged some numbers regarding the tax rate and to stay under the tax cap the current tentative budget would have to be reduced by \$ 112,000.00.

Building Inspector Jeff Swanson reported he recently attended the Finger Lakes Building Officials Association (FLBOA) held in Rochester, N.Y., which proved to be very informative. Mr. Swanson said one of the key points he took from the conference was the importance of conducting fire inspections. He indicated New York State officials realize that most municipalities fall behind when it comes to fire inspections. Between the Village of Lakewood and the Town of Busti there are over four hundred fire inspections that need to

be carried out.

Building Inspector Swanson said he learned of a statewide program called Community Emergency Disaster Assistance (CEDA), and would like permission from the Mayor and the Board of Trustees to participate in this program. Upon receiving the necessary six (6) hours of training he would be able to assist neighboring building officials throughout the county and/or western New York with damage assessment and other tasks if by chance some sort of disaster struck. Although one never knows, the next disaster could occur in our community. Mr. Swanson said the training is provided at no cost to the municipality. Currently first responders such as police and fire officials take on this extra burden.

Mayor Birrittieri indicated that it sounds as if the program Mr. Swanson is describing is needed and necessary. Any preparation when it comes to tackling disasters is better than no preparation.

Trustee McCague asked Mr. Swanson would a person participating in the CEDA program be considered a State or Federal official.

Mr. Swanson said those in the Community Emergency Disaster Assistance (CEDA) program would be NYS officials and be covered by NYS insurance and workers' compensation. Mr. Swanson said he would like to speak with Mr. Julius Leone, Director of Chautauqua County's Emergency Management System, to try to get more municipalities throughout the county involved in this program.

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Building Inspector Swanson indicated that the new Planet Fitness, located at the Chautauqua Mall, is expected to open in about three months and the Honda dealership under construction on East Fairmount Ave. is moving right along.

Building Inspector Swanson said with spring comes an increased number of concerns/complaints regarding property maintenance, adding he is going to be working with Village Attorney LaMancuso on revamping the current Appearance Ticket, to make them more user friendly. Once that occurs he will begin property maintenance enforcement, concentrating on the worst offenders.

Mayor Birrittieri said it is a good time to remind residents of a form available at the Clerk's Office on which they may register a complaint regarding a property or properties that they consider sub-standard from a property maintenance standpoint. This is one way the Building Inspector can prioritize his property maintenance enforcement action plan.

Mrs. Jeanne Holmes, 10 Holly Drive, said she has some concerns about the possibility of the property at 6 Holly Dr. being foreclosed on and how it may or may not be maintained in the future.

Building Inspector Swanson said from his experience if a property is foreclosed on it has been very difficult to get any cooperation from the banking institution.

Trustee McCague suggested to Mrs. Holmes if the property at 6 Holly Dr. is not maintained properly for one reason or another to fill out a complaint form anyway and file it with the Building Inspector.

Trustee Barnes asked Building Inspector Swanson, if and when he gets a chance, could he compile a list of abandoned and or empty residences

throughout the Village of Lakewood, in view of what has happened to a number of abandoned properties in the City of Jamestown recently.

Mr. Swanson asked Trustee Barnes when she would be able to take a ride with him.

COMMITTEE REPORTS

Trustee Drago, Chairperson of the Parks & Recreation Committee, wanted to take a minute to respond to a concern voiced by Ms. Nancy G. Bargar at the previous meeting, regarding receptacles for dog waste. Trustee Drago said she believes there are plenty of receptacles at the park and along Chautauqua Ave. where dog owners can dispose of dog waste. Typically a dog owner will grab a bag at the dispenser and end up disposing the bag and dog waste elsewhere.

Trustee McCague asked how costly are the doggie waste stations.

Village Treasurer Windoft said she recently found a new vendor whereby for \$ 200.00, they will supply the post, sign, bag dispenser and waste container. She said there is enough money in the dog park donation fund to purchase a couple more doggie waste stations if need be.

Mayor Birrittieri said another doggie waste station along Chautauqua Ave. would be helpful.

Trustee McCague said a goal over time would be to strategically place doggie waste stations throughout the entire community. Doing so would serve as a sign encouraging dog owners to pick-up after their pets.

Trustee Barnes said, in the absence of Fire Chief Hallberg, she would like to take this opportunity to speak to an issue that has been brought to her attention by more than one member of the Lakewood Volunteer Fire Department. A number of our volunteers are very discouraged, angry and upset on their perception on how they have been treated.

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She said our volunteers run toward danger and into emergency situations without compensation. They are wondering how is the Village of Lakewood going to manage, if it were forced to go to a paid fire department, because they are on the verge of walking out. Trustee Barnes said it is a very serious situation, noting it would cost about 4 million dollars per year for a paid fire department. By law the Village of Lakewood has to provide/maintain a fire department.

Mayor Birrittieri asked Trustee Barnes what has triggered this posture by members of the Lakewood Volunteer Fire Department.

Trustee Barnes said the list of reasons is long and would rather not go over it in detail. Members of the LFD do not believe they are receiving the support and appreciation that they deserve. This matter has been discussed at recent Fire Company meetings and they are not pleased with the Village of Lakewood.

Trustee Barnes said not enough residents appreciate what our fire department

volunteers do for the community. Without them the Village of Lakewood would be in dire shape.

Mayor Birrittieri asked Trustee Barnes if one of the reasons members of the LFD are upset stem from the fact that the Village of Lakewood would like them to consider instituting a program to have patients pay for hospital transports.

Trustee Barnes said that's part it, along with cuts to their budget for equipment maintenance. Although some of the LFD vehicles are new, they still must be inspected annually for safety. The training LFD members are required to take adds up to thousands of hours. Also, there is petition being circulated which is against the fire siren being activated with some saying it is an outdated tool. Trustee Barnes said apparently her explanation and Chief Hallberg's explanation as to why the fire siren still needed wasn't enough. It acts as a back-up alarm in certain situations and is still recognized by the volunteers. New technology isn't always perfect.

In closing Trustee Barnes said we don't want our volunteers walking out on us.

Mayor Birrittieri said she would like to hear more specific information as to why members of the Lakewood Volunteer Fire Department feel the way they do.

Trustee Holcomb, as Chairman of the Finance Committee, said he and fellow committee member Trustee McCague are in favor of creating reserve accounts in the Village of Lakewood budget.

Trustee McCague said a public hearing would need to be conducted in creating the reserve funds. Once created residual funds in certain accounts could be transferred into the designated reserve accounts, as opposed to having the residual funds transferred into the general fund.

Village Treasurer Windoft noted however that a certain amount of money would need to be retained in the fund balance.

ANYONE TO BE HEARD

Mr. Craig Seger, 31 Winchester Road, indicated that he, along with Ted McCague, Kaie Smith, Richard Rose, Jared Yaggie, John Jablonski, Bill Chandler, were part of the long term planning committee which now has evolved into the comprehensive plan's implementation committee. It was decided that the first long range topic to tackle was the current Village of Lakewood web site. Over a six month period Kaie Smith and Jared Yaggie spent a lot of time in exploring all kinds of possibilities. Mr. Seger said a summary of the committee's recommendation was prepared by Kaie Smith. He then distributed copies of it to the Mayor and Board of Trustees. Mr. Seger said it was unanimously determined by the committee that Tint Press, Jamestown, N.Y. excelled in all areas.

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Mr. Seger said the entire committee also agrees that the web site is most critical and represents the cornerstone of the Lakewood brand.

Trustee McCague suggested that the new web site should be up and running prior to the summer tourist season commencing. He believes it is important,

given the work Mayor Birrittieri and the Events & Marketing Committee are doing to promote the Village of Lakewood. Trustee McCague suggested that action to accept the web site package as previously presented by Tint Press be considered at the April 10, 2017 meeting of the Board of Trustees.

Mayor Birrittieri asked if there is an update on the NYSERDA Grant application.

Trustee Barnes reported that she has some information to share regarding the possibility of "changing out" the street lighting fixtures throughout the Village of Lakewood. Ms. Barnes said her figures haven't yet been confirmed by National Grid officials, however according to her calculations, it will cost approximately \$27,000.00 to "change-out" the village's three hundred ninety-six street lighting fixtures. After doing so, the annual savings on electricity costs is estimated at \$ 6,800.00. Trustee Barnes also reported that Mr. Don Cornell, of B & L Wholesale, Jamestown, N.Y., has provided the Village of Lakewood with three (3) separate estimates of different window replacement packages for the Anthony C. Caprino Municipal Building. Trustee Barnes indicated the Village of Lakewood would likely have to request bids for a project of this scope.

Building Inspector Swanson indicated that he will be talking with Mr. Jonathan Mayr, the local Clean Energy Coordinator, seeking some assistance in completing and filing the NYSERDA grant applications and any other necessary paperwork. Mr. Swanson said it would be wise to spend the available grant money as cost effectively as possible.

Mayor Birrittieri asked if there is going to be any money left over to go towards the re-writing of certain sections of the Village of Lakewood Zoning Law.

Mr. Richard Rose, 42 Gifford Ave., indicated that last year the Chautauqua Institution began a program to "change out" their street lighting district with more energy efficient fixtures. It might be a good idea to see what type of fixtures they decided on before determining what type of fixture would be most appealing here in Lakewood.

Trustee Barnes said the Village of Lakewood will be working with National Grid representatives when making those choices.

Mr. Rose said he has been involved with energy refits in the past and wondered if an energy audit has been done on the Anthony C. Caprino Municipal Building recently. An energy audit would reveal where the most cost effective improvements should be made and from his experience the return on doing a window project replacement isn't very much. Mr. Rose said it would make sense to do an energy audit before determining where to spend money in making this building more energy efficient.

Building Inspector Swanson said because of time constraints it would be difficult to have an energy audit done and complete the application before the deadline. He then suggested that a portion of the NYSERDA grant money be applied to having an energy audit done.

Mayor Birrittieri said even if an energy audit was done after the fact, it wouldn't be a bad idea.

Trustee McCague said because this building likely has little or no insulation, its energy efficiency probably isn't directly related to the

windows, but rather the whole building not being properly insulated. Mr. McCague said he a little concerned, even with new windows the building's energy efficiency won't likely improve a whole lot, adding the problem will still be there.

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Building Inspector Swanson suggested to Mr. McCague one has to start somewhere.

Trustee Barnes indicated that most energy audits would reveal that windows are a building's greatest source for heat loss.

RESOLUTION #41-2017 - SET TIME & DATE FOR PUBLIC HEARING - LOCAL LAW #1-2017

Motion by Trustee McCague, seconded by Trustee Drago, to set 6:40 PM, Monday, April 10, 2017, as the time and date for the Board of Trustees to conduct a public hearing on proposed Local Law #1-2017, "Property Tax Override", for the fiscal year June 1, 2017 - May 31, 2018.

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

RESOLUTION #42-2017 - SET TIME & DATE FOR PUBLIC HEARING RE: TENTATIVE BUDGET

Motion by Trustee Drago, seconded by Trustee McCague, to set 6:45 PM, Monday, April 10, 2017, as the time and date for the Board of Trustees to conduct a public hearing on the Village of Lakewood's Tentative Budget for the fiscal year June 1, 2017 - May 31, 2018.

Adopted: \$ ayes, no nays (Barnes, Drago, Holcomb, McCague)

RESOLUTION #43-2017 - AUTHORZE BUDGET TRANSFER

Motion by Trustee Drago, seconded by Trustee Barnes, authorizing Village Treasurer Andrea J. Windoft to transfer \$ 800.00 from the Trust & Agency Account T1093.10, [Mayor's Beautification Fund], into Account A8510.40, [Community Beautification], to pay the balance on the 50% deposit, (\$ 5,500.00), owed on the 4th of July 2017 fireworks display.

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

RESOLUTION #44-2017-DESIGNATE MINORITY BUSINESS OFFICER FOR WATERSHED PROJECT

Motion by Trustee Holcomb, seconded by Trustee McCague, for the Board of Trustees to designate Village Clerk Joseph M. Johnson as the Minority Business Officer (MBO) for the proposed watershed project, per the requirements of the Joint Village of lakewood-Town of Busti Watershed Study and the Engineering Planning Grant (EPG) #68008.

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

RESOLUTION #45-2017 - DESIGNATE CONTACT ADMINISTRATOR & SECURITY ADMINISTRATOR

Motion by Trustee Holcomb, seconded by Trustee Barnes, for the Board of Trustees to designate Village Treasurer Andrea J. Windoft as the Village of Lakewood's Contact Administrator and Security Administrator in connection

with information and data pertaining to the New York State & Local Employees' & Police & Fire Retirement Systems.

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

RECESS

Motion by Trustee Barnes, seconded by Trustee Drago, to recess the regular meeting of the Board of Trustees at 8:02 PM, so as to enter into executive session to review and discuss a legal document.

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

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EXECUTIVE SESSION

Present at the executive session were Mayor Cara Birrittieri, Trustee Edward J. McCague, Trustee Susan F. Drago, Trustee Ellen E. Barnes, Trustee Randall G. Holcomb and Village Clerk Joseph M. Johnson. Motion by Trustee Barnes, seconded by Trustee Holcomb, to adjourn the executive session at 8:19 PM

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

Motion by Trustee Holcomb, seconded by Trustee Drago, and unanimously carried the Board adjourned at 8:20 PM.

Joseph M. Johnson
Village Clerk