

APRIL 30, 2018

A special meeting of the Board of Trustees of the Village of Lakewood, N.Y., was held Monday, April 30, 2018, 6:30 PM, with Mayor Cara Birrittieri presiding. Trustees present were Ellen E. Barnes, Randall G. Holcomb, Edward J. McCague and Douglas L. Schutte. Also present were Village Clerk Joseph M. Johnson, Village Treasurer Andrea J. Windoft, and Village Attorney John I. LaMancuso.

Mayor Birrittieri explained to those in attendance that the reason for the special meeting this evening was in order to conduct a public hearing on a proposal to override the tax cap for the Village of Lakewood's fiscal year June 1, 2018 thru May 31, 2019 and to subsequently adopt a resolution to approve a budget prior to the May 1st deadline.

RECESS

Motion by Trustee Holcomb, seconded by Trustee Barnes to recess the special meeting of the Board of Trustees so as to conduct a previously scheduled public hearing.
Adopted: 4 ayes, no nays (Barnes, Holcomb, McCague, Schutte)

PUBLIC HEARING – 6:32 PM
LOCAL LAW #4-2018
RE: PROPERTY TAX OVERRIDE
FISCAL YEAR 06/01/18 – 05/31/19

Mayor Birrittieri opened the public hearing at 6:32 PM and proceeded to read the local law as drafted by Village Attorney LaMancuso.

Be it enacted by the Board of Trustees of the Village of Lakewood as follows:

Section 1:

The tax levy imposed on the Village of Lakewood by the State of New York under section 3-c of the General Municipal Law is and shall hereby be overridden pursuant to sub-section five of section 3-c of the General Municipal Law.

Section 2:

This local law shall take effect upon filing with the Secretary of State of the State of New York.

Mayor Birrittieri asked if there was anyone to be heard concerning the local law as proposed.

Mrs. Nancy Jones, 115 Locust Street, asked Mayor Birrittieri if only members of the Board of Trustees are expected to vote on the proposed local law. She wondered if it should be treated as a referendum, wherein all eligible residents could vote on it or don't the taxpayers have any say.

Mayor Birrittieri indicated this local law treated like any other local law, a public hearing is held and only members of the municipal board have a vote. If a New York State municipality for any number of reasons cannot adhere to the tax cap in order to sustain itself, then New York State requires that particular municipality to override the tax cap. To do so requires the adoption of a local law.

Trustee Barnes indicated that the tax cap was set at 1.02%. To cover the costs in maintaining the existing services that are delivered to the residents of the Village of Lakewood it is necessary to override the tax cap in order for the math to work. The tax cap concept is something that NYS Governor Cuomo has imposed on municipalities throughout the Empire State, even though NYS doesn't adhere to it. She noted that the tax dollars spent closest to the taxpayer generally have the most impact, such as roads, garbage pick-up, police protection and fire/EMS.

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Mrs. Jones said it sounds as if local taxpayers have no say in the annual budget process, other than when it comes time to re-elect the Mayor and/or members of the current Board of Trustees.

Trustee Barnes said when public hearings are held on the budget or other matters taxpayers certainly have a say.

Mrs. Carol Jones, 144 West Summit Street, said having been a school administrator for twenty plus years she has some knowledge about budgets, but would like to better understand the real numbers Mayor Birrittieri and the Board of Trustees are grappling with. She then asked how much is the Village of Lakewood going to go above the tax cap.

Mr. Griffith Jones, 144 West Summit Street, asked Mayor Birrittieri if this local law as proposed is just a one year waiver.

Mayor Birrittieri indicated to Mr. Jones that the local law overriding the tax cap is for this fiscal year only.

Trustee Schutte said if anybody were to research this tax cap concept, which was initiated by Governor Andrew Cuomo, one would find the tax cap amount isn't even at the inflation rate or take in consideration increased health care costs, pension benefit costs or liability insurance costs. He noted if a municipality adhered to the tax cap year after year, it would eventually cease to exist.

Mrs. Carol Jones said she disagrees. From her experience she said adhering to the tax cap can be done while at the same time providing quality work. The entity needs to know what it can do without, because we all can't have everything.

Trustee Barnes said the Village needs a certain amount of revenue to function. Looking forward there is new construction in the Village, whose full assessments have not been realized yet. Also monies being paid out for ongoing litigation and payments on the new LFD pumper and ambulance are expenses that aren't going to go on forever. She said there was a lot of collaboration and hard work done by everyone involved to get to the budget figures that have been arrived at. It isn't easy to say to residents that their taxes are going up.

Mayor Birrittieri indicated that in preparing the budget some very difficult choices must be made, while at the same time provide a decent work place for its employees and deliver the services we can all be proud of, making the Village of Lakewood our pride and joy.

Mayor Birrittieri also wanted to make it known that the Village of Lakewood is on the receiving end of close to a million dollars of State funding which is being used to rehabilitate eligible residential properties. These home rehab projects are creating a better Lakewood.

Mayor Birrittieri said she and Village Andrea J. Windoft worked very hard on the tentative budget and is also very pleased with the work members of the Board of Trustees have done on this budget, which will allow the Village of Lakewood to continue to run smoothly. With no one else to be heard, Mayor Birrittieri closed the public hearing at 6:45 PM and reopened the special meeting.

RESOLUTION #65-2018 – STATE THAT PROPOSED LOCAL LAW #4-2018, [TAX CAP OVERRIDE], WILL NOT HAVE ANY ENVIRONMENTAL IMPACT

Motion by Trustee Holcomb, seconded by Trustee McCague, for the Board of Trustees to go on record stating that Local Law #4—2018 – [Tax Cap Override], will have no environmental impact.

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

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RESOLUTION #66-2018 – ADOPT LOCAL LAW #4-2018 [TAX CAP OVERRIDE] AS PROPOSED

Motion by Trustee McCague, seconded by Trustee Barnes, per the recommendation of Mayor & Budget Officer Birrittieri, for the Board of Trustees to adopt Local Law #4-2018, Overriding the Tax Cap for the Village of Lakewood's 2018-2019 Fiscal Year as follows:

Section 1:

The tax levy limit imposed on the Village of Lakewood by the State of New York under Section 3-c of the General Municipal Law is and shall hereby be overridden pursuant to Sub-Section 5 of Section 3-c of the General Municipal Law.

Section 2.

This local law shall take effect upon filing with the Secretary of State of the State of New York.

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

RESOLUTION #67-2018 – APPROVE/ADOPT 2018-2019 REVISED TENTATIVE BUDGET

Motion by Trustee Barnes, seconded by Trustee McCague, per the recommendation of Mayor & Budget Officer Birrittieri, for the Board of Trustees to approve/adopt the Revised Tentative Budget as presented which include the following revisions;

Account	Tentative Budget	Revised Budget	Difference
Mayor's Cont. A1210.40	\$ 3,500.00	\$ 2,500.00	-\$ 1,000.00
Law Cont. A1420.40	\$ 40,000.00	\$ 35,000.00	-\$ 5,000.00
Bldg. Nat. Gas A1620.41	\$ 5,000.00	\$ 6,000.00	+\$ 1,000.00
Liability. Ins. A1910.40	\$ 85,000.00	\$ 90,000.00	+\$ 5,000.00
Cont. Acct. A19190.40	\$ 10,000.00	\$ 20,000.00	+\$ 10,000.00
Police Equip. A3120.20	\$ 28,298.00	\$ 40,000.00	+\$ 11,702.00
Police Telephones A3120.41	\$ 10,500.00	\$ 10,000.00	-\$ 500.00
Police Gasoline A3120.42	\$ 35,000.00	\$ 37,500.00	+\$ 2,500.00
Police Vehicle Maint. A-3120.43	\$ 14,765.00	\$ 22,765.00	+\$ 8,000.00
Fire Cont. A3410.40	\$ 32,500.00	\$ 35,000.00	+\$ 2,500.00
Fire Equip. Maint. A-3410.43	\$ 25,000.00	\$ 30,000.00	+\$ 5,000.00
Fire Gasoline A3410.44	\$ 2,500.00	\$ 1,500.00	-\$ 1,000.00
Fire Diesel Fuel A3410.45	\$ 6,500.00	\$ 7,000.00	+\$ 500.00
Fire Insp. Salary A3620.11	\$ 14,500.00	\$ 15,500.00	+\$ 1,000.00
Bldg. Insp. Cont. A3620.40	\$ 11,000.00	\$ 12,000.00	+\$ 1,000.00
Street Salaries A5110.10	\$267,723.00	\$295,000.00	+\$ 27,277.00
Street Diesel Fuel A5110.45	\$ 16,000.00	\$ 15,000.00	-\$ 1,000.00
Street Telephones A5110.48	\$ 2,400.00	\$ 1,800.00	-\$ 600.00
NYS CHIPS Imp. A5112.20	\$135,165.00	\$155,154.00	+\$ 19,989.00
Street Lighting A5182.40	\$ 64,500.00	\$ 62,000.00	-\$ 2,500.00
Rec. Director A7020.10	\$ 1,500.00	\$ 00.00	-\$ 1,500.00
Parks Salaries A7140.10	\$ 15,000.00	\$ 18,000.00	+\$ 3,000.00
Lifeguard Salaries A7140.11	\$ 2,000.00	\$ 4,500.00	+\$ 2,500.00
Parks Equip. A7140.20	\$ 15,000.00	\$ 5,000.00	-\$ 10,000.00
Parks Nat. Grid A7140.42	\$ 3,000.00	\$ 2,500.00	-\$ 500.00
Library A7410.40	\$ 65,950.00	\$ 67,950.00	+\$ 2,000.00
Planning A8020.40	\$ 15,000.00	\$ 3,000.00	-\$ 12,000.00
Community Beaut. Cont. A8510.40	\$ 7,000.00	\$ 10,000.00	+\$ 3,000.00
Community Trees A8510.41	\$ 1,000.00	\$ 3,000.00	+\$ 2,000.00
Police Retirement A9015.80	\$208,000.00	\$200,000.00	-\$ 8,000.00
Chaut. Co. Sales Tax A1120	\$688,000.00	\$ 703,000.00	+\$ 15,000.00
Fire Insp. Fees A1540	\$ 10,000.00	\$ 9,400.00	-\$ 600.00
Sale of Real Property A2660	\$ 5,000.00	\$ 00.00	-\$ 5,000.00

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NYS Aid CHIPS	\$135,165.00	\$155,154.00	+\$ 19,989.00
Interfund Transfer A5031	\$ 00.00	\$ 17,040.00	+\$ 17,040.00

Monies Added In:			+ \$ 159,997.00
Monies Taken Out:			- \$ 50,200.00
Net Back In:			+ \$ 109,797.00

With the revisions the Village of Lakewood Board of Trustees hereby adopts a budget in the amount of \$ 3,996,652.00 for the fiscal year of June 1, 2018 – May 31, 2019, making appropriations for the conduct of Village government and establishing the rate of compensation for its elected officials which will remain at the previous year's levels: Mayor: \$ 7,500.00, Trustees: \$ 3,500.00 each

WHEREAS THE Board of Trustees conducted a public hearing on the tentative budget at the time and place specified in the notice of public hearing and heard all persons desiring to be heard;

THEREFORE BE IT RESOLVED that the revised budget as presented hereby be adopted.

NOTE: The newly adopted budget reflects a tax rate of \$ 7.992758/1,000 assessed valuation, which is an increase of \$.65/1,000 assessed value when compared with last year's tax rate.

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

COMMENTS

Mrs. Nancy Jones asked if the revision in the Parks Department account would reflect in a change of the status of the public bathing beach at Richard O. Hartley Park this summer. Without the dock in place and the reduced swimming area makes it very difficult for adults to do any swimming in shallow water. Mrs. Jones said the Village of Lakewood has always been known for its beautiful public beach and would hate to see it underutilized.

Mayor Birrittieri indicated to Mrs. Jones she will look into her question and see if the status of the public bathing beach is expected to change this year. Unfortunately, the beach wasn't open for swimming after July 18th last year due to the green algae blooms in the south basin of Chautauqua Lake. Mayor Birrittieri added there are efforts underway to address the water quality issues plaguing Chautauqua Lake.

Changing subjects Mayor Birrittieri said she recently met with a Chautauqua Ave. property owner who along with other merchants would like to see some of the planters along Chautauqua Ave. repositioned to cover/fill some of the gaps where the trees had been removed. They are asking if the Department of Public Works could move them and she will be meeting with D.P.W. Supervisor Pilling to see if can happen.

Motion by Trustee Barnes, seconded by Trustee Holcomb, and unanimously carried the Board adjourned at 7:10 PM.

Joseph M. Johnson
Village Clerk

