

DECEMBER 9, 2019

The twenty-third regular meeting of the Board of Trustees of the Village of Lakewood was held Monday, December 9, 2019 in the Board Room of the Anthony C. Caprino Municipal Building, 20 West Summit Street, with Deputy Mayor Edward J. McCague presiding. Trustees present were Ellen E. Barnes, Randall G. Holcomb, and Douglas L. Schutte. Also present were Village Clerk Joseph M. Johnson, Deputy Village Clerk Mary B. Currie, Police Chief John R. Bentley, Village Attorney John I. LaMancuso, Department of Public Works Supervisor Thomas R. Pilling, Fire Chief Steve Smouse and Building Inspector Jeffrey A. Swanson.

APPROVAL OF MINUTES

Motion by Trustee Barnes, seconded by Trustee Schutte, to approve the minutes of the last regular meeting of the Board of Trustees, held November 25, 2019.
Adopted: 4 ayes, no nays (Barnes, Holcomb, McCague, Schutte)

AUDIT OF CLAIMS

Motion by Trustee Holcomb, seconded by Trustee Barnes, that the claims as audited by the Auditing Committee of the abstracts dated December 9, 2019 be approved and that the Clerk shall execute said abstracts (#29 & #29), and direct payment by the Treasurer. Trust & Agency Fund: \$ 50,624.91 (Checks #4941 thru #4943), General Fund: \$ 336,245.27, (Checks #16414 thru #16447) NOTE: Check #16420, (ACH payment to CHRIC) was voided
Adopted: 4 ayes, no nays (Barnes, Holcomb, McCague, Schutte)

REPORTS

Deputy Mayor McCague wanted to remind everyone that Christmas in the Village will be held this Saturday, December 14th, from 10:00 AM – 3:00 PM.

Mr. Dave Card, 38 Chautauqua Ave., indicated that Santa will be at the Jamestown Area Federal Credit Union, 121 Chautauqua Ave, between 11:00 AM – 3:00 PM and the Lakewood Memorial Library will have a few vendors, among other things happening along Chautauqua Ave.

Deputy Mayor McCague indicated there are openings on both the Planning Board and the Zoning Board of Appeals, if anyone has an interest in participating or if they know someone who might be interested in serving on either review board, they are welcome to contact him or the board chairman. Deputy Mayor McCague noted that appointments to both review boards come with five year terms.

Deputy Mayor McCague then reported that he attended a second meeting of the engineering firm, Barton & LoGuidice, Rochester, N.Y., project committee, and members of the public, held Friday, December 6th, regarding the Green Street Retro-fit Project. The meeting was facilitated by Mr. Randall Perry, Project Manager of the Chautauqua Lake & Watershed Management Alliance. The purpose of this meeting was to review three (3) tentative design concepts for the project. Mr. McCague said his take away from the meeting was that the representatives from Barton & LoGuidice received some wonderful input on their design concepts to focus on what the ultimate plan might be.

Deputy Mayor McCague then indicated since 1961 the New York Conference of Mayors has annually honored public officials who have served a municipality twenty-five years or longer, with public service awards. He said it is his honor this year to extend recognition and appreciation to the following four Lakewood employees; D.P.W. Supervisor Thomas R. Pilling, (25 years-plus), Motor Equipment Operator David R. Ruby, (25 years-plus), Village Clerk Joseph M. Johnson, (40 years-plus) and Police Chief John R. Bentley, (40 years-plus).

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Department of Public Works Supervisor Thomas R. Pilling indicated that, with the help of a grant from the New York State Energy Research & Development Authority (NYSERDA), the DPW crew have installed new energy efficient lighting fixtures in part of the first floor of the Anthony C. Caprino Municipal Building. As time and situations allow, lighting fixtures throughout the L-BPD offices will be changed-out also. Mr. Pilling said if additional funding is available he is hopeful that phase two of this building's lighting fixture change-over program will include the basement and second floor.

Police Chief John R. Bentley reported that the Lakewood-Busti Police Department has handled eight thousand four hundred eighty-five incidents year-to-date, two hundred ninety-four of which have occurred within the past two weeks. Chief Bentley said he is negotiating a settlement cost in connection with the police patrol car that was damaged at a local auto dealership while it was in for service.

Chief Bentley said he would like to request a couple of signs at the Community Park & Dog Park on East Terrace Ave., which note the closing time for the park. Doing so, will alert park goers that Village Parks are open from 6 AM – 10 PM. Some signs will make it much easier for patrol officers to enforce the 10 PM closing time. He concluded his report saying officers are gearing-up for the criminal justice reforms that will become effective January 1, 2020.

Lakewood Fire Company President Jack Knowlton asked Chief Bentley if the timer at the traffic signal at the intersection of Rt. 394 and Chautauqua Ave., could be adjusted to allow more cars to enter onto Rt. 394, from Chautauqua Ave. before the light turns red again.

Chief Bentley indicated he has received that particular complaint a few times already and he will be sure to ask the New York State Department of Transportation to take a look at it when he meets with the Traffic Safety Committee this Thursday.

Fire Chief Steve Smouse submitted the LFD Alarm Report for the month of November, noting the Lakewood Volunteer Fire Department responded to eighty-eight alarms last month, for a total of one thousand six alarms year-to-date. He said this number becomes a new annual alarms answered record with each additional call. Chief Smouse also reported that the annual maintenance and service performed on the Lakewood Fire Department's vehicles and equipment is near completion.

Deputy Mayor wished to acknowledge the extraordinary work that Village Attorney John I. LaMancuso is doing for the Jamestown area as this year's Chairman for the United Way's annual campaign. His work for the United Way and some personal life experiences were showcased in a recent front page article in The Post-Journal.

Although Village Clerk Joseph M. Johnson had no report, he took a moment to publically announce his retirement, which will become effective January 1, 2020 and noted his decision to retire was not without mixed emotions.

Village Clerk Johnson asked for everyone's patience in allowing him to acknowledge some of the fine individuals he's had the honor and privilege to work for and with over the years, starting at the top. He said he had the pleasure of working with former Mayors Robert Crandall, Dr. Robert W. Scott, Anthony C. Caprino, David S. Wordelmann, Cara Birrittieri and current Deputy/Acting Mayor Edward J. McCague, plus those who served as Trustees during this time frame. Also, those who have provided excellent legal counsel to the Village of Lakewood include Ward W. Westerberg, Esq., Edward P. "Tad" Wright, Esq., and of course our current Village Attorney, John I. LaMancuso, Esq.

He said current and former Village of Lakewood Department Heads that also need to be mentioned include DPW Supervisors Gene R. Nelson, David A. Kohlbacher, and Tom Pilling, Police Chiefs James Young and John Bentley, Fire Chiefs Steve Smouse, Kurt Hallberg, Bruce Bretz, David Norberg, Jack Knowlton, Thomas Danielson, Peter Dawson and William Weaver, Treasurers Patricia B. Moran, Mary Jane Spaulding, Andrea J. Windoft and Apryl L. Troutman, and Building Inspectors David Yerkes, Lawrence Olsen, Louis Smith, Richard Allen, Jon Golden, Charlie Smith and Jeff Swanson.

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Village Clerk Johnson said he would also like to acknowledge and thank those who served as Deputy Village Clerk during his tenure as Village Clerk. They include Marie Burk, Mary Jane Spaulding, Andrea Rowan, Karen Bouckhuyt, Kimberly Pearson, Beth Davis and of course Mary B. Currie, who has made him look good for the past twenty years.

A community is as only good as its Department of Public Works/Parks Department, Police Department & Fire Department. The many dedicated employees and volunteers from all three departments have been there twenty-four seven, three hundred sixty-five days a year, to faithfully serve the residents of the Village of Lakewood. So thank you all.

Another group of volunteers he would like to thank, who give of their time and talents to the community, are those who serve on the Zoning Board of Appeals, Planning Board or on one or more of the various village committees. Village Clerk Johnson said he apologizes if he forgot anyone. He said over the years his job has afforded him the opportunity to meet some wonderful/amazing people, plus experience some very interesting things, to say the least.

Village Clerk Johnson said in closing he would like to share with members of the Board of Trustees, plus Trustee Elect Fischer, an excerpt of a quote by John F. Kennedy, from his book "Profiles in Courage". He's hopeful it will be "food for thought" as the Board of Trustees and the Village of Lakewood moves forward under the leadership of Mayor Elect Randall G. Holcomb beginning January 1, 2020. Quote: "We shall need compromises in the days ahead to be sure. But these will be, or should be, compromises of issues not principles. We can compromise our political positions, but not ourselves....Compromise does not mean cowardice."

Village Clerk Johnson then took a moment to present a framed print of a painting by local artist Ms. Leslie Calimeri, of the Chautauqua Art Gallery, 104 Chautauqua Ave., to Deputy Mayor McCague, Trustee Barnes, Trustee Holcomb, and Trustee Schutte, and asked if they could find a place in the Village Board Room to hang it.

Deputy Mayor McCague said Village Clerk Johnson's report was one he was dreading to hear. Deputy Mayor McCague went on to congratulate Mr. Johnson on his decision to retire, and said although he has only lived here and been involved with the Village of Lakewood for a few short years, what Mr. Johnson has done for the community is invaluable.

Trustee Barnes said Mr. Johnson has worked for the Village of Lakewood since she first moved to the area and it is going to be strange without him holding down the Village Clerk's Office. She said with him always there with words of wisdom, encouragement and answers to the questions, he will be missed for sure. Trustee Barnes wished Clerk Johnson a wonderful and happy retirement, because he has definitely earned it.

Trustee Schutte thanked Village Clerk Johnson for everything he has done for the Village of Lakewood, including the meticulous manner in which he shoveled the sidewalk in front of the Village Hall. Trustee Schutte said seriously, in all fairness, he doesn't know anyone else who has spent more of his free time in going above and beyond for the residents of Lakewood.

Trustee Holcomb said he started working with Clerk Johnson, when he was working with the Town of Busti over forty years ago. Trustee Holcomb said he will save the rest of his remarks for after the first of the New Year.

Village Clerk Johnson thanked each member of the Board of Trustees for their kind comments.

Building Inspector Jeff Swanson indicated that he introduced the 5-G Cell Service concept to members of the Board of Trustees a month ago, and encouraged them to consider amending the local zoning law, in establishing a fee schedule to address this new wave of technology.

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He first learned of this concept at the Fall Zoning Conference, held at Jamestown Community College, November 7, 2019. Mr. Swanson said he anticipates this type of cell phone service to “take-off” very soon.

Changing subjects, Building Inspector Swanson indicated that there is an opening for a Town of Busti/Village of Lakewood Fire Inspector. He said there will need to be some discussion between the municipalities to increase the rate of pay of the Fire Inspector, because the current rate of \$ 15.00/hr. likely won't attract qualified or desirable candidates for the position.

Building Inspector Swanson indicated that new building code books which usually are available in October, won't be available until later this spring. Speaking of code books, Mr. Swanson said he has been in contact with NYS Senator George Borrello and NYS Assemblyman Andrew Goodell, about some possible funding that might become available to help municipalities pay for their code books.

Mr. Rich Fischer, 43 West Fairmount Ave., respectfully asked Building Inspector/Code Enforcement Officer Swanson, when he has a chance, to take a look at the property at 51 West Fairmount Ave., (corner of Jones Street), to determine if the property is in violation of any property maintenance codes. Mr. Fischer said the property is a disaster.

Mr. Swanson indicated a complaint form can be completed and submitted first thing tomorrow, but he will be happy to drive by the property to check for any property maintenance violations.

Mr. Michael Looker, 15 Owana Way - #7, asked Mr. Swanson if he knew what company is installing the 5-G cell service.

Mr. Swanson said it hasn't been made clear to him what company is installing the 5-G communication lines.

COMMITTEE REPORTS

Trustee Barnes said in connection with the NYSEDA grant, she has e-mailed Ms. Frances Porgiglia, the Consumer Representative from National Grid a few times, requesting some information about the costs associated with the street lighting fixture conversion program, but unfortunately hasn't heard back from her. Trustee Barnes said she will continue to try to get in touch with her.

RESOLUTION #181- 2019 – AUTHORIZE SIGNING OF NOVA HEALTHCARE FORM

Motion by Trustee Schutte, seconded by Trustee Holcomb, authorizing Deputy Mayor McCague to execute a revised NOVA Healthcare Reimbursement Account Plan Renewal form, pertaining to Employer Contributions for Employee deductibles for the upcoming calendar year. NOTE: The contributions will increase from \$1,500.00 to \$ 1,800.00 for Single Coverage, and \$ 3,000.00 to \$ 3,600.00 for Family Coverage.

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

RESOLUTION #182-2019 – AUTHORIZE BUILDING OFFICIALS CONFERENCE ATTENDANCE

Motion by Trustee Holcomb, seconded by Trustee Barnes, for the Board of Trustees to authorize Building Inspector/Code Enforcement Officer Jeffrey A. Swanson to attend the 2020 Finger Lakes Building Officials Association's Educational Conference, March 9th-11th, in Rochester, N.Y. Mr. Swanson will be reimbursed for any conference related expenses incurred.

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

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RESOLUTION #183-2019 – AUTHORIZE FUND TRANSFER

Motion by Trustee Schutte, seconded by Trustee Barnes, authorizing Village Treasurer Apryl L. Troutman to transfer \$ 2,000.00 from Account A3410.40, [LFD Contractual], to Account A3410.44, [LFD Gasoline], to cover a projected budget line-item shortfall.

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

RESOLUTION #184-2019 – APPROVE NYS FIREFIGHTERS' CANCER BENEFIT PROGRAM POLICY

Motion by Trustee Holcomb, seconded by Trustee Barnes for the Village of Lakewood to participate in the New York State Firefighters' Cancer Benefit Program, which began January 2018, whereby the Village of Lakewood will add All Cancer Coverage to its current coverage for the thirteen eligible Interior Firefighters from the LFD for the calendar year 2020. The annual premium for each of the thirteen firefighters will increase from \$ 137.00 to \$ 188.00.

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

Deputy Mayor McCague said the Board of Trustees will be entering an executive session to discuss a personnel matter, but wanted to remind everyone that the next regular meeting of the Board of Trustees will not be held until Monday, January 13, 2020. Mr. McCague said he and the Board of Trustees would like to wish everyone a very Merry Christmas and a Happy New Year.

RECESS

Motion by Trustee Holcomb, seconded by Trustee Barnes, for the Board of Trustees to recess the regular meeting at 7:05, so as to enter into executive session.

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

EXECUTIVE SESSION

Present at the executive session were Deputy Mayor Edward J. McCague, Trustee Ellen E. Barnes, Trustee Randall G. Holcomb, Trustee Douglas L. Schutte, Village Attorney John I. LaMancuso, Village Clerk Joseph M. Johnson, and Trustee Elect R. Richard Fischer. Motion by Trustee Barnes, seconded by Trustee Holcomb, to adjourn the executive session at 7:56 PM and to reopen the regular meeting.

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

RESOLUTION #185-2019 – RE-ESTABLISH FULL-TIME VILLAGE TREASURER POSITION

Motion by Trustee Barnes, seconded by Trustee Holcomb, for the Board of Trustees to re-establish a Full-Time Village Treasurer position, and to appoint current part-time Village Treasurer Apryl L. Troutman to the position, effective January 1, 2020. Mrs. Troutman will be compensated at an introductory annual salary of \$ 39,520.00 beginning the first full pay period in January 2020.

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

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RESOLUTION #186-2019 – APPOINT MARY B. CURRIE AS VILLAGE CLERK

Motion by Trustee Barnes, seconded by Trustee Holcomb, for the Board of Trustees to appoint Mary B. Currie as the Village Clerk for the Village of Lakewood effective January 1, 2020. Mrs. Currie will be compensated at an introductory annual salary of \$ 48,000.00 beginning the first full pay period in January 2020.

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

Motion by Trustee Holcomb, seconded by Trustee Schutte, and unanimously carried, the Board adjourned at 8:07 PM.

Joseph M. Johnson
Village Clerk