

SEPTEMBER 22, 2014

The twelfth regular meeting of the Board of Trustees of the Village of Lakewood, NY, was held Monday, September 22, 2014, at 6:30 PM, with Mayor David T. Wordelmann presiding. Trustees present were 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. "Tad" Wright, Department of Public Works Supervisor Thomas R. Pilling, Fire Chief Kurt W. Hallberg and Building Inspector Jeffrey A. Swanson. Absent was Trustee Gale A. Denn.

COMMENDATION OF LAKEWOOD-BUSTI POLICE OFFICER

Mayor Wordelmann wished to take a couple minutes to commend Lakewood-Busti Police Officer Timothy M. Riley for his bravery and service to the community as a first responder at the scene of a fatal house fire that took the life of a two year old boy last Thursday afternoon on the Kortwright Road in the Town of Busti. Officer Riley was on patrol in the area when he learned of the fire and was on the scene within two minutes. Mayor Wordelmann indicated that Officer Riley with a fire extinguisher in hand entered the house and attempted to make his way upstairs where he heard a child crying. Officer Riley emptied the fire extinguisher and was eventually pushed back by the intense flames. Determined to access the second floor of the house, Officer Riley located a ladder and placed it against the building. Mayor Wordelmann said the flames were so intense and hot they actually caused the ladder to melt. Mayor Wordelmann then asked for a motion to adopt a resolution commending Officer Riley for his bravery and service to the community.

RESOLUTION #66-2014-2015 - COMMEND LAKEWOOD-BUSTI POLICE OFFICER RILEY

Motion by Trustee Jablonski, seconded by Trustee Drago, per the recommendation of Mayor David T. Wordelmann, for the Board of Trustees to commend Lakewood-Busti Police Officer Timothy M. Riley for his bravery and service to the community while attempting to save a child from a house on the Kortwright Road, engulfed in flames the afternoon of September 18, 2014. Adopted: 3 ayes, no nays (Di Salvo, Drago, Jablonski)

Mayor Wordelmann indicated although the situation ended tragically with the loss of a life, it pointed out the need of a local police department and was an example of how well the fire service's mutual aid system performs. Mayor Wordelmann also praised the dedication of the all the volunteer firefighters who responded as well as Lakewood-Busti Police Officers, Investigator Jarrett D. Reed and Patrolman Michael T. Currie who also assisted at the scene. It is this type of service to community that one can't put a price tag on. Mayor Wordelmann considers all the volunteer firefighters, emergency medical service personnel and police officers as heroes, and thanked them for their service.

Fire Chief Kurt W. Hallberg said obviously everyone would have wanted it to go better than it did. He indicated it is not unusual that our local police officers arrive at the scene of a life threatening situation before fire department personnel can get there. Chief Hallberg indicated he and the fire department greatly appreciate the assistance they receive from the Lakewood-Busti Police Department.

APPROVAL OF MINUTES

Motion by Trustee Di Salvo, seconded by Trustee Drago, to approve the minutes of the last regular meeting of the Board of Trustees, held September 8, 2014. Adopted: 3 ayes, no nays (Di Salvo, Drago, Jablonski)

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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 September 22, 2014, be approved and that the Clerk shall execute said abstracts, (#4, #16 & #17) and direct payment by the Treasurer. Capital Fund: \$ 303.00, (Check #11040), Trust & Agency Fund: \$ 62,417.79, (Checks #3112 thru #3126), General Fund: \$ 109,992.10, (Checks #11041 thru #11074)
Adopted: 3 ayes, no nays (Di Salvo, Drago, Jablonski)

REPORTS

Department of Public Works Supervisor Thomas R. Pilling reported that Suit-Kote Corporation, Jamestown, N.Y., recently "crack filled" numerous streets with a tar like emulsion and things are aligned to pave the two streets recently milled, (Lakeview Ave., E. Summit to E. Terrace and the north end of Locust St.), Thursday, September 25th. He also reported that work is continuing on the new baseball field off Linwood Ave. and that the annual leaf pick-up will begin in just over a month.

Trustee Drago asked Mr. Pilling how the monthly brush pick-up is going.

Mr. Pilling said it going along fine, adding for the most part residents are cooperating.

Trustee Drago said there are still some complaints being made about certain residents not abiding with the rules and it is something that needs to be discussed further. We need to decide whether or not to abolish this service or to do a better job enforcing the rules, because it can't continue as it is now.

Mayor Wordelmann indicated he would hate to abolish the service for everyone because of a few rules violators.

Trustee Jablonski wondered if there are any other local codes that could be enforced regarding those that are violating the brush pick-up rules and regulations.

Mr. Pilling said one "squeaking wheel" shouldn't have an impact on an entire program.

Police Chief John R. Bentley reported that he recently received a \$ 500.00 donation for the new K-9 Unit and sent Sgt. Jeffrey G. Spencer to a school dealing with serious injury or death in the line of duty.

Chief Bentley then reported that the Lakewood-Busti Police Department has responded to nine thousand one hundred forty-two reportable incidents year-to-date, four hundred fifty-eight of which occurred in the past two weeks. Of those, one hundred forty-eight were vehicle & traffic violations, three driving while intoxicated (DWI) arrests, twenty-five criminal arrests and ten assists to other law enforcement agencies. Compared to last year's figures the Lakewood-Busti Police Department has responded to one thousand six hundred thirteen more incidents this year during the same time period.

Fire Chief Kurt W. Hallberg reported that the Lakewood Volunteer Fire Department has responded six hundred ninety-five alarms year-to-date. Chief Hallberg also said he would like to set 3:00 PM, Friday, November 21, 2014 as the time and date to receive sealed bids for a 1,500 GPM Class A Pumper, for use by and per the specifications as prepared by the Lakewood Fire Department.

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Village Treasurer Andrea J. Windoft reported that she distributed sales tax revenue figures to members of the Board of Trustees as requested.

Trustee Jablonski thanked Treasurer Windoft for the sales tax information. He also wanted to bring to people's attention that mail order giants like Amazon are hurting economies across the country when they fail to collect local sales taxes and urged everyone to shop locally.

Treasurer Windoft also reported that the Auditing Committee, comprised of Trustee Drago and Trustee Di Salvo, recently audited the Village of Lakewood financial records for the fiscal year June 1, 2013 thru May 31, 2014. Treasurer Windoft indicated she was recently contacted by the Jamestown Renaissance Corporation which supports downtown and waterfront revitalization, and was asked to attend an upcoming meeting to share some ideas as to how the dog park in Lakewood came to be. Mrs. Windoft said many dog owners from outside the Lakewood community have registered their dogs and enjoy making use of the park.

RECESS

Motion by Trustee Drago, seconded by Trustee Jablonski, to recess the regular meeting of the Board of Trustees so as to conduct a previously scheduled public hearing at 6:45 PM.

Adopted: 3 ayes, no nays (Di Salvo, Drago, Jablonski)

PUBLIC HEARING - 6:45 PM
CHRIC PROGRAM PARTICIPATION

Mayor Wordelmann opened the public hearing at 6:45 PM and asked the Clerk to read the notice of public hearing as it appeared in the Village of Lakewood's official newspaper.

Mayor Wordelmann then introduced Ms. Eileen Powers, Director of Rehab Services for the Chautauqua Home Rehabilitation & Improvement Corporation (CHRIC), Mayville, N.Y., who briefly explained the various programs offered through CHRIC. Ms. Powers indicated that Village Officials approached the agency last year and was interested in pursuing a housing rehab program for eligible residents. Ms. Powers said she and members of the CHRIC staff recently conducted a "windshield survey" and have determined from the pre-screening applications received that fifty-one residential properties have qualified for this program.

Trustee Di Salvo asked Ms. Powers how much of the maximum allocation of \$ 400,000.00 could the Village of Lakewood could expect to receive.

Ms. Powers said she plans on applying for the maximum allotment of \$ 400,000.00. If the Village of Lakewood wishes to participate in the CHRIC housing rehab program, she and her staff will start some preliminary inspections of eight to ten houses which will used as the basis of the program's budget.

Trustee Di Salvo then asked if the CDGB funds would be for the fiscal year of 2015?

Ms. Powers said the funding will actually be from fiscal year 2014 but probably won't be awarded until spring of next year.

Mayor Wordelmann asked Ms. Powers how are the individual residential rehab projects within a particular municipality selected.

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If the Village of Lakewood is awarded the funding, Ms. Powers said the projects will be prioritized based on income and assets.

Trustee Di Salvo asked how does a municipality qualify for the public infrastructure monies. Is it based on the median income of an entire village rather than on single residences?

Ms. Powers said projects qualifying for public infrastructure monies would have to have an immediate impact on a large percentage of the properties within that particular municipality.

Mr. Theodore McCague, 12 Park Lane, said his question also deals infrastructure monies. He asked if there were any properties within the village not served by a public water supply and/or a public sanitary sewer. If so, could upgrades in water service and/or sanitary sewer service qualify for public infrastructure monies?

Ms. Powers said upgrades to individual households could fall under the home rehab program or one could submit a separate proposal for a larger infrastructure project.

Trustee Jablonski asked Ms. Powers what are the CHRIC's administrative costs associated with the home rehab program.

Ms. Powers said administrative costs are just under 18% of the total award. She noted CHRIC is a non-profit and said these administrative fees are what keeps our door open and affords us the opportunity to deliver these programs.

Trustee Di Salvo asked if this is a small cities grant and if so is the Village of Lakewood in competition with others in that particular category. He also asked if the funding levels have remained steady.

Ms. Powers said the awarding of grants is very competitive but CHRIC has recently enjoyed a very good track record. She also indicated the funding levels have remained stable for the most part.

Trustee Jablonski asked Ms. Powers what is the average cost of a typical housing rehab project.

Ms. Powers said because the projects need to meet Housing & Urban Development standards, most projects are substantial. Some of the smaller ones range between fifteen to twenty thousand but some larger projects could cost thirty-five to forty thousand dollars.

With no one else to be heard, Mayor Wordelmann closed the public hearing at 7:00 PM, and proceeded to reopen the regular meeting.

COMMITTEE REPORTS

Mayor Wordelmann reported that at the last regular meeting the Board of Trustees went into executive session to discuss/review a new police union labor contract agreement. This past week the police union voted unanimously to agree with the terms of the new three (3) year labor contract agreement, which calls for a 2% raise and an increase in their health insurance co-pays from 12% to 13% the first year.

Trustee Drago, Chairman of the Auditing Committee reported that she and Trustee Di Salvo recently audited the Village Treasurer's financial records for the fiscal year June 1, 2013 - May 31, 2014 and found everything in order.

Trustee Di Salvo reported that the Lakewood Active Community Enhancements grant received from Chautauqua County is moving along and will be finalized within the next few weeks.

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He also reported that the Active Community Enhancements Committee has put together a survey asking residents to prioritize suggested improvements to area sidewalks/bike paths which are due by the end of the month. Final recommendations will be made within a few weeks.

Trustee Di Salvo also reported that the Comprehensive Plan Committee will be meeting this Wednesday and at that time it will be putting together a list of other prospective committee members for the Board of Trustees review and approval.

Trustee Di Salvo also indicated that tomorrow he will be meeting with Village Attorney Wright, D.P.W. Supervisor Pilling and Ms. Lisa-Schmidtfrerick-Miller to review a draft of a Complete Streets Ordinance for the Village of Lakewood which will soon be presented to the Board of Trustees for their approval.

ANYONE TO BE HEARD

Mr. Herbert Hern, 36 Waldemere Way, indicated that he has served on the Village of Lakewood Planning Board for the past ten years and twice has participated as a member of the zoning law review committee. If those of us that were on the most recent zoning law review committee had known of Mr. William McFadden's proposed projects we would have likely established different boundaries for the zoning map overlay regarding vehicle sales. Mr. Hern said at the time Mr. McFadden was redeveloping the property at 215 East Fairmount Ave. the planning board made a suggestion regarding the "green space" in front of his car dealership and he proceeded to go over the top. Mr. Hern said both of Mr. McFadden's operations on East Fairmount Ave. are top notch. The Village of Lakewood would be making a mistake if they did not allow him to proceed with his two major projects as proposed. Mr. Hern said they say one can't make a silk purse out of a sow's ear, but the former Grossman's has been a sow's ear for a long time. Mr. Hern said he can guarantee that Mr. McFadden will turn it into a silk purse plus. Mr. Hern said both he and his wife have purchased cars from LUV Toyota and have been very pleased with the dealership and the service. In closing, Mr. Hern asked that the Board of Trustees do everything within its power to facilitate the two major projects being proposed by Mr. William McFadden.

Mayor Wordelmann agreed with Mr. Hern, saying if the zoning law review committee would have known about Mr. McFadden's proposals the boundaries of the zoning map overlay for vehicle sales would have included his project sites. Mayor Wordelmann assured Mr. Hern that he and the Board of Trustees intend to do the right thing.

RESOLUTION #67-2014-2015 - AUTHORIZE CONFERENCE ATTENDANCE

Motion by Trustee Jablonski, seconded by Trustee Di Salvo, authorizing members of the Board of Trustees, Planning Board, Zoning Board of Appeals and other Village of Lakewood officials to attend a Stormwater Management Conference, to be held Thursday, October 23, 2014 at the Holiday Valley Lodge, Ellicottville, New York. The event is sponsored by Southern Tier West and participants will be reimbursed for any legal expenses incurred.

Adopted: 3 ayes, no nays (Di Salvo, Drago, Jablonski)

RESOLUTION #68-2014-2015 - AUTHORIZE SUBMITTAL OF A GRANT APPLICATION

Motion by Trustee Drago, seconded by Trustee Di Salvo, authorizing the Village of Lakewood to submit an application on behalf of the Southwestern Area Sports organization to the Ralph C. Sheldon Foundation, Jamestown, New York for a grant in the amount of \$ 81,620.00, in connection with the planned construction of a baseball diamond off Linwood Ave. and to authorize Mayor David T. Wordelmann to execute same.

Adopted: 3 ayes, no nays (Di Salvo, Drago, Jablonski)

SEPTEMBER 22, 2014 (CONTINUED)

RESOLUTION #69-2014-2015 - POSTPONE NEXT REGULAR BOARD OF TRUSTEES MEETING

Motion by Trustee Di Salvo, seconded by Trustee Drago, that due to the Columbus Day Holiday, (October 13th), to postpone the next regular meeting of the Board of Trustees, previously scheduled for Monday, October 13, 2014, until Tuesday, October 14, 2014. The meeting will be held in the Board Room of the Anthony C. Caprino Municipal Building at 6:30 PM, preceded by a 6:00 PM work session.

Adopted: 3 ayes, no nays (Di Salvo, Drago, Jablonski)

RESOLUTION #70-2014-2015 - ACCEPT CHAUT. REGION COMMUNITY FOUNDATION GRANT

Motion by Trustee Drago, seconded by Trustee Jablonski, for the Village of Lakewood to accept a grant in the amount of \$ 988.34 from the Chautauqua Region Community Foundation to be used towards the Village of Lakewood's Fall 2014 Tree Planting Project and to authorize Mayor Wordelmann to execute the grant agreement.

Adopted: 3 ayes, no nays (Di Salvo, Drago, Jablonski)

RESOLUTION #71-2014-2015 - APPROVE PERMANENT POLICE SERGEANT APPOINTMENT

Motion by Trustee Di Salvo, seconded by Trustee Drago, per the recommendation of Police Chief John R. Bentley for the Board of Trustees to approve the permanent appointment Jeffrey G. Spencer as a Police Sgt., effective immediately. NOTE: Sgt. Spencer was provisionally appointed as a Police Sergeant effective January 22, 2014, awaiting the taking and passing of the Police Sergeant civil service exam, which he did on June 7, 2014.

Adopted: 3 ayes, no nays (Di Salvo, Drago, Jablonski)

Motion by Trustee Jablonski, seconded by Trustee Di Salvo, and unanimously carried, the Board adjourned at 7:12 PM.

Joseph M. Johnson
Village Clerk