

## **FEBRUARY 22, 2021**

The fourth regular meeting of the Board of Trustees of the Village of Lakewood, N.Y., was held Monday, February 22, 2021, 6:30 PM, with Mayor Randall G. Holcomb presiding. Trustees present were Ellen E. Barnes and R. Richard Fischer. Trustees Edward J. McCague and Douglas L. Schutte participated via Zoom.us along with Village Attorney John I. LaMancuso and Fire Chief Kurt Hallberg. Also present were Village Clerk Mary B. Currie, and Police Chief Christopher DePonceau. Absent were Village Treasurer Apryl L. Troutman, DPW Supervisor Thomas R. Pilling and Building Inspector Jeffery Swanson.

### **APPROVAL OF MINUTES**

Motion by Trustee Barnes, seconded by Trustee McCague, to approve the minutes, as amended, of the last regular meeting of the Board of Trustees held February 8, 2021.

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

### **AUDIT OF CLAIMS**

Motion by Trustee Fischer, seconded by Trustee Schutte, that the claims as audited by the Board of Trustees for the abstracts dated February 22, 2021, be approved and that the Clerk shall execute said abstracts (#40 and #40) and direct payment by the Treasurer. Trust & Agency Fund: \$ 48,561.54, (Checks #5338 and #5339), General Fund: \$ 49,169.19, (Checks #17644 through #17672), voided checks #17641- #17643 due to a printer error.

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

### **REPORTS**

Police Chief Christopher L. DePonceau reported the Lakewood-Busti Police Department responded to two hundred ninety-three incidents for the period of February 8, 2021 to February 22, 2021.

Fire Chief Kurt Hallberg submitted his report for the Lakewood Fire Department stating there has been one hundred twenty-two alarms year to date.

Chief Hallberg said the Lakewood Fire Department has resumed regular monthly meetings and drills. He said last week they had a classroom drill to review operations and policy and yesterday they had a drill with portable pumps.

Trustee Fischer thanked Building Inspector Jeff Swanson for his hard work in pursuing the clean-up of 51 W. Fairmount Ave., he said it is a great improvement.

Mayor Randall Holcomb thanked Deputy Mayor Ellen Barnes for running the February 8, 2021 Board of Trustees meeting in his absence.

Mayor Holcomb said the Lakewood Community Development Corporation's (LCDC) plans for the playground project at Hartley Park is well underway.

Mayor Holcomb said the Public Employer Health Emergency Plan for the Village of Lakewood continues to be worked on and will be completed soon. Per the Governors orders, all plans must be finalized and submitted by April 1, 2021.

Mayor Holcomb was pleased to announce that Lakewood, along with six (6) other participating municipalities, have been awarded a \$90,000 grant by the Chautauqua Lake and Watershed Management Alliance. The grant has been awarded for herbicide treatments to target Curly-leaf Pondweed and/or Eurasian Watermilfoil. The village's share will be determined based on the results of the NYSDEC permitting process.

Mayor Holcomb reported the US Census Bureau, 2021 Boundary and Annexation Survey (BAS) has been completed and recorded.

Trustee Barnes said the Farmers Market Committee has approached the Board of Trustees asking for the village to consider paying a Farmers Market Manager. She said she agrees the Farmers Market is a tremendous asset to the village by bringing people into the village, who will also visit the shops along Chautauqua Ave. She said but there are also many other committees in the village that are run by volunteers and noted that she is sincerely grateful to each and every volunteer that donates their time and talents to the Village of Lakewood.

**FEBRUARY 22, 2021 (continued)**

Ms. Barnes said due to the COVID-19 pandemic and the uncertainty of how the village will be financially this year, she does not think this is a good year for the village to add another paid position. She said she would be against taking on that additional financial burden.

Trustee Fischer said he thinks if any volunteer is to get paid, it should be the volunteer firemen.

Mayor Holcomb asked committee member Ruth Wahl if the fees collected from the vendors could be increased so the Farmers Market could pay for a manager itself.

Ms. Wahl said the \$10/week that is charged right now is average to charge vendors and felt if it were raised they wouldn't get any vendors. Ms. Wahl indicated the Market currently has money in their account that could be used towards a stipend.

Trustee McCague said it's not like they are asking the village to create an employee position, just some financial assistance with it. He said until the board has a chance to work on the budget, it is hard to have an answer.

Trustee Barnes asked what has changed from previous years and this year that the Farmers Market feels they need a paid manager.

Ms. Wahl said the Farmers Market has become so successful it can now take up to 20 hours a week to run it and the person who has been the manager has moved out of the village so they are in search of a new one.

Trustee McCague said he understands the dilemma the committee is in and suggested they submit a budget request to Mayor Holcomb for the Board to take a look at.

Trustee Fischer reported the village has received the donation from the Bootey family for the purchase of the four Village of Lakewood signs. He indicated Chautauqua Sign Co. has begun the work on them. Mr. Fischer said the grant application, through the Community Foundations for the remaining four (4) signs, has been filed.

**RESOLUTION #37-2021 – VILLAGE OF LAKEWOOD SUPPORTS LCDC'S PLAYGROUND PROJECT**

Motion by Mayor Holcomb, seconded by Trustee Fischer, WHEREAS, the Lakewood Community Development Corporation (LCDC) has engaged playground architects, Parkitects, to design a new playground for installation at Hartley Park in the Village of Lakewood, and

WHEREAS, LCDC intends to raise sufficient private funds to cover the entire cost of manufacturing and installing the new playground at Hartley Park, and

WHEREAS, the LCDC would like to have the Village's support for this project, as the LCDC believes that the new playground will benefit residents of the Village of Lakewood, will be safer and more enjoyable for children in the community than the current playground, and will require no more maintenance or expense than the current playground, and

WHEREAS, before commencing major fundraising efforts, the LCDC would like the Village to express its intention to accept the LCDC's donation of the playground equipment once the playground equipment is purchased and ready to be installed on Village property,

NOW THEREFORE BE IT RESOLVED THAT, the Village of Lakewood Board of Trustees hereby expresses its support for the LCDC's playground project at Hartley Park and thanks the LCDC for its efforts to better our community, and

BE IT FURTHER RESOLVED THAT, the Village of Lakewood hereby expresses its intent to accept the LCDC's planned donation of new playground equipment to the Village to be installed at Hartley Park, and

BE IT FURTHER RESOLVED THAT, when the new playground equipment is installed at Hartley Park, the Village intends to support the playground project by appropriating sufficient labor and funds to properly maintain the new playground equipment and areas adjacent to the playground equipment such as woodchips and other safety material placed below and around the playground equipment, seating areas, restrooms, and receptacles.

Adopted: 3 ayes, no nays (Barnes, Fischer, Schutte) 1 abstain, (McCague)

**FEBRUARY 22, 2021 (continued)**

Trustee Barnes and Trustee Fischer thanked the LCDC for taking on this project and said if anyone wants to see what they are proposing they can get on-line to LCDCny.org and look at the plans.

Mr. Bill Evans, President of the LCDC, said they are really excited about this project and think it will help bring families to the village as well as business to the shops on Chautauqua Ave.

**RESOLUTION #38-2021 – TABLE APPROVAL OF DOCK PERMIT APPLICATION**

Motion by Trustee Barnes, seconded by Trustee Fischer, for the Board of Trustees to table the approval of the dock permit application for Lowe Park as submitted by Mark & Jeanne Schreiber, 225 W. Summit St., until the next regular meeting of the Board of Trustees, March 8, 2021, at which time the full Title Search should be completed. Adopted: 4 ayes, no nays (Barnes, Fischer, McCague, Schutte)

**RESOLUTION #39-2021 – AUTHORIZE MID-YEAR BUDGET TRANSFER**

Motion by Trustee McCague, seconded by Trustee Schutte, per the recommendation of Village Treasurer Apryl L. Troutman, for the Board of Trustees to authorize the following mid-year budget transfer due to a budget shortfall: \$ 1,141.02 from A-5110.40 {Street Maintenance-Contractual} to A-5110.43 {Street Maintenance-Vehicle Maintenance}. Adopted: 4 ayes, no nays (Barnes, Fischer, McCague, Schutte)

**RESOLUTION #40-2021 – AUTHORIZE REQUEST FOR BIDS – WEEKLY GARBAGE COLLECTION**

Motion by Trustee Barnes, seconded by Trustee McCague, authorizing the Village Clerk to advertise for bids regarding the Village of Lakewood's weekly collection and disposal of household garbage and recyclables. Bids are to be received at or before 3:00 PM, Friday, March 19, 2021. Adopted: 4 ayes, no nays (Barnes, Fischer, McCague, Schutte)

**RESOLUTION #41-2021 – APPROVE THE 2021 LICENSE AGREEMENT WITH THE CLCSF**

Motion by Trustee Schutte, seconded by Trustee McCague, for the Board of Trustees to approve the 2021 License Agreement between the Village of Lakewood and the Chautauqua Lake Community Sailing Foundation, Inc., regarding the continued use of the Beach House and waterfront property at Richard O. Hartley Park for the 2021 sailing season (March 1, 2021 thru October 31, 2021) and to authorize Mayor Holcomb to execute the same. Adopted: 4 ayes, no nays (Barnes, Fischer, McCague, Schutte)

**RESOLUTION #42-2021 – SET TIME & DATE FOR PUBLIC HEARING RE: LOCAL LAW #1-2021**

Motion by Trustee Fischer, seconded by Trustee Barnes, to set 6:45 PM, Monday, March 8, 2021, as the time and date for the Board of Trustees to conduct a public hearing on proposed Local Law #1-2021, abolishing the Planning Board and transfer the responsibilities to the Zoning Board of Appeals. Adopted: 4 ayes, no nays (Barnes, Fischer, McCague, Schutte)

**RESOLUTION #43-2021 – SET TIME & DATE FOR PUBLIC HEARING RE: SPECIAL USE PERMIT**

Motion by Trustee McCague, seconded by Trustee Barnes, to set 7:00 PM, Monday, March 8, 2021, as the time and date for the Board of Trustees to conduct a public hearing to review a Special Use Permit (Home Occupation) application as submitted by Ms. Janaina Graziela Guedes Del Nero, 15 Fairwood Drive. Adopted: 4 ayes, no nays (Barnes, Fischer, McCague, Schutte)

**RESOLUTION #44-2021 – SET TIME & DATE FOR PUBLIC HEARING RE: TENTATIVE BUDGET**

Motion by Trustee Barnes, seconded by Trustee McCague, to set 6:45 PM, Monday, April 12, 2021, 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, 2021 – May 31, 2022. Adopted: 4 ayes, no nays (Barnes, Fischer, McCague, Schutte)

**FEBRUARY 22, 2021 (continued)**

**RESOLUTION #45-2021 –AUTHORIZE VILLAGE TO PAY APPLICATION FEE**

Motion by Trustee McCague, seconded by Trustee Barnes, to authorize the village to pay the one hundred dollar (\$100.00) Application fee for the application of aquatic herbicides, should the fee come to the village to be paid.  
Adopted: 4 ayes, no nays (Barnes, Fischer, McCague, Schutte)

**RESOLUTION #46-2021 – ACCEPT RESIGNATION OF L-BPD POLICE OFFICER**

Motion by Trustee Barnes, seconded by Trustee Fischer, for the Board of Trustees to accept the resignation of Part-Time Police Officer Tyler Cappa who has been an Officer with the L-BPD since July 6, 2019.  
Adopted: 4 ayes, no nays (Barnes, Fischer, McCague, Schutte)

**RECESS**

Motion by Trustee Barnes, seconded by Trustee Fischer, to recess the regular meeting at 7:20 PM, so as to enter into executive session to discuss personnel matters.  
Adopted: 4 ayes, no nays (Barnes, Fischer, McCague, Schutte)

**EXECUTIVE SESSION**

Present at the executive session, were Mayor Randall G. Holcomb, Trustee Ellen E. Barnes, Trustee Douglas L. Schutte, Trustee Edward J. McCague, Trustee R. Richard Fischer, Village Attorney John I. LaMancuso, and Village Clerk Mary B. Currie

**EXECUTIVE SESSION (Adjournment)**

Motion by Trustee Schutte, seconded by Trustee Fischer and unanimously carried to adjourn the executive session and reopen the regular meeting of the Board of Trustees at 7:36 PM.

**RESOLUTION #47-2021 –VACATION TIME**

Motion by Trustee Barnes, seconded by Trustee McCague, for the Board of Trustees to allow non-union employees who have unused vacation time, to carry up to forty (40) hours over through the following year, until their next anniversary date, at which time they will lose it. Any remaining hours will be converted to sick time. This is a one-time only offer, due to the COVID-19 restrictions on not being able to travel.  
Adopted: 4 ayes, no nays (Barnes, Fischer, McCague, Schutte)

Motion by Trustee Barnes, seconded by Trustee Fischer and unanimously carried to adjourn the regular Board of Trustees meeting at 7:38 PM.

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Mary B. Currie  
Village Clerk