

FEBRUARY 24, 2020

The fourth regular meeting of the Board of Trustees of the Village of Lakewood, N.Y., was held Monday, February 24, 2020, 6:30 PM, with Mayor Randall G. Holcomb presiding. Trustees present were Ellen E. Barnes, R. Richard Fischer, Edward J. McCague and Douglas L. Schutte. Also present were Village Clerk Mary B. Currie, Village Treasurer Apryl L. Troutman, Police Chief John R. Bentley, Village Attorney John I. LaMancuso, Department of Public Works Supervisor Thomas R. Pilling, Fire Chief Kurt Hallberg and Building Inspector Jeffrey A. Swanson.

#### APPROVAL OF MINUTES

Motion by Trustee McCague, seconded by Trustee Schutte, to approve the minutes of the last regular meeting of the Board of Trustees held February 10, 2020.

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

#### AUDIT OF CLAIMS

Motion by Trustee Barnes, seconded by Trustee McCague, that the claims as audited by the Auditing Committee of the abstracts dated February 24, 2020, be approved and that the Clerk shall execute said abstracts (#39 & #39) and direct payment by the Treasurer. Trust & Agency Fund: \$ 47,851.48, (Checks #4988 and #4989), General Fund: \$ 60,340.71, (Checks #16620 thru #16645).

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

#### REPORTS

Mayor Holcomb began his report by saying he is sad to say, he has received letters of resignation from Planning Board Member Mr. John Shedd and Zoning Board of Appeals Chairman Mr. William Chandler. Mr. Chandler wishes to only step down as Chairman, however he would like to remain a member of the ZBA.

Department of Public Works Supervisor Thomas R. Pilling reported the new "Park Closed" signs have been installed at Community Park, the signs indicate the park being closed from 10PM to 6AM.

Mr. Pilling also said he will be moving forward with the NYSEDA Grant. He has talked with Ms. Frances Porpiglia, Consumer Representative with National Grid, and she guaranteed the price of \$922.00 or less for the conversion of all the three hundred ninety six street lights.

Mr. Pilling asked the Board of Trustees if they had any ideas of what they would like to do with the anchor which the village acquired back in 2012 from the Turner Family and has since been sitting in the impound yard.

With the recent request for more Chautauqua Ave. signs to be installed, Mr. Pilling explained that presently there are two (2) street signs up on Chautauqua Ave. One of the signs is at the intersection of First St. and Chautauqua Ave., the other is on Terrace Ave. Mr. Pilling said the problem they are having with the sign at Chautauqua and Fairmount Aves., is the tractor trailers are continuously knocking it down when they are turning. He said signs cannot be installed at the intersection of Chautauqua Ave. & Summit St. because the poles there are not compatible with the brackets for the signs. The three (3) poles that do have the ability to have signs installed are Second St., Third St. and Alta Way. Mr. Pilling said he would like to order three (3) signs but the Lakewood Community Development Corporation has all the information on the existing signs, if he could get the information from them he would be willing to check with the company to see if the same signs are available.

Police Chief John R. Bentley reported the Lakewood-Busti Police Department has had one thousand one hundred sixteen incidents year to date, two hundred ninety three of which have occurred since the last meeting held February 10, 2020.

Chief Bentley said the L-BPD was recently inspected by officials from the NYS Department of Corrections regarding its Holding/Lock-up and Juvenile room. Both areas passed inspection.

Chief Bentley also reported he has run into a problem with his car replacement. He found out Dodge has quit making the 2020 Dodge Chargers due to a labor dispute so he is no longer able to order them. He said what he would like to do is convert his present Investigator's car into the L-4 marked patrol car, which he feels could be done quite cheaply. He would then replace the investigator's car with an un-marked Dodge Durango.

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Chief Bentley asked for permission from the Board of Trustees to put a 2020 Dodge Durango out for bid instead of the two (2) 2020 Dodge Chargers he previously requested bids on. The bids for the 2020 Dodge Durango will be due on March 6, 2020. He said then in August 2020, when they start making the Chargers again, he would like to replace the other patrol car.

Fire Chief Kurt Hallberg reported the Lakewood Fire Department has had one hundred sixty alarms year to date and sixty-six so far in February, he also presented copies of the 2019 Lakewood Fire Department Annual Report to the members of the Board of Trustees.

Chief Hallberg also reported on a structure fire the Lakewood Fire Department responded to on Second Ave. in the Town of Busti. He said once the Fire Department got in the house they had it under control pretty quickly.

Village Attorney John I. LaMancuso reported that he has reviewed the form resolution on banning smoking in the parks, which was provided by the Chautauqua County Health Department on February 10, 2020. Mr. LaMancuso said he did not see any issues with it if the board would like to take that up tonight.

Building Inspector Jeff Swanson reported he also had met with NYSEDA and found out there will be Clean Energy Communities 2.0 coming out possibly sometime in the spring. He said, there might be more opportunities for the village to save money.

Mr. Swanson also reported he has given each member of the Board of Trustee and Village Attorney LaMancuso a copy of the model resolution the Town of Busti has put together for the 5G cellular fee charges, for their review. Mr. Swanson believes this model resolution is pretty much what NYS suggests regarding the setting of appropriate fees.

Trustee R. Richard Fischer reported he has been talking with the Community Foundation about a couple of possible grants for the village to look into. Mr. Fischer said one is a \$ 2,000.00 grant that would be used for the Summer Concert bands as well as towards the 4<sup>th</sup> of July Summerfest. He said the other one is a Community Service Grant which could be used toward a shelter at the Dog Park, which John Livingston had requested from the Board of Trustees a few months prior. Trustee Fischer said he has been working with the Village Clerk and the Deputy Clerk in putting the grant together for the summer concert series and getting it submitted by the March 1<sup>st</sup> deadline. He has also had conversations with Building Inspector Jeff Swanson and DPW Supervisor Tom Pilling about putting together a plan for the Community Service Grant to be used toward a shelter at the dog park.

Mayor Randall G. Holcomb introduced Mr. Billy Evans, Lakewood Community Development Corporation (LCDC) President, who is in attendance this evening, to give a brief presentation on a playground improvement project in Richard O. Hartley Park.

Mr. Evans began his presentation by explaining that the LCDC is a non-profit, all volunteer organization that focuses on community improvements and economic development for the Village of Lakewood. Mr. Evans said as many people have noticed the existing playground at Hartley Park is old and run down. He said since new playground equipment is very expensive, the LCDC would like to step in and help out by doing some fundraising and project management on installing new equipment. The LCDC has begun initial research on the fundraising and playground construction process, but have not begun any design work. They are looking for community input as well as the parks department and neighboring residents on the design, with the final approval coming from the Board of Trustees. Mr. Evans said the LCDC is looking for the Board of Trustees to approve a resolution to take on this project with hopes of the project being completed in the summer of 2021.

Ms. Ruth Wahl, 106 Winchester Road, commented on conversations she has had with area residents about the need for improvements that should be made to the playground and agrees with Mr. Evans and the LCDC regarding plans to improve the playground.

Trustee Ted McCague said Hartley Park is a key component to the vitalization and economic development of Chautauqua Ave. and by making improvements to the playground it could help with all the businesses on the avenue.

FEBRUARY 24, 2020 (continued)

RESOLUTION #41-2020 – LAKEWOOD COMMUNITY DEVELOPMENT CORPORATION TO UNDERTAKE THE PLAYGROUND IMPROVEMENT PROJECT

Motion by Trustee McCague, seconded by Trustee Schutte, for the Board of Trustees to hereby support the LCDC's proposal to undertake a playground renewal project in the Village's Hartley Park and hereby authorizes the LCDC to plan and design the very worthwhile community project.

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

RESOLUTION #42-2020 – ACCEPT RESIGNATIONS OF REVIEW BOARD MEMBERS

Motion by Trustee Fischer, seconded by Trustee Barnes, for the Board of Trustees to accept the resignation of Mr. William Chandler as Zoning Board of Appeals Chairman and the resignation of Mr. John Shedd as a member of the Planning Board. Mr. Chandler will remain on the ZBA as a member.

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

Trustee Ellen E. Barnes wanted to give a very special thank you to Mr. William Chandler for serving as Chairman of the ZBA and also thank Mr. John Shedd for taking his time and serving on the Planning Board.

RESOLUTION #43-2020 – APPROVE 2020 DOCK PERMIT APPLICATION

Motion by Trustee Barnes, seconded by Trustee McCague, to approve the following 2020 Dock Permit Application as submitted by Mr. John A. Johnson, 178 Front Street for the Woodlawn Ave., right-of-way with the condition Mr. Johnson submits the proper insurance coverage making the Village of Lakewood as additional insured.

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

RESOLUTION #44-2020 – AUTHORIZE REQUEST FOR BIDS RE: NEW POLICE DEPT. VEHICLE

Motion by Trustee Barnes, seconded by Trustee Schutte, authorizing Police Chief John R. Bentley to request sealed bids for one (1) new un-marked 2020 Dodge Durango SUV. Bids are to be received at the Village Clerks Office on or before 3:00 PM, Friday, March 6, 2020. Also authorize Chief Bentley to request sealed bids for one (1) 2020 Dodge Charger patrol car in August 2020.

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

RESOLUTION #45-2020 – APPROVE THE CHAUTAUQUA CO. FORM RESOLUTION ON TOBACCO FREE PARKS

Motion by Trustee McCague, seconded by Trustee Schutte, for the Board of Trustees to approve the form resolution provided by the Chaut. Co. Health Dept., designating all village parks non-smoking and tobacco free facilities and approve said resolution.

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

ANYONE TO BE HEARD

Mr. Gene Watchey, 9 Glenwood Ave., came before the board to ask if there was a way the village could widen East Summit Street between Shadyside Ave. and Fairdale Ave., with blacktop. He said the way it is now makes it difficult for people who walk along that section of the village.

Mr. Lou Turcotte, representative for the Chautauqua Lake Community Sailing Foundation, presented an updated lease agreement between the Village of Lakewood and the CLCSF to the Board of Trustees for their consideration. He noted it has not changed from last year's agreement. Mr. Turcotte thanked the board for the partnership the CLCSF has had with the Village of Lakewood in allowing the use of the lakefront and beach house and are looking forward to the new season.

FEBRUARY 24, 2020 (continued)

RECESS

Motion by Trustee Barnes, seconded by Trustee Fischer, to recess the regular meeting of the Board of Trustees at 7:02 PM, so as to enter into executive session to discuss a legal matter.

EXECUTIVE SESSION

Present at the executive session were Mayor Randall G. Holcomb, Trustee Ellen E. Barnes, Trustee Edward J. McCague, Trustee Douglas L. Schutte, Trustee R. Richard Fischer, Village Attorney John I. LaMancuso, Village Clerk Mary B. Currie and Building Inspector Jeff Swanson. Motion by Trustee Barnes, seconded by Trustee McCague, to adjourn the executive session at 7:31 PM.

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

RESOLUTION #46-2020 – PROCEED WITH BLASIUS FENCE CASE GOING TO LOCAL COURT

Motion by Trustee Barnes, seconded by Trustee Fischer, to have Building Inspector Jeff Swanson contact Ryan McCann, Esq., of Attea and Attea, Attorneys at Law, Hamburg, N.Y., to ask that he take the next step in the case of The Village of Lakewood vs. Blasius, regarding the fence, by moving forward and take it to the local Town of Busti court.

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

RECESS

Motion by Trustee Schutte, seconded by Trustee Barnes, to recess the regular meeting of the Board of Trustees at 7:35 PM, so as to enter into executive session to discuss ongoing litigation.

EXECUTIVE SESSION

Present at the executive session were Mayor Randall G. Holcomb, Trustee Ellen E. Barnes, Trustee Edward J. McCague, Trustee Douglas L. Schutte, Trustee R. Richard Fischer, Village Attorney John I. LaMancuso, Village Clerk Mary B. Currie and Building Inspector Jeff Swanson. Motion by Trustee Barnes, seconded by Trustee McCague, to adjourn the executive session at 7:45 PM.

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

Motion by Trustee Schutte, seconded by Trustee McCague and unanimously carried the Board adjourned at 7:45 PM.

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Mary B. Currie  
Village Clerk