

APRIL 16, 2019

A special meeting of the Board of Trustees of the Village of Lakewood was held Tuesday, April 16, 2019, 9:00 AM, with Deputy Mayor Edward J. McCague presiding. Trustees present were Ellen E. Barnes, Randall G. Holcomb, and Douglas L. Schutte. Also present was Village Clerk Joseph M. Johnson. Absent was Village Attorney John I. LaMancuso.

Deputy Mayor McCague opened the special meeting and indicated there is only one item on this morning's agenda and that is for the Board of Trustees to review and consider approving the Memorandum of Agreement (MOA) as presented by Chautauqua County Executive George Borrello, regarding the Chautauqua Lake Weed Management Consensus Strategy, and if approved, authorize Deputy Mayor Edward J. McCague to execute the same. Deputy Mayor McCague then asked if anyone would like to be heard.

Chautauqua County Executive George Borrello appeared before the Board of Trustees and others present by first thanking Deputy Mayor McCague and members of the Board of Trustees for taking the time this morning to consider approving the Memorandum of Agreement (MOA). He said the main goal of the MOA is to bring everyone, meaning the participants in the Agreement, together in one focused effort to address Chautauqua Lake. The Agreement is a framework allowing the participants to work together using the same set of rules and to let it be known that the people of Chautauqua County can put aside their differences and work together. Mr. Borrello said there are resources currently on the sidelines but folks are reluctant to get involved because of the contentious repartee between certain participants. Each of the participants have good intentions but it is important to work effectively and efficiently together towards a single goal.

Mr. Borrello said about ten years ago Lake George went through a similar weed management problem that Chautauqua Lake is experiencing. They too had various lake groups at odds that came together and eventually worked together to correct the problem. Mr. Borrello said he is convinced we can do that in Chautauqua County. It begins by putting aside our differences and working together in the best interest of Chautauqua Lake.

He said Chautauqua County fully supports third party oversight and monitoring when it comes to water testing before and after aquatic herbicide applications. Mr. Borrello said he truly believes with the participants' support of the MOA, it will be the dawn of a new era for Chautauqua Lake, because we all want the same thing, a clean and healthy lake, for use by generations to come.

Village Treasurer Andrea J. Windoft asked County Executive Borrello if the MOA is more or less a plan to manage the other interested lake organizations and how is the funding going to be handled.

Mr. Borrello said previously, funding that was received by the County went directly to the individual lake organizations. Any funding received by the County will now go through the Chautauqua Lake & Watershed Management Alliance (Alliance) for disbursement. The goal will be to conduct a triage of the weed problems throughout the lake and address the worst areas first. First and foremost Chautauqua County has already committed funding for the clean-up of Burtis Bay through a demonstration project.

Mr. Rich Fischer, 43 West Fairmount Ave., asked Mr. Borrello if he knows how far up the lake from Burtis Bay, towards the Lakewood Rod & Gun Club, is the weed problem going to be addressed.

Mr. Borrello said that will depend on what areas of the lake are included on the NYS Department of Environmental Conservation permits.

Trustee Barnes asked Mr. Borrello if the US ARMY Corps of Engineers will be conducting any studies that could possibly lead to possible dredging of certain areas of Chautauqua Lake.

Mr. Borrello said the MOA deals with short term lake issues, however a recently adopted Federal Water Bill authorizes a Flood Mitigation Habitat Restoration Study to be done on Chautauqua Lake.

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With the passing of the Federal Water Bill, now comes the appropriation side of it. If funded, the Bill could open the door for additional resources and projects for the US ARMY Corps of Engineers. Although the end result may be down the road a piece, we are making progress.

Trustee Barnes asked Mr. Borrello as things change, will or could the MOA be amended as needed.

Mr. Borrello agreed that conditions of the lake are likely to change over time, however the MOA is a policy statement that was drafted with input from area stakeholders. One of the MOA's current tenets is not to make use of aquatic herbicides north of Long Point.

Trustee Barnes then asked Mr. Borrello if he knows of other lakes across New York State that are treated with aquatic herbicides, and that the water is also used for drinking.

Mr. Borrello said he believes there are, but couldn't cite any specific examples. He did note the MOA calls for a study to be done to look into alternative water sources for places such as the Chautauqua Institution and Chautauqua Shores. He added they really should have a back-up plan for potable water.

Trustee Schutte asked Mr. Borrello how soon is third party involvement expected with respect to post aquatic herbicide application water testing. Also, would a third party assessment be conducted following any aquatic herbicide applications being proposed for this spring?

Mr. Borrello said third party involvement is expected as soon as possible and the County has already been in contact with a couple consulting firms to look at that, and yes a third party assessment of aquatic herbicide application this spring is planned to be done. The one thing participants could agree on was having a third party involved on assessing all aquatic herbicide applications and pre and post water testing.

Trustee Barnes asked Mr. Borrello if there is any way to stop individuals from carrying out their own aquatic herbicide treatments.

Mr. Borrello said doing so is illegal and we will need to gain the confidence of those individuals that things are moving in the right direction and that there are improvements in Chautauqua Lake's water quality.

Mr. David Card, 38 Chautauqua Ave., said it has been a case of the same things being done, with the expectation of different results. He suggested that instead of attacking the weed problem on the upper part of the water column, more attention should be paid to addressing the problem of the decomposing weeds collecting on the lake bottom.

Mr. Borrello indicated for a number of years now, Chautauqua County has been focusing on decreasing the flow of nutrients and phosphorus into the lake, plus stream bank stabilization projects, both of which have had some positive results. The internal loading of phosphorus and nutrients into the lake remains a challenge.

Mr. Fischer asked how often will targeted areas of the lake be treated with aquatic herbicides after an initial application.

Mr. Borrello said that depends on a variety of factors, but once a plan is in place an aquatic treatment schedule will be developed.

Trustee Holcomb asked how often is water testing done in connection with aquatic herbicide applications.

Mr. Borrello prefaced his answer by stating he is not an expert, however he believes there are requirements to conduct water tests by a third party before and after any aquatic herbicide applications.

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With no one else to be heard, Deputy Mayor McCague asked for a motion on the Memorandum of Agreement as presented.

RESOLUTION #70-2019 – APPROVE CHAUTAUQUA COUNTY MEMORANDUM OF AGREEMENT

Motion by Trustee Schutte, seconded by Trustee Barnes, for the Village of Lakewood to approve the Memorandum of Agreement (MOA), as presented by Chautauqua County Executive George Borrello, regarding the Chautauqua Lake Weed Management Consensus Strategy and to authorize Deputy Mayor Edward J. McCague to execute the same.

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

Motion by Trustee Holcomb, seconded by Trustee Schutte, and unanimously carried, the Board adjourned at 9:27 AM.

Joseph M. Johnson
Village Clerk