

APRIL 24, 2023

The eighth regular meeting of the Board of Trustees of the Village of Lakewood, N.Y., was held, Monday, April 24, 2023, 6:30 PM, with Mayor Randall G. Holcomb presiding. Trustees present were Ellen E. Barnes, R. Richard Fischer and Nancy W. Jones. Also present were Village Clerk Mary B. Currie, Village Treasurer Apryl L. Troutman, DPW Supervisor Thomas R. Pilling, Fire Chief Kurt Hallberg and Building Inspector Jeff Swanson. Absent were Trustee Benjamin J. Troche, Police Chief Christopher A. DePonceau and Village Attorney John I. LaMancuso. A work session was held, the Board of Trustees asked Building Inspector Jeff Swanson to send an Order to Remedy to the Western NY and PA Railroad in regards to Kingsview Enterprises, 7 E. First St., using their property as a landfill.

APPROVAL OF MINUTES

Motion by Trustee Fischer, seconded by Trustee Jones, to approve the minutes of the last regular meeting of the Board of Trustees held April 10, 2023.

Adopted: 3 ayes, no nays (Barnes, Fischer, Jones)

AUDIT OF CLAIMS

Motion by Trustee Fischer, seconded by Trustee Jones, that the claims as audited by the Auditing Committee of the abstracts dated April 24, 2023, be approved and that the Clerk shall execute said abstracts and direct payment by the Treasurer. Abstracts (#48 & #48) Trust & Agency Fund: \$ 65,465.26, (checks #7435 thru #7437) General Fund: \$ 69,256.73 (checks #19696 thru #19721).

Adopted: 3 ayes, no nays (Barnes, Fischer, Jones)

REPORTS

DPW Supervisor Thomas R. Pilling reported work has begun on repaving the parking lot at the Community Park Boat Ramp and said he hopes to have the project completed within the week.

Mr. Pilling said the portion of the sidewalk on Chautauqua Ave. that had to be re-sealed in the fall needs to be re-sealed once again. He said he has asked the company, who originally did the work, to come back and re-seal it once again.

Mr. Pilling also said he met with the engineers who worked on the Chautauqua Ave. project about the ruts that are forming in the intersection of Chautauqua and Summit St. The engineers are saying some of the filler stone has settled down into the lower corners, which is why it is starting to move. He said they want to do a couple of tests strips and put some filler in, then let it settle. He said it is something that will not be fixed right away and believes it will be up to the village to correct the problem.

Mr. Pilling also reported he recently met with the members of the Lakewood Community Development Corporation (LCDC) and said work to put the finishing touches on the new playground at Richard O. Hartley Park will be moving forward very soon. He said right now they are waiting for the camera poles to be installed then they will begin grading and landscaping the area immediately around the playground.

Mr. Pilling said he is receiving pricing for a gate that can be installed inside the beach house that will separate the Chautauqua Lake Community Sailing Foundation (CLCSF) equipment and the Lifeguard equipment from the bathrooms. He added the gates will be locked when the beach house is open for the public to use the bathrooms.

Mr. Pilling said it looks like the cost of a gate will be \$ 3,500.00 - \$ 4,000.00 and indicated he is working with the Chautauqua Lake Community Sailing Foundation (CLCSF) on possibly sharing the cost.

Mr. Pilling also asked for an update on the progress of the village's Personnel Policies and Proposals.

Trustee Barnes said Village Attorney LaMancuso is working on re-writing sections of the policy.

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Fire Chief Kurt Hallberg reported the Lakewood Fire Department has responded to three hundred sixteen alarms year to date.

Building Inspector Jeff Swanson reported he has been busy with property maintenance calls that are continuing to come in and he is still receiving building and planning permits. He also noted within a month or so lawn maintenance letters will be sent to those property owners in violation.

Trustee Fischer asked Mr. Swanson if he has had the opportunity to take a look at the conditions of 51 W. Fairmount Ave.

Mr. Swanson indicated he has looked at the property and said the problem he faces now is the owner of record has 51 W. Fairmount Ave. as his mailing address so any notice sent will be returned to the village. He said the only thing he can do right now is wait for the property to go to Chautauqua County for delinquent taxes and try to have the County Land Bank take it over.

Mr. Swanson said another property he has been working on for years is 126 E. Fairmount Ave., he said every time he gets close to making any progress the owner changes the name to a new LLC.

Mayor Holcomb reported he received notice there is going to be a Chautauqua County Operation Safe Stop media event 2023 that will at 10:15 AM, April 27th at the Chautauqua Mall, 318 Fairmount Ave. He said Operation Safe Stop is an educational and enforcement initiative involving law enforcement, traffic safety organizations and industry partners who collectively work to keep in the forefront, the message about the dangers of illegally passing a stopped school bus when red lights are flashing. He said they are trying to get the word out with the hope of having a great turnout.

Trustee Jones reported she has enough lifeguards for the beach to open and a few more that are interested in applying. She said some of the potential lifeguards already have vacations scheduled so she would like to pursue a couple more.

Trustee Jones said she would like the village to purchase a dock for the beach so people will be able to swim in deeper waters and also thought it would be better for safety concerns. She said she has received three (3) quotes from local businesses, two (2) of which are aluminum and one (1) wooden, the lowest quote being an aluminum dock with Extreme Marine.

DPW Supervisor Pilling said he suggests not going with the wooden dock.

Trustee Fischer asked if the lifeguards start in mid-July and the beach closes down due to water conditions, will we still have to pay the lifeguards.

Trustee Barnes said she would still like to see someone there to monitor the beach house.

RESOLUTION #85-2023 – APPROVE 2023 MAPLE AVE. LAROW DOCK PERMIT

Motion by Trustee Fischer, seconded by Trustee Barnes, for the Board of Trustees to approve the 2023 LAROW Dock Permit application as submitted by Mr. John Lubic, 68 E. Terrace Ave., for the Maple Ave. right-of-way.

Adopted: 3 ayes, no nays (Barnes, Fischer, Jones)

RESOLUTION #86-2023 – AUTHORIZE THE USE OF VILLAGE STREETS

Motion by Trustee Barnes, seconded by Trustee Fischer, to authorize the Lakewood YWCA to use the village streets for a 5K run/walk as a fundraiser on Saturday, May 6, 2023 at 9:00 AM.

Adopted: 3 ayes, no nays (Barnes, Fischer, Jones)

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RESOLUTION #87-2023 – AUTHORIZE NYS HIGHWAY SUPERINTENDENTS CONFERENCE ATTENDANCE

Motion by Trustee Barnes, seconded by Trustee Fischer, to authorize DPW Supervisor Thomas R. Pilling, to attend the NYS Highway Superintendents Conference to be held in Ithaca, N.Y., June 5, 2023 - June 7, 2023. Adopted: 3 ayes, no nays (Barnes, Fischer, Jones)

RESOLUTION #88-2023 – AUTHORIZE MID-YEAR BUDGET TRANSFERS

Motion by Trustee Barnes, seconded by Trustee Jones, to authorize Village Treasurer Apryl L. Troutman to make the following mid-year budget transfers for budget shortfalls: \$ 1,738.00 from A3620.20 {Code Enforcement–Equipment} to A1420.40 {Law-Contractual}, \$ 277. 20 from A1620.40 {Buildings-Contractual} to A1620.42 {Buildings-Contractual National Grid}, \$ 505.18 from A3120.10 {Police–Salaries} to A3120.11 {Police Salaries-Overtime}, \$842.19 from A3120.40 {Police-Contractual} to A3120.42 {Police Contractual–Gasoline}, \$ 521.93 from A3410.40 {LFD–Contractual} to A3410.41 {LFD–Utilities}, \$323.88 from A5110.42 {Street Maintenance–National Grid Electric} to A5110.41 {Street Maintenance–National Fuel}, \$ 200.00 from A5110.40 {Street Maintenance–Contractual} to A-5110.43 {Street Maintenance–Vehicle Maintenance}, \$ 4,900.00 from A3620.20 {Code Enforcement–Equipment} to A5110.46 {Street Maintenance–Tree Service} and \$ 28.96 from A7140.42 {Playgrounds–National Grid Electric} to A7140.41 {Playgrounds–National Fuel Gas}. Adopted: 3 ayes, no nays (Barnes, Fischer, Jones)

RESOLUTION #89-2023 – AUTHORIZE FUND TRANSFERS

Motion by Trustee Fischer, seconded by Trustee Jones, to authorize Village Treasurer Apryl L. Troutman to make the following fund transfers: \$ 7,500.00 from T1093-40 {July 4th Celebration} to A7550.40 {Celebrations-July 4th}, to pay for the fireworks display deposit, \$ 9,000.00 from T1093-37 {Police-K9 Dog Unit} to A3120.40 {Police-Contractual}, to pay for the new K-9 police dog. Adopted: 3 ayes, no nays (Barnes, Fischer, Jones)

RESOLUTION #90-2023 – AUTHORIZE LEVYING OF UNPAID WATER BILLS ON TAX BILLS

Motion by Trustee Barnes, seconded by Trustee Fischer, authorizing Village Treasurer Apryl L. Troutman to accept the list of unpaid water bills as prepared and submitted by the Jamestown Board of Utilities for properties in the Village of Lakewood which will then be levied onto the 2023-2024 village tax bills for the corresponding properties. Adopted: 3 ayes, no nays (Barnes, Fischer, Jones)

RESOLUTION #91-2023 – AUTHORIZE PREPARATION 2023-2024 VILLAGE TAX BILLS

Motion by Trustee Fischer, seconded by Trustee Barnes, authorizing Village Treasurer Apryl L. Troutman and the Chautauqua County Division of Taxation to prepare the Village of Lakewood's 2023-2024 Village tax bills in accordance with the most recent tax roll on file. Adopted: 3 ayes, no nays (Barnes, Fischer, Jones)

DISCUSSION ON PURCHASING NEW FIRE PUMPER

Mr. Thomas Allen, LFD Second Assistant Fire Chief, said the LFD is asking board approval to begin the process of purchasing a new Sutphen Fire Pumper to replace the 2000 American-LaFrance pumper. Mr. Allen said he has been told there are approximately 700 of these particular pumpers on back order so it will be approximately 36-42 months before it will even be built.

Mr. Allen said the new one will have a little bigger pump and be a little lower to the ground but otherwise will be similar to the 2000 American-LaFrance pumper.

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Mayor Holcomb asked if the Board of Trustees approves the purchase will we be locked into the price from the backlog.

Mr. Allen said the fire department started putting this together in December so we are locked into that price.

Trustee Barnes asked how quickly the down payment would need to be made.

Mr. Allen said within 30 days of signing.

Trustee Fischer asked if there is any value in the 2000 American-LaFrance pumper.

Mr. Allen said right now we aren't sure what the value would be but thinks as the APRA funds come to an end, fire departments will be looking for used pumpers.

Mr. Allen also indicated parts for the 2000 pumper are starting to become very scarce.

Mr. John Jablonski, 213 Spruce St. asked about the estimated cost of the new pumper, if there will be a BAN and what the cost will end up being to the village. He also said shouldn't the LFD and the village know the price of the pumper before committing to the purchase of it.

Mayor Holcomb said the cost has not been determined yet but the fire department cannot move forward with ordering it without board approval. Once we know the cost then they will come before the board to discuss the purchase and financing.

Mr. Jablonski asked, if the purchase price comes in too high will the board then say it is too much and ask them to order a used one. He said it would be nice for the tax payers to know what range of cost this will be and how many years you expect it to be added to the budget.

Trustee Barnes said the BAN will be over a period of ten years and won't start until 2025 or 2026.

Fire Chief Hallberg said the village and the fire company have an agreement where they alternate the purchase of vehicles and it is now the village's turn to purchase this vehicle. He said by the time the village is scheduled to begin paying for the new pumper, the BAN for the 2015 Spartan Pumper will be paid off, so we will actually be replacing the older one with a newer one.

Mr. Jablonski thanked the Board of Trustees for clarifying the process.

RESOLUTION #92-2023 – AUTHORIZE LFD TO PURCHASE FIRE PUMPER

Motion by Mayor Holcomb, seconded by Trustee Jones, to authorize the Lakewood Volunteer Fire Department to purchase a new Sutphen Fire Pumper which will replace the 2000 American-LaFrance Pumper with initial payments to be made upon its delivery, 36-48 months from now.

Adopted: 3 ayes, no nays (Barnes, Fischer, Jones)

RESOLUTION #93-2023 – APPROVE EXTENDING THE MORATORIUM PERIOD

Motion by Trustee Jones, seconded by Trustee Fischer, to approve extending the moratorium period, set forth in Section 6(A) of the Short-Term Rental Moratorium of the Village of Lakewood, New York for 180 days, pursuant to Section 6(b) of the said Moratorium.

Adopted: 3 ayes, no nays (Barnes, Fischer, Jones)

Trustee Barnes said the moratorium needs to be extended because the one year time period will expire in May. She said the consultants who have been working on the short term rental laws are almost done with putting the suggestions the committee has given them into draft form.

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Trustee Barnes said once the consultants have completed the draft it will be presented back to the committee for draft finalization and then will be up for public review. She said there will be a public meeting towards the end of May or early June so summer residents will be able to attend and give their feedback.

Trustee Barnes said once this has all been done and there is a final draft, it will then be presented to the Board of Trustees.

Trustee Barnes said she doesn't think this whole process will take the full 180 days to complete.

RESOLUTION #94-2023 – APPROVE DRAFT FINAL DESIGN & BID OPENING FOR THE GRANDVIEW STORMWATER MANAGEMENT PROJECT

Motion by Mayor Holcomb, seconded by Trustee Barnes, that the Village Board of Trustees approves the Draft Final Design for the Village project entitled, "Grandview Stormwater Management Project," as prepared by Andrew Johnson, P.E., EcoStrategies, Falconer, N.Y. Upon completion of the Final Design and Final Bid Package in accordance with applicable terms of the Village's New York State Department of Environmental Conservation Grant Contract #C01491GG, the Village Board approves the public advertisement for construction bids in accordance with General Municipal Law Section 103 and the Village's Procurement Policy. The date and time to receive and open bids will be no later than May 26, 2023 at 3:00 pm.

Adopted: 3 ayes, no nays (Barnes, Fischer, Jones)

Mr. Taylor West, Chautauqua Lake and Watershed Management Alliance, Inc., Project Manager said this project will take place from the north side of the Grandview subdivision to the back of the woods off of Mapleview Ave. and south of the railroad tracks. The design will create 100,000 ft. of storm water storage to alleviate the frequency and duration of flooding near the RR viaduct on West Fairmount Ave., just east of the Save a Lot plaza. Mr. Andy Johnson, P.E. has made a few changes in the types of plants and trees that will help with this project and also plans to utilize the trees that are already there. Mr. West said he will leave all the information on this project at the Village Clerk's office, if anyone would like to look at it.

Motion by Mayor Holcomb seconded by Trustee Barnes and unanimously carried the board adjourned at 7:20 PM.

Mary B. Currie
Village Clerk