

OCTOBER 13, 2020

The nineteenth regular meeting of the Board of Trustees of the Village of Lakewood, N.Y., was held Tuesday, October 13, 2020, 6:30 pm, with Mayor Randall G. Holcomb presiding. Trustees present were Ellen E. Barnes and R. Richard Fischer. Trustee Edward J. McCague, Trustee Douglas L. Schutte and DPW Supervisor Thomas R. Pilling participated through Zoom.us. Also present were Village Clerk Mary B. Currie, Village Treasurer Apryl L. Troutman and Village Attorney John I. LaMancuso. Absent were Police Chief John R. Bentley, Fire Chief Kurt Hallberg and Building Inspector Jeffrey A. Swanson.

#### APPROVAL OF MINUTES

Motion by Trustee Fischer, seconded by Trustee Barnes, to approve the minutes of the last regular meeting of the Board of Trustees held September 28, 2020.

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

#### AUDIT OF CLAIMS

Motion by Trustee Barnes, seconded by Trustee Fischer, that the claims as audited by the Auditing Committee of the abstracts dated October 13, 2020, be approved and that the Clerk shall execute said abstracts (#21 and #21) and direct payment by the Treasurer. Trust & Agency Fund: \$ 46,548.09, (Checks #5144 & #5145), General Fund: \$ 121,903.44, (Checks #17202 through #17248).

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

#### REPORTS

DPW Supervisor Thomas R. Pilling reported that Solar Liberty, Buffalo, N.Y., has completed the installation of solar panels on the roof of the DPW Garage, 6 Packard Ave. He noted work on the electric wiring phase of the job should be completed by tomorrow, which should wrap-up this particular NYSERDA grant project.

Supervisor Pilling said the concrete pad for the cabana at the dog park has been poured and should be ready for the cabana to be put in place sometime next week.

DPW Supervisor Pilling said the crew has begun replacing sidewalks on Ohio Ave. and should have that project completed by the end of the week. He added the annual leaf pick-up will begin soon.

Trustee R. Richard Fischer said he noticed the Chautauqua Ave. sign at Fairmount and Chautauqua Aves. has come down once again.

Mr. Michael Looker, 15 Owana Way, suggested putting a "Chautauqua Ave" sign on the same post the Lakewood Library has their sign on, at the top of Chautauqua Ave.

Police Chief John R. Bentley submitted the Lakewood-Busti Police Department's Incident Analysis Report saying the L-BPD responded to two hundred seventy-five incidents for the period of September 28, 2020 to October 13, 2020 and there have been five thousand seventy-five year to date.

Fire Chief Kurt Hallberg submitted his report for the Lakewood Fire Department stating there has been six hundred sixty-five alarms year to date.

Chief Hallberg said this past weekend the Lakewood Fire Department transported to UPMC-Chautauqua WCA Hospital three possible COVID-19 patients, two of which were from Tanglewood Manor, Jamestown, NY. The LFD has not received confirmation if the cases were COVID-19.

Chief Hallberg said the pump testing for the aerial truck and both pumping engines will be done tomorrow.

Village Treasurer Apryl L. Troutman said she received the projected estimates from the New York State and Local Retirement System for the 2021 payment, it appears there will be an increase of approximately \$ 61,331.00.

OCTOBER 13, 2020 (continued)

Village Treasurer Troutman said she received an update from Chautauqua County on the sales tax, the county indicated there has been a slight increase from last year. She also said the Village Tax collection went very well this year, the office collected approximately \$ 20,000.00 more than last year.

Mayor Randall Holcomb said he talked with Mr. Sean Dixon, Beichner Disposal Service, Sinclairville, NY., about the many complaints he has recently had on the issue of recycling. Mr. Dixon said recently there has been a large amount of cardboard, since the majority of residents are now ordering on-line. He said last week the company ran two trucks for recycling, once the trucks filled up, the remainder was put in with the regular garbage.

Mr. Dixon also indicated there is no longer a recycling market for glass, all glass is now going in with the garbage and shortly they will only be recycling #1 & #2 plastics.

**RESOLUTION #157-2020 – APPROVE COLLECTION OF UNPAID TAXES**

Motion by Trustee Fischer, seconded by Trustee Barnes, authorizing Village Treasurer Apryl L. Troutman to forward any and all unpaid 2020-2021 Village Tax Bills to the Chautauqua County Division of Taxation for collection. The dollar amount of unpaid taxes total \$ 53,980.93.

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

**RESOLUTION #158-2020 - AUTHORIZE MID-YEAR BUDGET TRANSFER**

Motion by Trustee McCague, seconded by Trustee Barnes, to authorize Village Treasurer Apryl L. Troutman to make the following mid-year budget transfers for budget shortfalls, \$ 827.08 from A5110.40 {Street Maintenance – Contractual} to A5110.43 {Street Maintenance – Vehicle Maintenance} and \$ 1,150.00 from A5110.40 {Street Maintenance – Contractual} to A5110.46 {Street Maintenance – Tree Service}.

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

**RESOLUTION #159-2020 – APPROVE NEW LAKEWOOD FIRE DEPARTMENT MEMBERS**

Motion by Trustee Fischer, seconded by Trustee Schutte, that the Board of Trustees, acting as the Board of Fire Commissioners, approve Ms. Tasha Davidson, 63 Fairwood Dr., Lakewood, NY and Mr. Jared Coffin, 3725 Baker St. Ext., Lakewood, NY as new members of the Lakewood Volunteer Fire Department and accept the resignation of Mr. Ryan Germonto.

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

**RESOLUTION #160-2020 – APPROVE USE OF VILLAGE STREETS**

Motion by Trustee Schutte, seconded by Trustee Fischer, to approve the use of Village streets, as a route for a 5K Turkey Trot Fun Run to be held November 27, 2020 at 8:00 AM. The race will have no monetary fee just asking participants to bring a toy to be part of a toy collection for local elementary schools that will eventually help less fortunate families for the holidays.

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

**DISCUSSION**

Mr. Scott Reeves, 262 East Terrace Ave. submitted a request to purchase the paper street known as Fleta Ave. Mr. Reeves indicated he currently owns the property that abuts the paper street to the east and the west and would like to eventually put a garage on the property. Mr. Reeves has already had a survey done and said he is willing to incur all costs associated with the transfer of the paper street.

Mayor Holcomb said he received a letter from Mr. Thomas Turner, Century 21 Turner Brokers with his appraisal of the property and read it aloud.

OCTOBER 13, 2020 (continued)

Dear Mayor Holcomb,

As requested, I went out to see the vacant paper street known as Fleeta Ave. This paper street is of no use to anyone but the adjoining neighbor and really there is no market value beyond what a neighbor would be willing to pay to create a description and deed for transfer.

Warm Regards,  
Thomas Turner  
Century 21 Turner Brokers.

#### DISCUSSION

Mr. and Mrs. Thomas Whitmeyer, 173 Front St., requested permission to re-plant vegetation in the Pleasantview Ave. right-of-way where vegetation had been removed recently for sluice pipe to be installed. Mr. Whitmeyer indicated the right-of-way is approximately 90 ft. wide and they would like to place the plants approximately 20 ft. into the right-of way from the west side of their property.

Mrs. Whitmeyer indicated they have reached out to the Chautauqua Watershed Conservancy and said they would be happy to help them with this project.

Mr. Whitmeyer said they intend to work closely with the CWC to make sure they use the right kind of plants to protect the lake and also improve the looks of the right-of-way.

Mr. Whitmeyer said the only change to the right-of-way would be the public access dock would have to be relocated a couple feet to the west of where it presently is installed.

Mrs. Whitmeyer said they are not trying to hinder access to the lake, but trying to create a small buffer that would manage the storm water runoff from every street in the area.

DPW Supervisor Pilling said the sluice pipe was installed to clean up the area and the pipe that was installed was perforated so that the runoff water would penetrate into the ground. Mr. Pilling indicated Pleasantview Ave. is the only street that drains through that pipe.

Trustee Barnes said the public right-of-ways are meant for public safety. The local fire departments must have the ability to gain access to the lake should they need water for a fire as well as a possible rescue, which could occur on the lake.

Ms. Barnes indicated it is in the Village of Lakewood's best interest not to allow abutting property owners to encroach upon the right-of-ways. Ms. Barnes said if they let one do it then they will all want to do it, then it becomes the village's responsibility to maintain all the plantings.

Mayor Holcomb asked the Whitmeyer's if they could plant the barrier on their property and not the right-of-way. He said he does not think planting on the public right-of-ways is the proper thing to do and does not want to start a precedent.

Mr. Matt Churchill, 169 Front St., said he also would like to see some plantings on the right-of-way to help improve the aesthetics and also help with sediment control, but doesn't feel there should be any reconfiguration of the existing public dock.

Trustee Schutte suggested the Whitmeyer's and Churchill's submit a topographic design plan of where they would like the plantings to be located within the right-of-way. That way the village could see the layout and know it will not impede the fire department or anybody accessing to the lake.

OCTOBER 13, 2020 (continued)

RESOLUTION #161-2020 – APPROVE THE PURCHASE OF A REMOTE DEPOSIT DEVICE

Motion by Trustee Schutte, seconded by Trustee Barnes, to authorize Village Treasurer Apryl L. Troutman to purchase and use a single feed remote deposit device for which the price would be \$ 215.00.

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

ANYONE TO BE HEARD

Mr. Kurt Carlson, 20 Shadyside Ave., said he just moved into the village and asked if there has ever been talk of having a controlled deer hunt within the village limits. Mr. Carlson said two (2) of his family members have recently found ticks on them and is concerned they are from the large amount of deer that travel through his yard.

Mayor Holcomb said the village has never done one in the past and suggested getting a hold of the Department of Environmental Conservation (DEC) to see what they would say.

Trustee Barnes said she also will contact the DEC.

Mr. Carlson said he has noticed vehicles do not stop for pedestrians at the crosswalk on E. Fairmount Ave., at Shadyside Ave., and inquired about the possibility of a light being installed at that intersection.

Trustee Barnes indicated to Mr. Carlson that a traffic signal at that intersection has been requested for a number of years. She noted the NYS DOT has conducted numerous traffic studies along that stretch of Rt. 394, however none have warranted the installation of a traffic control device at that location.

Mr. John Streed, 8 Gifford Ave., asked if there is anything being done about the condition of 51 W. Fairmount Ave.

Trustee Fischer said there hasn't been anyone living there for a long time. He said right now there is an old car, a sofa along with some other junk outside, the exterior is deteriorating but the lawn gets mowed.

Village Clerk Mary Currie said she would fill out a complaint form and have Building Inspector, Jeff Swanson follow up on it.

Motion by Trustee Schutte, seconded by Trustee Barnes and unanimously carried to adjourn the regular Board of Trustees meeting at 7:28 PM.

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Mary B. Currie  
Village Clerk