

NOVEMBER 9, 2020

The twenty-first regular meeting of the Board of Trustees of the Village of Lakewood, N.Y., was held Monday, November 9, 2020, 6:30 pm, with Mayor Randall G. Holcomb presiding. Trustees present were Ellen E. Barnes, Douglas L. Schutte and R. Richard Fischer. Trustee Edward J. McCague and Fire Chief Kurt Hallberg participated through Zoom.us. Also present were Village Clerk Mary B. Currie, Village Treasurer Apryl L. Troutman, Police Chief John R. Bentley and Village Attorney John I. LaMancuso. Absent were DPW Supervisor Thomas R. Pilling, and Building Inspector Jeffrey A. Swanson.

APPROVAL OF MINUTES

Motion by Trustee Barnes, seconded by Trustee Fischer, to approve the minutes of the last regular meeting of the Board of Trustees held October 26, 2020.

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

AUDIT OF CLAIMS

Motion by Trustee Barnes, seconded by Trustee Schutte, that the claims as audited by the Board of Trustees for the abstracts dated November 9, 2020, be approved and that the Clerk shall execute said abstracts (#25 and #25) and direct payment by the Treasurer. Trust & Agency Fund: \$ 46,053.96, (Checks #5163 & #5164), General Fund: \$ 434,518.18, (Checks #17281 through #17331). Voided check #17302, ACH payment to M & T.

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

REPORTS

DPW Supervisor Thomas R. Pilling reported the Village of Lakewood annual leaf pick-up has begun.

Police Chief John R. Bentley submitted the Lakewood-Busti Police Department's Incident Analysis Report saying the L-BPD responded to six thousand four hundred fifty-six calls year to date, two hundred eighty of which were for the period of October 26, 2020 to November 09, 2020.

Fire Chief Kurt Hallberg submitted his report for the Lakewood Fire Department stating there has been seven hundred forty-two alarms year to date, eighty-four of which were in the month of October and twenty-three so far in November.

Chief Hallberg said since the beginning of November the Lakewood Fire Department has had two (2) patients flown by helicopter from the new helipad at the training grounds. One was a stroke victim and the other was a head injury from a fall.

Village Treasurer Apryl L. Troutman reported she will be completing the training for the new software this week and should be going live in December.

Building Inspector Jeff Swanson asked if meetings could begin again on the issues with the village zoning code. Mr. Swanson said the main issues that need to be addressed are signs and heights on accessory structures.

Trustee Edward McCague said the village was successful in obtaining a six month contract extension approval for the NY Main Street Grant Program which was originally scheduled to terminate on December 27, 2020. He said this will allow the properties that have already been approved be able to continue with their planned improvements.

RESOLUTION #171-2020 – APPROVE COST PROPOSAL

Motion by Trustee McCague, seconded by Trustee Barnes, for the Board of Trustees to accept the Cost Proposal for Land Surveying Services and authorize Mayor Holcomb to execute said proposal, as submitted by EcoStrategies Engineering & Surveying, Falconer, N.Y. EcoStrategies will conduct a boundary retracement survey of subject property, conduct a subdivision survey to separate the stormwater management parcel along railroad from the remaining tract, prepare a map of surveyed premises, prepare legal description of the stormwater management parcel and return to the property to mark existing corner monuments or set new rebar and cap stakes where needed.

NOVEMBER 9, 2020 (continued)

The estimated cost for land surveying services is \$ 2,500 and an estimated cost of, not to exceed \$3,000, to complete a Phase 1 Environmental Site Assessment and the contractor expects to have the work completed within thirty days of receiving approval. The cost of these services are covered under the grant that was awarded to the village for the Grandview Stormwater Management Project.

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

RESOLUTION #172-2020 – TABLE THE TENTATIVE POLICE UNION LABOR AGREEMENT & FULL TIME POLICE SALARY INCREASES

Motion by Trustee Schutte, seconded by Trustee Barnes, for the Board of Trustees to table the tentative one (1) year Union Labor Agreement by and between the Village of Lakewood and CSEA Local 1000 AFSCME, AFL-CIO, Village of Lakewood Police Unit #6320, Local #807 and also the mid-year budget transfers for the Full-time Police Officer salary increases until the November 23, 2020 Board of Trustees meeting.

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

RESOLUTION #173-2020 – ACCEPT RESIGNATION OF POLICE SERGEANT JEFFREY G. SPENCER

Motion by Trustee Schutte, seconded by Trustee Barnes, to accept the resignation of retiring Lakewood-Busti Police Sergeant Jeffrey G. Spencer effective November 17, 2020. Officer Spencer has worked for the Lakewood-Busti Police Department in various capacities since March 3, 1992.

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

Mayor Holcomb sincerely thanked Sgt. Spencer for his service to the Town of Busti and the Village of Lakewood for the many years he was with the L-BPD.

Trustee Barnes also thanked Officer Spencer for his twenty-nine years of service to the village and town and said he will be missed.

RESOLUTION #174-2020 – DENY UNIFORMED L-BPD OFFICERS TO WORK AT WALMART

Motion by Trustee Schutte, seconded by Trustee Fischer, per the recommendation of Police Chief John R. Bentley, for the Board of Trustee to deny the request by Walmart, for Lakewood-Busti Police Officers to work as special police protection, dressed in official police uniform along with a L-BPD patrol vehicle, during the upcoming holiday shopping season. NOTE: If the Police Officers choose to work at Walmart on their own time, not in uniform and without a police patrol vehicle, the Board of Trustees would be alright with that.

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

RESOLUTION #175–2020 – REFER SPECIAL USE PERMIT APPLICATION TO THE PLANNING BOARD

Motion by Trustee McCague, seconded by Trustee Barnes, to refer the Special Use Permit Application, as submitted by Ms. Janaina Graziela Guedes Del Nero, 15 Fairwood Dr., for a Home Occupation (Beauty Shop), to the Planning Board for their review and recommendation. The next regular scheduled meeting of the Planning Board is scheduled for November 18, 2020 at 7:00 PM.

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

RESOLUTION #176–2020 – APPROVE AMENDMENT TO BORDER PATROL AUGMENTATION AGREEMENT

Motion by Trustee Barnes, seconded by Trustee Fischer, for the Board of Trustees to approve the amendment of the Agreement between the Village of Lakewood and the County of Chautauqua regarding Border Patrol Augmentation/Homeland Security by extending the term through August 31, 2021 and increase the contract amount from Ten Thousand and no/100 dollars (\$10,000.00) to a new maximum amount of Twelve Thousand and no/100 dollars (\$12,000.00). All other terms and conditions of said Agreement shall remain in full force and effect.

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

NOVEMBER 9, 2020 (continued)

RESOLUTION #177–2020 – AUTHORIZE MID-YEAR BUDGET TRANSFERS

Motion by Trustee Barnes, seconded by Trustee Schutte, to authorize Village Treasurer Apryl L. Troutman to make the following mid-year budget transfers for budget shortfalls. \$108.97 from A5110.40 {Street Maintenance-Contractual} to A5110.43 {Street Maintenance-Vehicle Maintenance} and \$600.00 from A5110.40 {Street Maintenance-Contractual} to A5110.46 {Street Maintenance-Tree Service}.

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

ANYONE TO BE HEARD

Ms. Nancy Jones, 215 Locust St., said she has gone to the village brush dump multiple times recently when it is scheduled to be open and the main gate has been closed. Ms. Jones said it is difficult for her to use the side entrance since she usually has her waste in a trash can and it is difficult for her to drag it around.

Ms. Jones said if the village is having problems finding someone to open and close the brush dump, she will be more than happy to open and close it each day herself.

Trustee Barnes said she will pass that information onto DPW Supervisor Tom Pilling.

Trustee Fischer thanked Police Sergeant Chris DePonceau for handing out candy on Halloween evening in front of the Police Station. He said the children really seemed to be enjoying that.

RECESS

Motion by Trustee Barnes, seconded by Trustee Fischer, to recess the regular meeting of the Board of Trustees at 7:00 PM, so as to enter into executive session.

EXECUTIVE SESSION

Present at the executive session were Mayor Randall G. Holcomb, Trustee Ellen E. Barnes, Trustee Douglas L. Schutte, Trustee R. Richard Fischer, Village Attorney John I. LaMancuso, Police Chief John R. Bentley, Police Sergeant Chris DePonceau, Village Clerk Mary B. Currie and Village Treasurer Apryl L. Troutman. Trustee Edward J. McCague participated through ZOOM.us.

EXECUTIVE SESSION (Adjournment)

Motion by Trustee Barnes, seconded by Trustee Fischer and unanimously carried to adjourn the executive session and reopen the regular meeting of the Board of Trustees at 7:44 PM.

RESOLUTION #178-2020 – APPROVE HIRING NEW FULL TIME POLICE OFFICER

Motion by Trustee Fischer, seconded by Trustee Barnes, to approve hiring Justina L. Preston, Westfield, N.Y., a transfer from the Village of Westfield Police Department, to the vacated full-time police officer position created by the retirement of Officer Jeffrey G. Spencer. Per the recommendation of Police Chief John R. Bentley, Officer Preston's date of hire will be December 2, 2020 and she will be compensated at the Step II pay rate of an annual salary of \$57,951.00.

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

RESOLUTION #179–2020 – APPROVE POLICE SERGEANT APPOINTMENT

Motion by Trustee Barnes, seconded by Trustee Fischer, per the recommendation of Police Chief John R. Bentley for the Board of Trustees to approve the appointment of Casey Casselman as Police Sergeant. Officer Casselman will fill the vacant Sergeant position created by the retirement of Sgt. Jeffrey G. Spencer, with the date of promotion being December 2, 2020.

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

NOVEMBER 9, 2020 (continued)

RESOLUTION #180–2020 – APPOINT PART-TIME CIVIL SERVICE POSITION

Motion by Trustee Schutte, seconded by Trustee Barnes, per the recommendation of Police Chief John R. Bentley for the Board of Trustees to approve the appointment of Mr. Kyle Nazario as a Part-Time Civil Service Officer. Officer Nazario has been employed with the Lakewood-Busti Police Department since August 28, 2019.
Adopted: 4 ayes, no nays (Barnes, Fischer, McCague, Schutte)

RESOLUTION #181-2020 – INCREASE PART-TIME POLICE OFFICER’S HOURLY PAY RATE

Motion by Trustee Barnes, seconded by Trustee Fischer, for the Board of Trustees to approve the hourly rate increase for Lakewood-Busti Police Officer Douglas Goodwin to \$23.00 per hour which will go in effect December 2, 2020.
Adopted: 4 ayes, no nays (Barnes, Fischer, McCague, Schutte)

Motion by Trustee Schutte, seconded by Trustee Barnes and unanimously carried to adjourn the regular Board of Trustees meeting at 7:50 PM.

Mary B. Currie
Village Clerk