

## JANUARY 9, 2023

The Annual Organizational Meeting and the first regular meeting of the Board of Trustees of the Village of Lakewood, N.Y., was held, Monday, January 9, 2023, 6:30 PM, with Mayor Randall G. Holcomb presiding. Trustees present were Ellen E. Barnes, R. Richard Fischer and Benjamin J. Troche. Also present were Village Clerk Mary B. Currie, Police Chief Christopher A. DePonceau, Village Attorney John I. LaMancuso, DPW Supervisor Thomas R. Pilling, Fire Chief Kurt Hallberg and Building Inspector Jeff Swanson. Absent were Trustee Nancy W. Jones and Village Treasurer Apryl L. Troutman. A work session was held with no action taken.

Mayor Holcomb opened the Organizational Meeting by thanking those in attendance and announcing his appointment of Deputy Mayor to Trustee Benjamin J. Troche.

Mayor Holcomb thanked Trustee Barnes for acting as Deputy for the past few year

### **RESOLUTION #1-2023 – APPROVE MAYOR HOLCOMB’S APPOINTMENTS**

Motion by Trustee Barnes, seconded by Trustee Troche, to approve Mayor Holcomb’s Committee and Liaison appointments as submitted.

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

#### **2023 MAYOR’S APPOINTMENTS**

Auditing Committee	R. Richard Fischer *	Benjamin J. Troche
Finance Committee:	Nancy W. Jones *	Ellen E. Barnes
Streets & Sidewalks Committee:	R. Richard Fischer *	Ellen E. Barnes
Public Safety Committee:	Ellen E. Barnes *	Benjamin J. Troche
Parks & Rec. Committee:	Ellen E. Barnes *	Nancy W. Jones
Personnel Committee:	Benjamin J. Troche *	R. Richard Fischer
Zoning Committee:	Benjamin J. Troche *	Nancy W. Jones
Grants Committee:	Benjamin J. Troche *	R. Richard Fischer

\* Denotes Committee Chairperson

#### **Liaison Positions:**

Events & Marketing Committee	Julie C. Toennis
Comprehensive Plan Imp. Committee:	Ellen E. Barnes
Lakewood Community Development Corporation:	Benjamin J. Troche
Lake Environmental & Alliance Committee:	Ellen E. Barnes

#### **One Year Term to Expire January 2024**

D.P.W. Supervisor:	Thomas R. Pilling	29 Harlem Ave.
Building Inspector:	Jeffrey A. Swanson	132 Creek Road

#### **Two Year Terms to Expire January 2024**

Village Clerk:	Mary B. Currie	7 Pleasantview Ave.
Village Treasurer	Apryl L. Troutman	8 Winding Way
Deputy Clerk/Treasurer	Julie C. Toennis	25 Cherry Lane

#### **Village Zoning Board of Appeals/Planning Board:**

Gary Segrue *	16 E. Terrace Ave.	763-0822	Term ending Jan. 2026
Louis S. Drago, Jr. **	9 Brook St.	763-2234	Term ending Jan. 2024
William F. Chandler	207 West Summit St.	763-0196	Term ending Jan. 2027
John Jablonski	213 Spruce St.	763-7343	Term ending Jan. 2026
Jack McCray	16 E. Second St.		Term ending Jan. 2026
Martin F. Idzik	112 W. Terrace Ave.	763-0310	Alternate

(Alternate Position open: 1)

\* Denotes Review Board Chairperson

\*\* Denotes Review Board Deputy Chairperson

**RESOLUTION #2-2023 – OFFICIAL BANKS**

Motion by Trustee Troche, seconded by Trustee Barnes, per the recommendation of Mayor Holcomb, that M & T Bank, Key Bank of W.N.Y and Community Bank, be hereby designated as the official depositories for all funds of the Village of Lakewood during the ensuing year and that two (2) signatures be required on all checks, consisting of either Mayor Randall G. Holcomb or Deputy Mayor Benjamin J. Troche and either Village Treasurer Apryl L. Troutman or Village Clerk Mary B. Currie.

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

**RESOLUTION #3-2023 – OFFICIAL NEWSPAPER**

Motion by Trustee Barnes, seconded by Trustee Fischer, that The Post-Journal, Jamestown, N.Y., be designated as the official newspaper of the Village of Lakewood.

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

**RESOLUTION #4-2023 – SET MILEAGE ALLOWANCE**

Motion by Trustee Fischer, seconded by Trustee Barnes, WHEREAS the Board of Trustees of the Village of Lakewood has determined to pay a fixed rate for mileage reimbursement to officers and employees of the Village of Lakewood who use their personal vehicles while performing their official duties on behalf of the Village of Lakewood, NOW THEREFORE BE IT RESOLVED that the Board of Trustees approve reimbursement to such officers and employees at a rate as calculated semi-annually by the Internal Revenue Service. The current rate per mile is \$ .62.5 cents. This resolution shall take effect immediately.

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

**RESOLUTION #5-2023 – SET REGULAR BOARD MEETING SCHEDULE**

Motion by Trustee Fischer, seconded by Trustee Troche, that regular meetings of the Village of Lakewood Board of Trustees shall be conducted on the second and fourth Mondays of each month in the Board Room of the Anthony C. Caprino Municipal Building, 20 West Summit Street, Lakewood, New York, at 6:30 PM, preceded by a 6:15 PM work session. If it is deemed necessary to change the day and/or the time of a regularly scheduled meeting or to schedule a special meeting of the Board of Trustees, the Mayor, Board of Trustees, respective department heads and the media shall be notified in writing when practicable.

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

**RESOLUTION #6-2023 – AUTHORIZE ADVANCE APPROVAL OF CLAIMS**

Motion by Trustee Troche, seconded by Trustee Fischer, authorizing the payment in advance of certain bills for reoccurring expenses such as utility services, postage, freight and express charges, prior to them being audited.

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

**RESOLUTION #-2023 – APPROVE THE PROCUREMENT CREDIT CARD PROGRAM**

Motion by Barnes, seconded by Trustee Troche, for the Board of Trustees to approve the current Village of Lakewood's Procurement Credit Card Program.

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

**RESOLUTION #8-2023 – TABLE ADDITIONS TO THE PERSONNEL POLICIES & PROCEDURES**

Motion by Trustee Barnes, seconded by Trustee Troche, for the Board of Trustees to table the Village of Lakewood's Personnel Policies and Procedures updates as proposed until the February 13, 2023 Board of

Trustees meeting.

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

### **ADJOURN ANNUAL ORGANIZATIONAL MEETING**

Motion by Trustee Barnes, seconded by Trustee Troche, to adjourn the Annual Organizational Meeting at 6:37 PM and proceed to open the first regular meeting of the Board of Trustees.

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

Mayor Holcomb opened the first regular meeting of the Village of Lakewood Board of Trustees for 2023 at 6:38 PM.

### **APPROVAL OF MINUTES**

Motion by Trustee Barnes, seconded by Trustee Troche, to approve the minutes of the last regular meeting of the Board of Trustees held December 12, 2022.

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

### **AUDIT OF CLAIMS**

Motion by Trustee Troche, seconded by Trustee Barnes, that the claims as audited by the Auditing Committee of the abstracts dated December 30, 2022 and January 9, 2023, be approved and that the Clerk shall execute said abstracts and direct payment by the Treasurer. Abstracts (#30 & #30) Trust & Agency Fund: \$ 58,957.18, (check #), General Fund: \$ 89,440.77, (checks # thru #), Abstracts (#32 & #32), Trust & Agency Fund: \$ 71,288.34 (checks #7159 thru #7161), General Fund: \$ 106,705.99, (checks # thru #), voided checks #, ACH payments to M & T Bank.

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

### **REPORTS**

Police Chief Christopher A. DePonceau reported the Lakewood-Busti Police Department has had seven hundred one incidents from December 13, 2021 to January 10, 2022. He said two hundred eleven of those were business checks, twenty-one were accidents, fifty-six were property checks, eighteen were shoplifting cases, thirty-eight were vehicle and traffic violations, sixty-five were parking violations and fifty-six were warrants processed. Chief DePonceau also welcomed Trustee Jones and Trustee Troche to the board.

DPW Supervisor Thomas R. Pilling reported that he has some of the newer equipment that had been removed from the playground at Hartley Park is stored at the DPW garages and asked if the Board of Trustees would like to have them installed at Veterans Park.

Mr. Pilling said when the Lakewood Busti Rec center was sold back in 2004, it was his understanding, per the Recreation Agreement that the village was entitled to half of the money. He said now that money would now be Down by beach foot to several playground on there. And for the money back whenever the Rec Center boasts a lake reduced to a rec center and I believe it was like \$100,000 in the kitty at one time.

Unknown 7:30

so we'll just recreation agreement from 2004. The states have joined Recreation Commission. It's at the conclusion of its fiscal year in which discontinuance occurs shall fairly and equitably distributed to the participating families, all monies remaining in the fund. So I believe we should get if there's 100,000, which at least 50,000 would be a good head start and reduce later on.

Unknown 8:14

for it and I will ask that we get it we can start talking and discussion about some of that playground equipment down there.

Unknown 8:24

Do you want us to do something first and then I imagine this you're gonna have to get involved in this. I will need you to do just guessing there was a lot. There was a lot of I'll say controversy at that time about who, what, where when, what this money is for. I don't know if that's sort of been more settled now. But

Unknown 8:53

I believe the controversy was to put an addition on a building or buying a building for that. It was we need to know if that is the definite use or

Unknown 9:03

can I think there's a sort of everything?

Unknown 9:04

Yeah, I think there was some controversy over whether there was both of side Lakewood. I mean, there's everybody seemed to just I don't remember it being settled. But that doesn't mean

Unknown 9:17

anything since 2004. Chances are they're probably not going to do anything.

Unknown 9:21

Well, maybe they will maybe they need an idea to do it. I know I heard the supervisors say the money is in their budget. I don't know how much you've heard the same. Yeah,

Unknown 9:33

they're just

Unknown 9:34

throwing it out there. Okay. Second of the seminar for the Southern Tier West Community GIS program, which can log in signage, any drainage code enforcement can use it if they want or anything else we need to use for GIS plotting the program itself is \$650 a year and then we will need to get a tablet I guess I don't know about this technical stuff. And I think the purchase well that was like around 300 That's like a seller phone and you just paid a \$20 a month. So then I mean anytime in the fire department if they wanted, any department could use this system. They put different programs in and they would like to print I believe I have that in my budget. I would like to go forth and purchase that and see how the program works. Because it'd be beneficial for signage. I mean, we can I mean, if you ever want to had to go to court, you could just stop saying this here at this time data and we'll bring it up, prove that was there. I mean, the police department wants to document certain things they cannot do. I mean, it's anybody in the village could use it for and and so the material makeup specific programs that you want, I haven't right now but if you tell them what they want, they're willing to figure out what you use the best.

Unknown 11:12

You other municipalities out there, we're

Unknown 11:15

starting. And there's a bunch of accounting I start when I already have all of our they came in and did all of our drainage drop inlets that I have in a book and they buy they already have a downer so if I buy this system that already been a computer, so instead of thumbing through a book and just in a computer, I think it'd be a great asset. So there's money in the budget to do it. So I'd like approval go ahead do that. Sorry how that works. And then the only other thing I have I miss is electric chargers that are on the building that are out of service as the board decided and what they want to do with them.

Unknown 12:04

I said something. I talked to somebody who said that to your western to set this that they weren't really doing anything anymore and you'd have to go through Nagar more opera has to Britain. They might have stuck with that.

Unknown 12:22

The problem is we're under power. So we got to redo our power in the building.

Unknown 12:28

Well, and obviously we'd like to replace those with one's credit card payments and credit card. I don't think it's fair to have the DOJ taxpayers paying for people to charge.

Unknown 12:43

had any conversation with Jonathan about possible the New York State that sort of grants to replace those

Unknown 12:49

they're too concerned with right now? pull ahead and to Clean Energy Community stuff there's nothing really in there as far as you know the Evie charging stations and I'd sat in with NYSERDA when they were looking at this new Clean Energy Communities and part of what they were pushing for the pull ahead program was any new home or new garage, new home with a garage or a new garage would have to have any recharging station and like now I will say and this doesn't make sense you're adding cost in where by the time anybody want to use one of these Evie charging stations they'd be outdated so like I told my buy off on Evie charging station ready so I think the Eevee charging stations are kind of a dead issue right now in this area.

Unknown 13:45

So they were that bother anybody to replace

Unknown 13:47

them. Something may have changed. This was probably five six months ago

Unknown 13:54

to call and ask him if it's changed at all.

Unknown 13:56

Before and what have we passed our time limit to have them there. In other words, we had to keep them in a period of time. Are we past that limit? Now?

Unknown 14:08

Let's talk about I think you did.

Unknown 14:10

I don't remember if there was an actual another grant and the way I look at that is they failed, right? Yeah. I'm sure they're not under a warranty or anything. No town boss times failed already to a company probably not even in business anymore.

Unknown 14:35

Okay. Didn't do her electric in this building a favor

Unknown 14:38

Has anyone asked about it?

Unknown 14:43

Well, that's another problem. You know what I'm pushing all this. Pull ahead and this will be the charging stations and everything. Most people have they have to get an electric car probably going to have to get a new service for their house because it takes a double amp 60 volt breaker most homes around here are only 100 amp service. So they're gonna have to bear the cost of a charging station. They're gonna have to bear the cost of the new service. Okay, thank you.

Unknown 15:15

Um, time did you have anything else? That's awesome.

Unknown 15:17

All right. The kids have been using the playground. We've been decent. They've been down there planned.

Unknown 15:25

The one thing going down and I agreed that we should put something down there but we're sure gonna have to get some dirt or something in there to because you know, as well as i How much water were they told Park was or where the old playground was how much water was in there.

Fire Chief Kurt Hallberg reported the Lakewood Fire Department has responded to seventeen alarms so far in 2022. He said they had nine hundred eighty-one alarms in the year 2021 which was one hundred twenty-two more than they had in the year 2020. Chief Hallberg indicated the most they've ever had was in 2019 with a total of one thousand seventy-one.

Chief Hallberg said Chautauqua County is finished temporarily using the Fire Department's Ambulance 372 and indicated they will be installing four (4) new tires, since it will soon be in the County's possession. Chief Hallberg also welcomed Trustee Jones and Trustee Troche aboard and said he looks forward to working with them.

Mayor Holcomb said he and Trustee Barnes will be attending a meeting in the morning with the State Representative assigned to the village on the grant for the new Playground Project at Hartley Park. Mayor Holcomb said former Village Trustee Ted McCague is the chair on this project along with Matt Churchill and indicated he and Trustee Barnes will be attending the meetings when possible.

#### **RESOLUTION #9-2022 – AUTHORIZE THE RENEWAL OF A BOND ANTICIPATION NOTE**

Motion by Trustee Fischer, seconded by Trustee Troche, authorizing Village Treasurer Apryl L. Troutman and Village Attorney John I. LaMancuso to renew a Bond Anticipation Note (5 year renewable – 1 year maturing) in the amount of \$ 64,236.00, at an interest rate of 3.93%, to finance the Adoption of Section 384-e Retirement Plan for union employees of Lakewood-Busti Police Department, which represents past service cost. This Bond Anticipation Note is permissible through the NYS Finance Law 11.00(a) (100), as amended by the Laws of 2004, Chapter 260.

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

#### **RESOLUTION #10-2022 – APPROVE DEED FOR DONATION OF PROPERTY**

Motion by Trustee Fischer, seconded by Trustee Barnes, for the Board of Trustees to approve the Quitclaim Deed with restrictive covenant from Stephen J. Wright, Esq., Wright, Wright & Hampton, Attorneys at Law, Jamestown, NY., counsel for Dr. Robert Siegel and Ms. Barbara Gellman relative to their proposed donation of two adjacent parcels of land on the east side of Chautauqua Ave., between East Summit St. and East Terrace Ave., and authorize Mayor Holcomb to sign any transfer documents.

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

#### **RESOLUTION #11-2022 – AUTHORIZE GENERAL MAINTENANCE ON LFD TRUCKS**

Motion by Trustee Barnes, seconded by Trustee Jones, per the recommendation of DPW Supervisor Thomas Pilling, for the Board of Trustees to authorize Mr. Kory Stevens, MEO for the Lakewood Highway Department, to begin performing general maintenance on the Lakewood Fire Department trucks. Mr. Steven's will be compensated at \$ 1.00/hr. pay raise, (\$19.35 to \$20.35) effective January 12, 2022.

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

**RESOLUTION #12-2022 – AUTHORIZE ADDITIONAL CANCER INSURANCE**

Motion by Trustee Barnes, seconded by Trustee Fischer, to authorize Lakewood Fire Department to add Lung Cancer Insurance to its current coverage with New York State Firefighters' Cancer Benefit Program for twenty-four eligible interior and exterior firefighters for the calendar year 2022. The annual premium will be \$188.00 per person.

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

**RESOLUTION #13-2022 – APPROVE DISCOVERY REFORM SERVICES AGREEMENT**

Motion by Trustee Barnes, seconded by Trustee Troche, for the Board of Trustees to approve the agreement between the Village of Lakewood and the County of Chautauqua regarding Discovery Reform Services whereas the county will pay up to \$ 19,300.00 for the purpose of improving transmission of discovery materials to the District Attorney's Office and to authorize Mayor Holcomb to execute said agreement. This agreement shall commence as of January 1, 2022 and shall terminate December 31, 2022.

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

**RESOLUTION #14-2022 – INCREASE SECURITY DEPOSIT FEE FOR AUDITORIUM**

Motion by Trustee Troche, seconded by Trustee Barnes, for the Board of Trustees to approve the increase of the security deposit for the rental of the Auditorium on the second floor of the Anthony C. Caprino Municipal Building from \$25.00 to \$100.00.

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

**ANYONE TO BE HEARD**

Ms. Jamie Ceci, 32 Teddy Ave., said she is not comfortable with having neighbors across the street from her being involved with drugs and would like to know what can be done about it. She said there have already been a couple overdoses and is concerned about drug paraphernalia being left in the street for her children to find. Ms. Ceci asked if there is a way to make property owners accountable for the actions of their renters.

Chief DePonceau said the Police and Drug Task Force are aware of the place and it is being watched.

Mr. Michael Looker, 15 Owana Way, asked if the village has any new information on 5G coming to Lakewood.

Mayor Holcomb said he had just talked to Building Inspector Jeff Swanson about 5G who indicated he hasn't heard anything at all and said as soon as there is something he will be sure to let him know.

Trustee Fischer said he would like to thank DPW employee Kory Stevens for helping the Fire Department with servicing the fire trucks.

Trustee Barnes said she was very sad to hear of the passing of Mr. Craig R. Fransen, of Fransen Fire Truck Sales & Service, Gerry, NY., who had serviced the fire trucks and equipment at the Lakewood Fire Department for many years.

Motion by Mayor Holcomb, seconded by Trustee Fischer and unanimously carried the Board adjourned at 7:06 PM.

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Mary B. Currie  
Village Clerk

