

JANUARY 10, 2022

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 10, 2022, 6:30 PM, with Mayor Randall G. Holcomb presiding. Trustees Ellen E. Barnes, R. Richard Fischer and Trustee Elect Benjamin J. Troche were also present. Trustee Elect Nancy W. Jones participated via Zoom.us. Also present were Village Clerk Mary B. Currie, Deputy Treasurer Julie C. Toennis, Police Chief Christopher DePonceau and Fire Chief Kurt Hallberg. Absent were Village Treasurer Apryl L. Troutman, DPW Supervisor Thomas Pilling and Building Inspector Jeff Swanson.

Mayor Holcomb opened up the Organizational Meeting by thanking those in attendance as well as those participating via ZOOM.US.

### OATH OF OFFICE

Mayor Holcomb administered the Oath of Office to Trustee Elect Nancy W. Jones and Trustee Elect Benjamin J. Troche and welcomed them as Board of Trustees for the Village of Lakewood. Trustee Barnes and Trustee Fischer as well as the department heads in attendance, also welcomed the new Trustees to the board.

### 2022 MAYOR'S APPOINTMENTS

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

\* Denotes Committee Chairperson

#### Liaison Positions:

Events & Marketing Committee:	Julie C. Toennis
Comp. Plan Imp. Comm.:	Ellen E. Barnes
L.C.D.C.:	Benjamin J. Troche
Lake Environmental Committee:	Ellen E. Barnes

#### One Year Term to Expire January 2023

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:

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. 2023
John Jablonski	213 Spruce St.	763-7343	Term ending Jan. 2026
Vacant			
Alternate: Martin F. Idzik	112 W. Terrace Ave.	763-0310	

(Alternate Positions open: 1)

\* Denotes Review Board Chairperson

\*\* Denotes Review Board Deputy Chairperson

January 10, 2022 (continued)

**RESOLUTION #1-2022 – 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: 4 ayes, no nays (Barnes, Fischer, Jones, Troche)

**RESOLUTION #2-2022 – OFFICIAL BANKS**

Motion by Trustee Fischer, 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 Ellen E. Barnes and either Village Treasurer Apryl L. Troutman or Village Clerk Mary B. Currie.

Adopted: 4 ayes, no nays (Barnes, Fischer, Jones, Troche)

**RESOLUTION #3-2022 – OFFICIAL NEWSPAPER**

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

Adopted: 4 ayes, no nays (Barnes, Fischer, Jones, Troche)

**RESOLUTION #4-2022 – SET MILEAGE ALLOWANCE**

Motion by Trustee Barnes, seconded by Trustee Fischer, 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 \$ .58.5 cents. This resolution shall take effect immediately.

Adopted: 4 ayes, no nays (Barnes, Fischer, Jones, Troche)

**RESOLUTION #5-2022 – 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: 4 ayes, no nays (Barnes, Fischer, Jones, Troche)

**RESOLUTION #6-2022 – AUTHORIZE ADVANCE APPROVAL OF CLAIMS**

Motion by Trustee Fischer, seconded by Trustee Troche, 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: 4 ayes, no nays (Barnes, Fischer, Jones, Troche)

January 10, 2022 (continued)

**RESOLUTION #7-2022 – APPROVE ADDITION TO THE PROCUREMENT POLICY**

Motion by Trustee Fischer, seconded by Trustee Barnes, for the Board of Trustees to approve the Village of Lakewood's Procurement Policy, as updated to include: **4. PROPERTY & CASUALTY INSURANCE, A.** All property and casualty insurance policies of the Village of Lakewood shall be put out to public bid at least as frequently as once every three (3) years. **B.** The Board of Trustees shall consider putting such policies out to public bid more frequently than once every three (3) years when there is a substantial change in the condition or value of Village assets or a substantial change in market insurance rates. **C.** The Mayor of the Village of Lakewood shall be empowered to organize an *ad hoc* committee, when necessary, to evaluate and make recommendations regarding the Village's property and casualty insurance policies. Adopted: 4 ayes, no nays (Barnes, Fischer, Jones, Troche)

**RESOLUTION #8-2022 – APPROVE ADDITIONS TO THE PERSONNEL POLICIES & PROCEDURES**

Motion by Trustee Fischer, seconded by Trustee Troche, for the Board of Trustees to approve the Village of Lakewood's Personnel Policies and Procedures, as updated to include: **ARTICLE II, COMPENSATION Section 8:** Part time police officers who work on the following holidays will be paid an extra \$ 2.00 an hour. (*Added per resolution #203-2021, dated November 8, 2021*) New Year's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, Christmas Eve Day, Christmas Day, New Year's Eve Day. **Direct Deposit:** As of January 1, 2022, each new employee will receive their pay through direct deposit only. **ARTICLE VI, SICK LEAVE/INSURANCE BENEFITS Section 3:** Upon resignation, full time employees shall forfeit all unused sick time which will be placed in the "sick bank". Adopted: 4 ayes, no nays (Barnes, Fischer, Jones, Troche)

**ADJOURN ANNUAL ORGANIZATIONAL MEETING**

Motion by Trustee Barnes, seconded by Trustee Troche, to adjourn the Annual Organizational Meeting at 6:38 PM and proceed to open the first regular meeting of the Board of Trustees. Adopted: 4 ayes, no nays (Barnes, Fischer, Jones, Troche)

Mayor Holcomb opened the first regular meeting of the Village of Lakewood Board of Trustees for 2022 at 6:39 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 13, 2021. Adopted: 4 ayes, no nays (Barnes, Fischer, Jones, Troche)

**AUDIT OF CLAIMS**

Motion by Trustee Barnes, seconded by Trustee Fischer, that the claims as audited by the Auditing Committee of the abstracts dated December 27, 2021 and January 10, 2022, be approved and that the Clerk shall execute said abstracts and direct payment by the Treasurer. Abstracts (#32 & #32) Trust & Agency Fund: \$ 56,603.90, (check #6172), General Fund: \$ 232,502.13, (checks #18450 thru #18484), Abstracts (#34 & #34), Trust & Agency Fund: \$ 63,260.74 (checks #6207 thru #6210), General Fund: \$ 380,481.60, (checks #18485 thru #18519), voided checks #18504 & #18505, ACH payments to M & T Bank. Adopted: 4 ayes, no nays (Barnes, Fischer, Jones, Troche)

January 10, 2022 (continued)

### **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.

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: 4 ayes, no nays (Barnes, Fischer, Jones, 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: 4 ayes, no nays (Barnes, Fischer, Jones, 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: 4 ayes, no nays (Barnes, Fischer, Jones, Troche)

January 10, 2022 (continued)

**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: 4 ayes, no nays (Barnes, Fischer, Jones, 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: 4 ayes, no nays (Barnes, Fischer, Jones, 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: 4 ayes, no nays (Barnes, Fischer, Jones, 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