

**BOARD OF TRUSTEES MEETING**  
***VILLAGE OF LAKEWOOD***  
**January 22, 2024**

The regular meeting of the Board of Trustees of the Village of Lakewood, N.Y., was held, Monday, January 22, 2024.

Present:	Randall G. Holcomb	Mayor
	Ellen E. Barnes	Trustee
	R. Richard Fischer	Trustee
	Ben Troché	Trustee
	Nancy W. Jones	Trustee

Also Present:	Apryl L. Troutman	Village Clerk/Treasurer
	Krysten Sisson	Village Deputy Clerk
	Christopher A. DePonceau	Police Chief
	Kurt Hallberg	Fire Chief
	Thomas R. Pilling	DPW Supervisor

Absent:	Jeff Swanson	Building Inspector
	Marilyn Fiore-Lehman	Village Attorney

A work session was held with no action taken.

**APPROVAL OF MINUTES**

Motion by Trustee Barnes, seconded by Trustee Jones, to approve the minutes of the last meeting of the Board of Trustees held on January 8, 2023.

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

- DPW Supervisor Pilling stated that he would like to dispute a statement made by Trustee Troché. He stated in the January 8, 2024 minutes Trustee Troché stated, “The task force, Chief Hallberg, and DPW Supervisor Pilling have meet and discussed rough estimated cost regarding square footage and some of the new needed equipment.” DPW Supervisor Pilling stated that this meeting never happened and he would like it removed from the minutes.

**AUDIT OF CLAIMS**

Motion by Trustee Barnes, seconded by Trustee Troché, that the claims as audited by the Auditing Committee of the abstract dated January 22, 2024, be approved and that the Clerk shall execute said abstracts and direct payment by the Deputy Treasurer.

- Abstracts (#34 & #34) General Fund: \$91,935.85, (checks #20436 thru #20476), Trust & Agency Fund: \$61,852.78 (checks #8117 thru #8148 )

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

**REPORTS**

**DPW Supervisor Thomas Pilling:**

- We are actively working and keeping up with snowplowing when it’s needed

**Police Chief Chris DePonceau:**

- Between the dates of 1/8/2024 and 1/22/2024 the police department has handled 570 alarms, some of these incidences include the following:
  - o 15 alarms, 11 animal complaints, 148 area/door/business checks, 7 check the wellbeing, 12 MVAs, 84 property checks, 13 special details, 5 suspicious situations, 5 suspicious persons, 19 VT parking complaints, 29 VT stops, 28 warrants (checked & served).

**Fire Chief Kurt Hallberg:**

- 66 calls so far, this month. We responded to a structure fire with the Busti Fire around 12am and then went to a car accident later in the morning.
  - o Mike from the PJ asked if there is a known cause of the fire.
    - Chief Hallberg stated that he doesn't believe there is an official cause yet.

**Village Attorney Marilyn Fiore-Lehman:**

- Absent

**Village Clerk/Treasurer Apryl Troutman:**

- No report

**Code Enforcement Officer Jeff Swanson:**

- Absent

**Mayor Holcomb:**

- The Rock Church on Fairmount Ave. contacted the Mayor to let him know that they are going to have two event spaces open for rent. They are going to have an event space open in the main building as well as one in the old restaurant.
  - o Village Clerk/Treasurer Troutman asked Mayor Holcomb if the space is going to be open to everyone in the community.
    - Mayor Holcomb stated yes, that it is going to be open to everyone in the community.
  - o Village Clerk/Treasurer Troutman stated that it will be a perfect space to refer to the community when they are looking for a bigger space than what we have to offer at the Village Hall.

**Trustee Troché:**

- Later in the meeting I am going to make a motion to add Steve Smouse, 1<sup>st</sup> assistant Chief of LFD to the LFD Task force.

**Old Business**

**RESOLUTION #19-2024- APPROVE THE UPDATED PERSONNEL POLICIES AND PROCEDURES**

Motion by Trustee Barnes, seconded by Trustee Fischer to approve the updated Personnel Policies and Procedures, with the correction to Chapter 3, paragraph 3.

- Trustee Troché stated that he would like to approve:
  - o Chapter 2: Department of Public Works
  - o Chapter 3: Office & Seasonal Personnel
  - o Chapter 4: Municipal Vehicle Usage
  - o Chapter 7: Department Heads
- Trustee Troché stated that he would like to postpone approving the following due to waiting for approval from legal
  - o Chapter 5: Sexual Harassment
- Trustee Troché stated that there has been several meetings with the attorneys, and the personal committee. There has been really good input from the department heads. There has been mostly just updates to the policies and there has been some changes within positions. The policies and procedures have gone through two long drafts and our work is not done yet. He stated that Rich and himself have an agenda going forward. Two policies that are going to be worked on are corrective action and a cell phone policy, these were recommended by DPW Supervisor Pilling. The overall goal is to make it easy for employees to review and understand the policies and what the expectations are of the employee.
- Village Clerk/Treasurer Troutman stated that there is one correction that she would like to mention. In paragraph 3 above article 1 in chapter 3, the clerk/treasurer, the deputy clerk, and the deputy treasurer are all salaried employees.
  - o Trustee Troché stated that the correction will be made.

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

**DISCUSSION WAS MADE ON THE CONCERNS WITH THE HEDGE ROWS AT THE FOLLOWING PROPERTIES**

- a. 115 W. Terrace
- b. 99 E. Summit
- c. 164 E. Terrace
- d. 180 Front St.

DWP Supervisor Pilling stated that these hedge rows need to be trimmed back farther than normal. He stated that the residents at these addresses are not going to be happy with the work being completed, so he would like board permission to complete the work. He stated that a letter should be sent to the properties listed letting them know what work needs to be done and that DPW Supervisor Pilling is willing to meeting with them and show them what is going to be done.

- Mayor Holcomb asked if the Clerk's office could work with DPW Supervisor Pilling to get a letter together and sent to these residents.

**RESOLUTION #20-2024 - APPROVE A \$1 PER HOUR INCREASE FOR JARED PEARSON**

Motion by Trustee Fischer, seconded by Trustee Barnes, with the recommendation of DPW Supervisor Thomas Pilling, to approve a \$1 per hour increase for Jared Pearson. His hourly rate, effective 01/24/2024, will be \$18 per hour. Mr. Pearson successfully completed his CDL Class A training and obtained a NYS CDL Class A license.

- Clerk/Treasurer Apryl L. Troutman asked DPW Supervisor Pilling to please have Jared stop by the office so we can obtain a new copy of his license.

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

**RESOLUTION #21-2024 - AUTHORIZE THE VILLAGE CLERK/TREASURER TO MAKE THE FOLLOWING MID-YEAR BUDGET MODIFICATIONS FOR BUDGET SHORTFALLS**

Motion by Trustee Troché, seconded by Trustee Barnes to authorize the Village Clerk/Treasurer to make the following mid-year budget modifications for budget shortfalls –

- a. Decrease expenditure account A5110.40 {Street Maint. - Contractual} by \$1,500 and increase expenditure account A5110.46 {Street Maint. – Tree Service} by \$1,500
- b. Increase revenue accounts A102401.00 {Interest and Earnings} by \$30,000, decrease revenue account A102260.00 {Public Safety Services, Other Governments} by \$15,000, increase expenditure accounts A7520.40 {Historical Property} by \$10,700 and A8020.40 {Planning - Contractual} by \$4,300

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

**RESOLUTION #22-2024 - AUTHORIZE THE USE OF \$7,500 FROM CAPITAL RESERVE ACCOUNT A878.10**

Motion by Trustee Fischer, seconded by Trustee Barnes to authorize the use of \$7,500 from Capital Reserve Account A878.10 {DPW Equipment} for the purchase of a Moritz aluminum truck bed, Account A5110.20 {Street Maintenance – Equipment}.

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

**RESOLUTION #23-2024 - AUTHORIZE VILLAGE CLERK/TREASURER TO MAKE THE FOLLOWING MID-YEAR TRANSFER FOR A BUDGET SHORTFALL – PERMIT FOR LAKE TREATMENT**

Motion by Trustee Barnes, seconded by Trustee Troché to authorize Village Clerk/Treasurer to make the following mid-year transfer for a budget shortfall – permit for lake treatment

- a. Transfer \$110 from account A7270.40 {Joint Recreation – Band Concerts} to A8510.43 {Community Beautification – Lake/Shore Mgmt}

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

**RESOLUTION #24-2024 – ACCEPT PROPOSAL FOR NEW POLICE VEHICLES**

Motion by Trustee Barnes, seconded by Trustee Troché to accept proposal for new police vehicles. (See attachment for more information)

- Trustee Barnes asked if this was a fair deal with the pricing.
  - o Police Chief DePonceau stated yes.
- Trustee Troché asked if these are going to be the new patrol cars.
  - o Police Chief DePonceau stated yes, they are going to be replacing L1 & L3. He also stated that the car they ordered last year are still in transit.
- Mike from the post journal asked where the cars will be coming from.
  - o Police Chief DePonceau stated Dave Warren in Jamestown, NY.

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

**RESOLUTION #25-2024 –ADD ADDITIONAL MEMBER TO THE VILLAGE OF LAKEWOOD  
LFD PROJECT TASK FORCE**

Motion by Trustee Troché, seconded by Trustee Fischer to add Steve Smouse, 1<sup>st</sup> assistant chief of Lakewood Fire Department to the Village of Lakewood LFD Project Task Force.

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

**ANYONE TO BE HEARD**

Trustee Fischer spoke as a Village Resident:

- Mr. Fischer of 43 W Fairmount Ave spoke about the NYSDOT proposing to install sidewalks from Elmcrest Ave to Route 474. He stated that the resolution was presented to the board on the night of December 11, 2023. It was to support and approve NYSDOT applying for grants for sidewalks. This resolution had to be voted on that evening. Normally when there is controversy, the board will table the resolution until at least the next meeting. He also mentioned that being the democratic state that New York is they had to have an answer that night. The board passed the resolution 3 to 2. He stated that he has an issue with the whole resolution because, one of the WHEREAS stated "The Village of Lakewood's Comprehensive Plan. Active Communities Enhancement and Villages Complete Streets Policy SUPPORT sidewalks along West Fairmount (Rt 394) in order to improve pedestrian and bicycle circulation in the village" Mr. Fischer pointed out the following sections of the comprehensive plan:
  - o 3.3.11 Project Sidewalk "Chautauqua Ave to Elmcrest Ave"
  - o 10.5.1 "Fairmount Ave have wider shoulders to accommodate pedestrian and bicycle travel"
  - o 14.4.3 "As a primary corridor Fairmount Ave should be tree line linear greenway accenting the core corridor for the entire village experience and enhancing the appearance of commercial uses"
  - o 14.6 "Expand the tree regulations to protect significant trees on all properties"
- He stated that these were the only referrals in the Comprehensive Plan about Fairmount Ave. There is absolutely nothing about going from Elmcrest to Route 474 and taking down over 200 trees is just ridiculous. Mr. Fischer asked if this sounds like support for West Fairmount sidewalks.
- Next he mentioned information from the Active Communities Enhancement: he stated that a group of locals put together 5 different areas that either sidewalks were proposed or a bridge over the railroad tracks at Winchester. The sidewalks proposed were West Summit, East Summit, East Terrace, West Fairmount and the Bridge. They sent out a survey and there were 127 responses. From the responses they asked the responders to rank the importance from 1 to 5. West Fairmount was last with only 11 votes for importance. Again he stated does this sound like support for West Fairmount sidewalks.
- Mr. Fischer stated then the state had an outreach meeting to talk about the project. A grand total of 11 people showed up. That is a .003% of the 2993 population of Lakewood. He mentioned, that they had a survey and there were 108 responses. Only a .036% return there was no way to tell if the responders were from Lakewood or how many times they voted. One of the questions on the survey was "Have you seen any accidents involving pedestrians along this corridor?" 21 people in the survey said they had seen them.
- Mr. Fischer asked Fire Chief Kurt Hallberg if he has ever been to a call on West Fairmount when a pedestrian has been hurt.
  - o Fire Chief Kurt Hallberg stated that he isn't sure that there has been pedestrian accidents anywhere.
  - o Police Chief DePonceau stated that he remembers one.
    - Mr. Fischer stated yes there was one but the person that got hurt was running around and running back and forth across the road.
- Mr. Fischer stated that since that the time of the survey he has stopped and talked to some of the businesses

and they are really against it. He stated he is going to be putting together a petition with the 50 to 60 residents or businesses along that corridor. He said he will be presenting that along with this email to Mr. Borrello, Mr. Gooddell, Mr. Wendel and Mr. Langworthy. He thanked everyone for listening.

- Trustee Barnes stated that some residences and business aren't going to be happy with this project, especially the ones that don't have a lot of frontage.

Tom Marlinski asked the village if they would consider doing the 10% discount on taxes for the Veterans like the Town of Busti does.

- The board stated that they would discuss this and look into it.

Trustee Jones stated that when she received her tax bill from the Town of Busti, it had a section on it stating that if there was an issue they could appeal their assessment but the date that was on the tax bill was before they received the tax bill.

#### **REGULAR MEETING (Adjournment)**

Motion by Trustee Troché, seconded by Trustee Fischer, and unanimously carried to adjourn the regular meeting of the Board of Trustees at 7:07 PM.

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

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Krysten G. Sisson  
Village Deputy Clerk