

MARCH 28, 2022

The sixth regular meeting of the Board of Trustees of the Village of Lakewood, N.Y., was held, Monday, March 28, 2022, 6:30 PM, with Mayor Randall G. Holcomb presiding. Trustees Ellen E. Barnes, R. Richard Fischer, Nancy W. Jones and Benjamin J. Troche were also present. Also present were Village Clerk Mary B. Currie, Village Treasurer Apryl L. Troutman, Police Chief Christopher A. DePonceau, Village Attorney John I. LaMancuso, DPW Supervisor Thomas R. Pilling, Fire Chief Kurt Hallberg and Building Inspector Jeff 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 March 14, 2022.

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

AUDIT OF CLAIMS

Motion by Trustee Troche, seconded by Trustee Fischer, that the claims as audited by the Auditing Committee of the abstracts dated March 28, 2022, be approved and that the Clerk shall execute said abstracts, (#46 & #46) and direct payment by the Treasurer. Trust & Agency Fund: \$ 61,840.32, (checks #6425 thru #6428), General Fund: \$ 37,632.99, (checks #18678 thru #18705).

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

REPORTS

DPW Supervisor Thomas R. Pilling asked the Board of Trustees for approval to attend the New York State Highway Superintendents Conference in Ithaca, N.Y. from June 6, 2022 through June 8, 2022.

Supervisor Pilling reported the garbage cans that were ordered through the Chautauqua Ave. Street Scape Project have been put in place on Chautauqua Ave. He added there are a couple benches and bike racks, which were also part of the Chautauqua Ave. Street Scape Project, that will soon be located along the Chautauqua Ave. corridor.

Mr. Pilling also said when the weather was nice they got the bench down to Community Park that the family of Betsy Fuchs donated.

Trustee Barnes asked Mr. Pilling if he has any plans to repair the pot holes and road edges along E. Terrace Ave.

Mr. Pilling said he plans on grinding back approximately 4 ft. of each edge, then put the material back in it and finally micro pave it. He said he is just waiting to see what the prices will be this year, then he will decide if it is something he can complete this summer or spread it out over the next two years.

Trustee Fischer agreed with Trustee Barnes saying that street is in rough condition and needs to be done.

Police Chief Christopher A. DePonceau reported the Lakewood-Busti Police Department has had four hundred thirty-three incidents from March 14, 2022 to March 28, 2022. He said of those they have had ninety-five business checks, forty-four property checks, eighty-four vehicle and traffic violations, nine shoplifting incidents and nineteen warrants were processed.

Trustee Barnes asked Chief DePonceau if there is more being done with the warrants now.

Chief DePonceau said the court has started sending over bail recommendations so the two local judges have begun imposing bail on those who fail to appear in court when issued warrants.

Trustee Fischer asked Chief DePonceau if he has any updates with the signage at Walmart.

MARCH 28, 2022 (continued)

Chief DePonceau said he has been in contact with representatives from Walmart and they indicated to him they would be happy to put “no left turn” signs at their exits from the parking lot onto E. Fairmount Ave. He said if the State approves this, anyone wanting to turn left out of Walmart will have to go to the light.

Fire Chief Kurt Hallberg reported the Lakewood Fire Department has responded to two hundred forty-nine alarms year to date and eighty-three of those have been in the month of March. Chief Hallberg said last year at this date they had two hundred three.

Chief Hallberg said the new ambulance is done and is in transit to Syracuse where the lettering and patient load system will be installed. Chief Hallberg said he hopes the LFD will receive the new ambulance by the middle of April.

Mayor Holcomb asked Chief Hallberg if he keeps track of which calls are in their district and which are mutual aid.

Chief Hallberg said he does keep track and thinks the village was at about 47% as of the end of 2021, he also indicate all that information is in the LFD’s 2021 Annual Report.

Building Inspector Jeff Swanson reported he has had more property maintenance complaints recently than he has ever had and would like to begin setting aside one day a week to devote just to property maintenance issues.

Mr. Swanson said he and Fire Inspector Dave Wilfong attended the Building Code Officials Conference in Rochester, N.Y. and found out there is a new Section, 1203, in the New York State code and that all municipalities will have to adopt it within a year. He said he is not sure what the changes will be because he hasn’t been able to find it, once he does he will make sure he gets it to the Mayor and Trustees.

Mr. Swanson also said he is working on the Department of State Annual Report, which is due by Friday.

Mayor Holcomb reported that March 29th is National Vietnam War Veteran Day and asked that anyone who sees a veteran to take a moment and thank them for their time of service, their bravery and their sacrifice for our country.

DISCUSSION ON BARK PARK REGISTRATION CONTRACT

Trustee Barnes requested changing #42 on the contract from saying *I agree to dispose of all cigarette butts and other tobacco products in the provided sand buckets* to, agree to no smoking, vaping or use of any tobacco product in the park. She said since there are already signs at the dog park saying “no tobacco products allowed in village parks”, she thought that would be better.

Trustee Fischer said he didn’t think the complaint form should require any personal information other than the complainant’s name.

Trustee Barnes asked Attorney LaMancuso if he could make a templet for the clerk’s office to use when there is a complaint and have what should be on it and what shouldn’t. She agreed with Trustee Fischer that the only thing on the complaint form should be the complainant’s name, the rest of the information can go to the Dog Control Officer (DCO) only.

After discussion on the age of children allowed in the park it was decided it would be best to have no children under the age of 12 and children 12 to 15 must be accompanied and supervised by an adult, while in the park.

Village Attorney LaMancuso said he will make those few changes and have the proposed contract ready for the Trustee’s review before the April 11th meeting.

MARCH 28, 2022 (continued)

Chief Hallberg asked if he had a 3 year old child would he not be allowed to take his child to the park.

Trustee Barnes said bigger dogs can knock small children down, they can be rough around children and some dogs don't like little kids. She said it is more of a safety thing and keeping small children safe.

RESOLUTION #39-2022 – AUTHORIZE NYS HIGHWAY SUPERINTENDENTS CONFERENCE ATTENDANCE

Motion by Trustee Barnes, seconded by Trustee Jones, authorizing Department of Public Works Supervisor Thomas R. Pilling, to attend the New York State Highway Superintendents Conference to be held in Ithaca, N.Y., June 6th – June 8th.

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

RESOLUTION #40-2022 – TABLE 2022 WOODLAWN AVE. LAROW DOCK PERMIT

Motion by Trustee Troche, seconded by Trustee Barnes, to table the 2022 Dock Permit Application as submitted by Mr. John A. Johnson, 178 Front St., for the Woodlawn Ave. R-O-W until the May 9, 2022 Board of Trustees meeting. **NOTE:** Mr. Johnson has held this LAROW dock permit for the previous two years and has failed to install a dock. Per #1 of the LAROW Dock Permit Application & Agreement, *if for any reason a LAROW Dock Permit holder does not install his/her dock as permitted, the permit holder forfeits his/her 1st rights for the following year.*

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

RESOLUTION #41-2022 – AUTHORIZE MID-YEAR BUDGET TRANSFER

Motion by Trustee Troche, seconded by Trustee Barnes, to authorize Village Treasurer Apryl L. Troutman to make the following mid-year budget transfers regarding a couple of budget shortfalls: \$2,000.00 from A5110.40 {Street Maintenance–Contractual} to A5110.43 {Street Maintenance–Vehicle Maintenance} and \$1,500.00 from A1620.41 {Buildings–Contractual National Fuel} to A1620.42 {Buildings–Contractual National Grid}.

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

RESOLUTION #42-2022 –APPROVE FARMERS MARKET MANAGERS

Motion by Trustee Troche, seconded by Trustee Barnes, to approve Matt and Jen Walczyk, Ashville, N.Y., as the Market Managers for this year's Farmers and Artisans' Market.

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

RESOLUTION #43-2022 – AUTHORIZE RE-HIRING OF SEASONAL PARKS DEPT. EMPLOYEE

Motion by Trustee Troche, seconded by Trustee Fischer, authorizing the re-hiring of Mr. James D. Fye, as a seasonal Parks Department employee, with an effective date of re-hire on April 20, 2022. Per the recommendation of DPW Supervisor Thomas R. Pilling, Mr. Fye will be compensated at the rate of \$ 15.00/hr.

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

RESOLUTION #44-2022 – APPROVE USE OF HARTLEY PARK FOR YMCA FITNESS PROGRAMS

Motion by Trustee Fischer, seconded by Trustee Troche, authorizing the Jamestown YMCA to utilize Richard O. Hartley Park as the site for their Fitness in the Parks programs this summer. The programs will run from June 1st thru August 26th and will be held Monday's and Thursday's at 11:00 AM.

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

MARCH 28, 2022 (continued)

RESOLUTION #45-2022 – ACCEPT RESIGNATION OF L-BPD POLICE OFFICER

Motion by Trustee Barnes, seconded by Trustee Fischer, for the Board of Trustees to accept the resignation of Part-Time Police Officer Joshua Peters effective April 10, 2022. Officer Peters has worked for the L-BPD since November 9, 2021 and has accepted a full-time position with the Jamestown Police Department.
Adopted: 4 ayes, no nays (Barnes, Fischer, Jones, Troche)

RESOLUTION #46-2022 – AUTHORIZE INTERVIEWS FOR PART-TIME POLICE OFFICER POSITION

Motion by Trustee Fisher, seconded by Trustee Troche, authorizing Police Chief DePonceau to conduct interviews for the vacated part-time police officer position created by the resignation of Officer Joshua Peters.
Adopted: 4 ayes, no nays (Barnes, Fischer, Jones, Troche)

Motion by Trustee Fischer, seconded by Trustee Barnes, to recess the regular meeting at 6:58 PM, so as to enter into executive session to discuss a personnel matter.
Adopted: 4 ayes, no nays (Barnes, Fischer, Jones, Troche)

EXECUTIVE SESSION

Present at the executive session, were Mayor Randall G. Holcomb, Trustee Ellen E. Barnes, Trustee R. Richard Fischer, Trustee Nancy W. Jones, Trustee Benjamin J. Troche, Village Attorney John I. LaMancuso, Police Chief Christopher A. DePonceau, Village Clerk Mary B. Currie and Village Treasurer Apryl L. Troutman.

EXECUTIVE SESSION (Adjournment)

Motion by Trustee Fischer, seconded by Trustee Troche and unanimously carried to adjourn the executive session and re-open the regular meeting of the Board of Trustees at 7:40 PM.

REGULAR MEETING (Adjournment)

Motion by Trustee Troche, seconded by Trustee Jones and unanimously carried to adjourn the regular meeting of the Board of Trustees at 7:41 PM.

Mary B. Currie
Village Clerk