

## **APRIL 25, 2022**

The eighth regular meeting of the Board of Trustees of the Village of Lakewood, N.Y., was held, Monday, April 25, 2022, 6:30 PM, with Mayor Randall G. Holcomb presiding. Trustees present were Ellen E. Barnes, R. Richard Fischer and Nancy W. Jones. 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 and Fire Chief Kurt Hallberg. Absent were Trustee Benjamin J. Troche and Building Inspector Jeff Swanson.

### **APPROVAL OF MINUTES**

Motion by Trustee Fischer, seconded by Trustee Jones, to approve the minutes of the last regular meeting of the Board of Trustees held April 11, 2022.

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

### **AUDIT OF CLAIMS**

Motion by Trustee Jones, seconded by Trustee Barnes, that the claims as audited by the Auditing Committee of the abstracts dated April 25, 2022, be approved and that the Clerk shall execute said abstracts and direct payment by the Treasurer. Abstracts (#50 & #50) Trust & Agency Fund: \$ 60,888.35, (checks #6498 thru #6501), General Fund: \$ 251,212.33, (checks #18750 thru #18781).

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

### **REPORTS**

DPW Supervisor Thomas Pilling reported that some of the sidewalks on Chautauqua Ave. have been spalling so Kingsview Enterprises will be taking those sections out and redoing them at their cost. He said this sometimes happens when there is lack of curing time and could happen because of the sealer that was used.

Trustee Barnes asked Mr. Pilling how the whole Chautauqua Ave. Retrofit project weathered the winter.

Mr. Pilling said a few of the bricks at the intersection of Chautauqua Ave. & Second Street are broken and will be coming out. He said R & S will be replacing the bricks and Lakeshore Paving will be covering the cost. Mr. Pilling added he thought that might of happened due to no matting being put down before it was rolled.

Mr. Pilling reported the new DPW Truck has been ordered and was told it should be ready for delivery around this time next year.

Mr. Pilling also reported that Monday, May 2<sup>nd</sup> the annual yard waste pick-up will begin.

Police Chief Christopher A. DePonceau reported the Lakewood-Busti Police Department has had three-hundred fifty-four incidents from April 11, 2022 to April 25, 2022. He said of those they have had one hundred two business checks, fifty vehicle and traffic violations, eight shoplifting incidents and seven warrants were processed.

Chief DePonceau reported over the weekend there was an incident at a short term rental in the village where four arrests were made and some drugs and guns were removed from the house. He said they are waiting for evidence testing to be done and the investigation is ongoing.

Trustee Barnes thanked Chief DePonceau and his department for working very hard at keeping the community safe.

Chief DePonceau introduced Mr. Sam Dion Robinson, IV, Jamestown, N.Y., as the new Lakewood-Busti Police Officer.

Mayor Holcomb and the Board of Trustees welcomed Mr. Robinson aboard.

Fire Chief Kurt Hallberg reported the Lakewood Fire Department has responded to three hundred seven alarms year to date.

April 25, 2022 (continued)

Chief Hallberg also said the new ambulance has been delivered and once the radios are installed it will be ready for the road.

Attorney John I. LaMancuso explained proposed Local Law #2 of 2022, which is a one (1) year moratorium placed on Short Term Rentals. Attorney LaMancuso said because this is a zoning amendment there are a couple special things that need to be done with this proposed Local Law.

Mr. LaMancuso said all the Trustees will have to be provided with the final draft for a period of seven (7) days before it can be passed and also a ten (10) day notice has to be placed in the local newspaper. He said a 239m review with the county will need to be submitted and returned as well as the SEQRA form.

Mr. LaMancuso said once this has been done and after the Public Hearing is held on May 9<sup>th</sup>, the Board of Trustees will be able to pass the law, should they choose.

Village Treasurer Apryl L. Troutman reported that on April 6<sup>th</sup> she completed and submitted the annual SLFRF Compliance Report, which is a report on what ARPA funds have been spent on thus far.

Village Clerk Mary B. Currie reported the clerk's office has received one (1) application for a summer lifeguard and to date have only had one (1) vendor submit an application for the Farmers Market.

Building Inspector Jeff Swanson submitted his report saying he plans to begin working on property maintenance issues once again this week. He also said he is expecting the paperwork for the demolition of 19 Owana Way at any time and expects it to be demolished within the next week.

**RESOLUTION #59-2022 – SET TIME & DATE FOR PUBLIC HEARING RE: PROPOSED LOCAL LAW #2 OF 2022**

Motion by Trustee Barnes, seconded by Trustee Fischer, to set 6:45 PM, Monday, May 9, 2022, as the time and date for the Board of Trustees to conduct a public hearing on Proposed Local Law #2 of 2022, to place a Moratorium on Short Term Rentals for a period of one (1) year.

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

**RESOLUTION #60-2022 – SET DATE FOR VILLAGE WIDE GARAGE/YARD SALES**

Motion by Fischer, seconded by Trustee Jones, to set Friday, June 3, 2022 and Saturday, June 4, 2022 from 9:00 AM – 5:00 PM as the time and date to conduct the annual Village Wide Garage/Yard sale days.

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

**RESOLUTION #61-2022 – APPROVE VILLAGE ATTORNEY RETAINER AGREEMENT**

Motion by Trustee Barnes, seconded by Trustee Jones, for the Board of Trustees to approve an extension of the Retainer Agreement for legal counsel provided by Village Attorney John I. LaMancuso, Esq., in the amount of \$ 15,000.00 for the period of June 1, 2022 thru May 31, 2023, and to authorize Mayor Holcomb to execute the same.

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

**RESOLUTION #62-2022 – APPROVE HIRING PART TIME POLICE OFFICER**

Motion by Trustee Barnes, seconded by Trustee Fischer, to approve hiring Mr. Sam Dion Robinson IV, Jamestown, N.Y., as a part-time Police Officer with the Lakewood-Busti Police Department. Per the recommendation of Police Chief Christopher L. DePonceau, Officer Robinson's date of hire will be April 26, 2022 and he will be compensated at the rate of \$16.49/hr.

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

April 25, 2022 (continued)

**RESOLUTION #63-2022 – AUTHORIZE MID-YEAR BUDGET TRANSFER**

Motion by Trustee Barnes, seconded by Trustee Jones, to authorize Village Treasurer Apryl L. Troutman to make the following mid-year budget transfer for a budget shortfall: \$ 10,424.61 from A-1990.40 {Contingent Account}; \$ 4,436.58 to A-3620.10 {Code Enforcement Salary}, \$ 3,360.38 to A-3620.12 {Fire Inspector Salary}, \$ 2,509.38 to A-3620.40 {Code Enforcement Contractual} and \$ 118.27 to A-3620.41 {Code Enforcement – Phones/Cells}.

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

**RESOLUTION #64-2022 – AUTHORIZE MID-YEAR BUDGET TRANSFER**

Motion by Trustee Fischer, seconded by Trustee Barnes, to authorize Village Treasurer Apryl L. Troutman to make the following mid-year budget transfer for a budget shortfall: \$ 1,000.00 from A-9015.80 {Fire & Police Retirement} to A-3120.11 {Police Salaries Overtime}.

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

**RESOLUTION #65-2022 - AUTHORIZE LEVYING OF UNPAID WATER BILLS ON TAX BILLS**

Motion by Trustee Fischer, seconded by Trustee Jones, to authorize Village Treasurer Apryl L. Troutman to accept the list of unpaid water bills as prepared and submitted by the Jamestown Board of Utilities for properties in the Village of Lakewood which will then be levied onto the 2022-2023 village tax bills for the corresponding properties.

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

**RESOLUTION #66-2022 - AUTHORIZE PREPARATION 2022-2023 VILLAGE TAX BILL**

Motion by Trustee Barnes, seconded by Trustee Jones, authorizing Village Treasurer Apryl L. Troutman and the Chautauqua County Division of Taxation to prepare the Village of Lakewood's 2022-2023 Village tax bills in accordance with the most recent tax roll on file.

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

**RESOLUTION #67-2022 – ACKNOWLEDGE JUNETEENTH AS A NATIONAL HOLIDAY**

Motion by Trustee Jones, seconded by Trustee Fischer, for the Village of Lakewood to acknowledge June 19<sup>th</sup> as a National Holiday, known as Juneteenth, and have it added to the employees list of recognized paid holidays off from work.

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

**RESOLUTION #68-2022 – AUTHORIZE NYCOM'S WESTERN NY REGIONAL TRAINING**

Motion by Trustee Barnes, seconded by Trustee Jones, to authorize Village Clerk Mary B. Currie and Deputy Clerk Julie C. Toennis to attend NYCOM's Western N.Y. Regional Training at Holiday Valley Resort in Ellicottville, N.Y. on May 18 & 19, 2022. Mrs. Currie & Ms. Toennis will be reimbursed for any necessary expenses incurred.

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

Trustee Fischer asked if anyone has heard from the Dog Control Officer and if she has been to the Bark Park and reported back to anyone.

Trustee Barnes said she has not heard from her but plans on calling her to let her know the board has passed the new policies and contract.

Motion by Mayor Holcomb, seconded by Trustee Fischer and unanimously carried the Board adjourned at 6:54 PM.

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Mary B. Currie  
Village Clerk