

**August 08, 2022**

The fifteenth regular meeting of the Board of Trustees of the Village of Lakewood, N.Y., was held, Monday, August 8, 2022, 6:30 PM, with Mayor Randall G. Holcomb presiding. Trustees present were Ellen E. Barnes, R. Richard Fischer, Nancy W. Jones and Benjamin J. Troche. Also present were Village Deputy Clerk Julie Toennis, Village Treasurer Apryl L. Troutman, Police Chief Christopher A. DePonceau, Village Attorney John I. LaMancuso, and Fire Chief Kurt Hallberg. Absent was Village Clerk Mary Currie, DPW Supervisor Tom Pilling and Building Inspector Jeff Swanson.

### **APPROVAL OF MINUTES**

Motion by Trustee Fischer, seconded by Trustee Troche, to approve the minutes of the last regular meeting of the Board of Trustees held July 25, 2022.

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

### **AUDIT OF CLAIMS**

Motion by Trustee Troche, seconded by Trustee Jones, that the claims as audited by the Auditing Committee of the abstracts dated July 25, 2022, be approved and that the Clerk shall execute said abstracts and direct payment by the Treasurer. Abstracts (#10 & #10) Trust & Agency Fund: \$70,776.66 (checks #6757 and #6760), General Fund: \$ 109,456.84 (checks #19029 thru #19074).

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

### **REPORTS**

Mayor Holcomb read DPW Supervisor Thomas R. Pilling's report. He said Dr. Mueller called and would like to find a group of kids to rake leaves again this fall. He said this helps the DPW with getting the leaves to the road for pick up.

Police Chief Christopher A. DePonceau reported the Lakewood-Busti Police Department has had four hundred and twenty four incidents from July 25, 2022 to August 8, 2022. They included ninety-seven business checks, thirteen accident reports, nineteen property checks, seven shoplifting complaints, twenty-one vehicle and traffic violations and twenty nine warrants either entered or served. Chief DePonceau also said the speed trailer has been set up in seven different locations so far.

Chief DePonceau said some village residents met on Sunday, August 7, 2022 and formed a neighborhood watch due to the recent criminal mischief. Chief DePonceau encourages anyone to join this group and said the person to contact is Charles Lewickie at 757-812-9003.

Trustee Troche asked if the Police Department has received many calls about children being out past curfew.

Chief DePonceau said not normally but if anyone calls, an officer will pick them up and make sure they get home.

Fire Chief Kurt Hallberg reported the Lakewood Fire Department has responded to six hundred and fifty one alarms year to date, one hundred and five of those being in the month of July. There have been twenty one alarms so far in August.

Village Treasurer Apryl L. Troutman reported that she has officially filed the yearly AUD on July 28, 2022. There is a copy on file in the clerk's office.

Treasurer Troutman said there were two Target charges on the credit card that have tax on them and there will be a credit for these charges on the next statement. A tax exempt account has now been established with Target.

August 8, 2022 (continued)

Treasurer Troutman said we received the second quarter sales tax distribution from Chautauqua County. It was \$238,243.87 which is \$2,446.83 more than last year's second quarter payment and indicated the village is right on target with what was put into the budget.

Treasurer Troutman mentioned that the villages' health care package for the year 2023 is due for renewal. Northwest has previously been the villages' broker but they were bought out by USI and they are not a local company. She asked if the board would like to explore different options locally.

Mayor Holcomb asked her to look into several different brokers.

Mr. Ted McCague gave a report on behalf of the Preservation Steering Committee. The Village of Lakewood has been awarded \$13,400.00 by the New York Preservation League to conduct a Historic Structure Report on the Anthony C. Caprino Municipal Building. Mr. McCague mentioned there is a press release on the NYS Preservation League website, if anyone would like to read about it.

Mayor Holcomb reported he received a letter from the Chautauqua County and Watershed Management Alliance thanking Lakewood for renewing the villages' membership with them.

### **PRESENTATION ON EMERGENCY MEDICAL SERVICES BILLING**

Trustee Barnes welcomed Wendy Mancuso, MedEx Billing Inc. on Zoom.us. She is the owner and CEO of MedEx. Ms. Mancuso gave a presentation on their services. Ms. Mancuso said some of their key features are payments made by credit card on the website, they retain three paid search services, data is automatically uploaded into their system, bots are set up to email a customer with any information that is needed, standard monthly reports are extensive and provide several ways to review data and they have recently extended their insurance coverage.

### **RESOLUTION #120-2022 – SET TIME AND DATE FOR PUBLIC HEARING TO CONSTRUCT BLUE BUFFALO CAR WASH AT 373 E. FAIRMOUNT AVE.**

Motion by Mayor Holcomb, seconded by Trustee Troche, to set the public hearing 6:30 PM, Monday, August 22, 2022, as the time and date for the Board of Trustees to conduct a public hearing to consider Site Plan Review as submitted by Mr. Joseph Spino to approve construction of a Blue Buffalo Car Wash at 373 E. Fairmount Ave.

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

Trustee Troche requested the architect be at the public hearing.

### **RESOLUTION #121-2022 –APPROVE RFP FROM MR. JOHN STEINMETZ**

Motion by Trustee Troche, seconded by Trustee Jones, to authorize and approve Mayor Holcomb to sign the contract from Mr. John Steinmetz to draft new Short Term Rental Zoning Laws.

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

Mr. Lamancuso said that he spoke with Mr. Steinmetz who indicated and there is a \$25,000.00 cap on his services and said, he will have several people working with him to write the laws. Mr. Lamancuso said although it is costly, Mr. Steinmetz does zoning work as a career.

### **RESOLUTION #122-2022 –ACCEPT RESIGNATION OF DPW LABORER TANNER MAYNARD**

Motion by Trustee Jones, seconded by Trustee Barnes, to accept the resignation of DPW laborer Tanner Maynard effective August 12, 2022. Mr. Maynard decided to return to his previous profession.

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

Trustee Barnes wished him well and Trustee Troche said he is a hard worker and also wished him well.

August 8, 2022 (continued)

**RESOLUTION #123-2022 – AUTHORIZE HIRING OF DPW LABORER**

Motion by Trustee Barnes, seconded by Trustee Fischer, to authorize Village DPW Supervisor Tom Pilling to conduct interviews to fill the recently vacated position.

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

**RESOLUTION #124-2022 – ACCEPT RESIGNATION OF OFFICER JOSHUA SUMMERS**

Motion by Trustee Troche, seconded by Trustee Barnes, to accept the resignation of Lakewood Busti Police Officer Joshua Summers effective August 9, 2022. Officer Summers has accepted a full time position with the Chautauqua County Sheriff's Department.

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

Trustee Barnes wishes him well and is sorry to see him go.

Trustee Troche congratulated Officer Summers.

**RESOLUTION #125-2022 – AUTHORIZE FUND TRANSFER**

Motion by Trustee Jones, seconded by Trustee Fischer, to authorize Village Treasurer Apryl L. Troutman to make the following fund transfer to pay for the Amazon/Tennis Ball invoice for the Dog Park - \$59.49 from T1093.60 {Lakewood Dog Park} to A7140.40 {Playgrounds – contractual}.

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

Trustee Barnes said that it's hard for the DPW to mow with the amount of tennis balls on the ground. The people attending the park are supposed to be picking them up.

**RESOLUTION #126-2022 –AUTHORIZE FUND TRANSFER**

Motion by Trustee Barnes, seconded by Trustee Troche, to authorize Village Treasurer Apryl L. Troutman to make the following fund transfer to pay for ½ of the MediaOne invoice for Farmers Market advertising: \$75 from T1093.15 {Farmers Market Fund} to A7270.40 {Joint Recreation – Band Concerts}.

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

**RESOLUTION #127-2022 – AUTHORIZE FUND TRANSFER**

Motion by Trustee Fischer, seconded by Trustee Barnes, to authorize Village Treasurer Apryl L. Troutman to make the following fund transfer to pay for the Amazon/solar panel kit invoice for the speed trailer: \$114.94 from T1093.30 {Police-Radar Sign} to A3120.40 {Police Contractual}.

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

**RESOLUTION #128-2022 – APPROVE SIGN**

Motion by Trustee Troche, seconded by Trustee Fischer, per the request of Town of Ellicott Code Enforcement Officer, Mr. Dave Rowe, to approve a sign saying “No Trucks, Local Traffic Only” to be placed at the entrance to the Wegmans Plaza off of Southwestern Drive after the reconstruction is completed.

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

Trustee Troche said it should be put up after the construction is complete.

Mayor Holcomb said he will reach out to Mr. Rowe and let him know that it could be done after construction is complete.

August 8, 2022 (continued)

**DISCUSSION ON EMS BILLING**

Trustee Barnes received an email from Attorney Mark Butler, Counsel for the Village of Lakewood, recommends the Board of Trustees go with Professional Ambulance Billing (PAB). Mr. Butler stated that he has found their work to be higher quality, accuracy and efficiency adapting to the new law and its requirements.

Trustee Troche said he would like to table the discussion until he has time to read over the contract and talk with the Fire Department.

The Board of Trustees set a Special Meeting to approve EMS billing for August 15, 2022 at 6:00pm.

**ANYONE TO BE HEARD**

Mr. Jack Knowlton said he will be meeting with the Pickle Ball players that have been using the bathrooms that belong to the Fire Company. The only people that have a contract with the Fire Company to use those restrooms are the Southwestern Baseball League. Somehow the Pickle Ball players received a key and have been using the paper products and leaving the restrooms a mess. Mr. Knowlton said if the Pickle Ball players cannot come to an agreement with the Fire Company than the locks on the restroom doors will be changed.

Mr. Knowlton also said there is a man that plays ball with his dog on the AstroTurf field and would like press charges on this man if he is caught there.

Mr. Jesse Robbins, Town of Busti Supervisor, said from April 2023-September 2023 The Town of Busti will be celebrating its 200<sup>th</sup> anniversary. The kickoff party will be at the Lakewood Rod and Gun Club and there will be a fair, along with many other activities.

Trustee Fischer thanked Deputy Clerk/Treasurer Toennis for making new signs for the dog park. He said there have been a lot of children in the park and one man that frequents the park brought two new dogs that aren't registered.

Motion by Trustee Troche, seconded by Trustee Barnes and unanimously carried the Board adjourned at 7:40 PM.

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Julie C. Toennis  
Deputy Village Clerk