

August 22, 2022

The sixteenth regular meeting of the Board of Trustees of the Village of Lakewood, N.Y., was held, Monday, August 22, 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 Clerk Mary B. Currie, Village Treasurer Apryl L. Troutman, Police Chief Christopher A. DePonceau, and Building Inspector Jeff Swanson. Absent were Village Attorney John I. LaMancuso, DPW Supervisor Thomas R. Pilling and Fire Chief Kurt Hallberg. A work session was held with no action taken.

Mayor Holcomb began the meeting by asking for a motion to recess the regular meeting so as to conduct a previously scheduled public hearing.

RECESS

Motion by Trustee Troche, seconded by Trustee Barnes, to recess the regular meeting of the Board of Trustees at 6:31 PM, so as to conduct a previously scheduled public hearing.

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

**PUBLIC HEARING – 6:30 PM
SITE PLAN REVIEW
BLUE BUFFALO CAR WASH
373 EAST FAIRMOUNT AVE.**

Mayor Holcomb opened the public hearing at 6:31 PM for the Site Plan Review on the proposed Blue Buffalo Car Wash at 373 E. Fairmount Ave. Mayor Holcomb asked Mr. Joe Spino, JSEK West Seneca, LLC, if he would like to explain the proposed project.

Mr. Spino said the proposed car wash will be a tunnel car wash where all of the equipment will be inside the tunnel. Each car will go through a pay station, then be stacked in the parking lot while waiting to enter the car wash and then exit the building. There will be no separate drying stations, the dryers will be inside the building. There will be fourteen (14) vacuums that will be on the south side of the parking lot and will be free for the public to use. Mr. Spino said the number one issue with many car washes today is usually the noise. He noted one of the major improvements the industry has made is to reduce the decibel level of noise emitted by the car wash. He added the dryers and vacuums at this car wash will be quieter than most those at other nearby car washes.

Mr. Spino said by stacking the cars, the parking lot should be able to accommodate quite a few cars at one time. He said it will only take about one minute from the time a car goes through the pay station to exiting the parking lot.

Mr. Spino said this type of car wash is like an express model, there will be an option for monthly subscriptions where you won't have to pay when you go, the license plate will be read, the gate will open and you'll go right through.

Mr. Spino said the hours are typically 8:00 am to 8:00 pm and indicated the hours can vary with the change of seasons. He also said there will always be staff on hand to assist with problems or to answer questions.

Mr. Spino said they plan to only use the existing Fairdale Ave. entrance/exit and plan to close the entrances on E. Fairmount Ave (Rt. 394) and Nicholas Ave. He also said the on-site lighting will be directed towards E. Fairmount Ave., away from nearby residential properties.

Trustee Barnes said only using Fairdale Ave. is her main concern. She said Fairdale Ave. is a major access to the village, it also has several driveways for businesses close to the light and can get very congested. She said she is concerned with the traffic light at Fairmount and Fairdale being so close to the entrance, if there are a lot of cars waiting in line, the traffic could back up on Fairdale Ave.

August 22, 2022 (continued)

Mr. Spino said there are alarms in the car wash tunnel and if cars get backed up, the alarm will shut the car wash down, so that should never be a problem.

Trustee Barnes said she talked to the NYS DOT and they indicated to her there is a highway permit that needs to be obtained in order to close off a form of egress along a state road. She suggested that Mr. Spino contact the DOT and indicated she would like to see what their response is.

Mr. Spino said they have people that do all the highway paperwork for their projects and said they will be the ones taking care of that.

Mr. Spino said they can also share the driveway with the carpet store on the days when it gets busy.

With no one else to be heard, Mayor Holcomb closed the public hearing at 6:59 PM and re-opened the regular meeting of the Board of Trustees.

RESOLUTION #132-2022 – APPROVE SEQRA RELATING TO PROPOSED BLUE BUFFALO CAR WASH

Motion by Trustee Jones, seconded by Trustee Troche, for the Board of Trustees to approve the State Environmental Quality Review Act (SEQRA) form relating to the proposed Blue Buffalo Car Wash project at 373 East Fairmount Ave. Chautauqua County Planning and Development finds this project to have no significant county wide or intracommunity impact and recommends it to be of local concern.

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

RESOLUTION #133-2022 – APPROVE THE ISSUANCE OF A NEGATIVE DECLARATION

Motion by Trustee Troche, seconded by Trustee Jones, for the Board of Trustees to approve the issuance of a Negative Declaration, under State Environmental Quality Review Act (SEQRA), in connection with the proposed Blue Buffalo Car Wash project at 373 East Fairmount Ave.

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

RESOLUTION #134-2022 – DESIGNATE THE VILLAGE OF LAKEWOOD AS LEAD AGENCY

Motion by Trustee Barnes, seconded by Trustee Jones, in accordance with the State Environmental Quality Review Act (SEQRA), to designate the Village of Lakewood as the Lead Agency as it relates to the Environmental Review and Assessment of the proposed Blue Buffalo Car Wash project at 373 East Fairmount Ave.

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

RESOLUTION #135-2022 – APPROVE PROPOSED SITE PLAN REVIEW FOR BLUE BUFFALO CAR WASH PROJECT

Motion by Trustee Barnes, seconded by Trustee Troche, for the Board of Trustees to approve the proposed site plan review for the Blue Buffalo Car Wash project whereby they will be allowed to develop the property at 373 East Fairmount Ave., with the construction of a 3,150 sq. ft. car wash on the site, per the documents and plans, as presented and after the village has received the proper permit by the New York State Department of Transportation.

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

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 August 8, 2022.

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

August 22, 2022 (continued)

Motion by Trustee Fischer, seconded by Trustee Jones, to approve the minutes of the special meeting of the Board of Trustees held August 15, 2022.

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

AUDIT OF CLAIMS

Motion by Trustee Troche, seconded by Trustee Barnes, that the claims as audited by the Auditing Committee of the abstracts dated August 22, 2022, be approved and that the Clerk shall execute said abstracts and direct payment by the Treasurer. Abstracts (#12 & #12) Trust & Agency Fund: \$ 61,220.99, (check #6797), General Fund: \$ 55,044.11, (checks #19075 thru #19102).

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

REPORTS

Police Chief Christopher A. DePonceau reported the Lakewood-Busti Police Department has had three hundred seventy-six incidents from August 8, 2022 to August 22, 2022. He said of those they have had seventy-seven business checks, eighteen property checks, forty-eight vehicle and traffic violations, eleven shoplifting incidents, thirty-one warrants were processed and fourteen individuals were fingerprinted.

Village Treasurer Apryl L. Troutman reported the delinquent tax notices have been mailed out and reminded residents that the village will be accepting tax payments through the end of September.

Trustee Fischer asked Ms. Troutman if she has a dollar amount of delinquent taxes.

Ms. Troutman said the total as of today is \$ 101,292.62.

Village Clerk Mary B. Currie reported the Live on the Lake Summer concert series is complete for the year and said everything went well.

Mr. Dave Card, 38 Chautauqua Ave. thanked the Village Clerks office for all the work they did in selecting the entertainment this year and said everyone seemed to enjoy it each week. He said he estimated approximately eight hundred eighty-six people to be in attendance.

Mayor Holcomb and Trustee Troche also thanked the Clerk's Office for putting the concerts together.

Building Inspector Jeff Swanson reported he will not be going forward with the Williamson Law Program which he had budgeted for this year. He said since the time he began talking with them about the program and received their original quote, the cost has gone up \$ 4,000.00.

Mr. Ted McCague, reported for the Historic Preservation Steering Committee saying there are a couple things the Board of Trustees need to consider. He said he sent the Board of Trustees samples of Historic Structure reports from the City of Jamestown and City of Medina. He said they will give them a sense of the detail that will go into the report that will be forthcoming from Clinton Brown Company Architecture, PC, Buffalo, NY, for the Anthony C. Caprino Municipal Building.

Mr. McCague said the committee also had discussion about the lack of a Village Historian and submitted some basic facts about Village Historians and what their duties entail. Mr. McCague said it might be time to start thinking about finding someone who might be interested in becoming the Village of Lakewood Historian.

Trustee Jones said she has met with Southwestern Central School Superintendent Mrs. Maureen Donahue to discuss the possibility of lifeguard training in the future. Mrs. Donahue indicated they would not charge to use the SWCS pool for lifeguard training, but thought the Village of Lakewood should go through the YMCA, which is what the school does.

August 22, 2022 (continued)

RESOLUTION #136-2022 – AUTHORIZE MID-YEAR BUDGET TRANSFER

Motion by Trustee Troche, seconded by Trustee Fischer, to authorize Village Treasurer Apryl L. Troutman to make the following mid-year budget transfer for a budget shortfalls: \$ 3,750.00 from A5110.40 {Street Maintenance Contractual} to A5110.46 {Street Maintenance – Tree Service}.

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

RESOLUTION #137-2022 – ACCEPT RESIGNATIONS OF TWO LFD MEMBERS

Motion by Trustee Fischer, seconded by Trustee Troche, that the Board of Trustees, acting as the Board of Fire Commissioners, accept the resignations of Lakewood Vol. Fire Department members Ms. Amber Arrance and Ms. Brianna Ingerson.

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

Trustee Troche said Ms. Arrance was with the Fire Department for approximately five years and came to them with Interior and EMT basic and Ms. Ingerson was an EMT basic in her tenure. He said they both were great assets to the LFD, thanked them for their years of service and said he is sad to see them go.

RESOLUTION #138-2022 – USE OF STREETS FOR BATTLE OF THE BUSINESSES RUN

Motion by Trustee Jones, seconded by Trustee Fischer, to authorize the use of village streets and Richard O. Hartley Park for the annual Lakewood YMCA Battle of the Businesses 2 mile race to be held September 17, 2022 at 9:00 AM.

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

**RESOLUTION #139-2022 – AUTHORIZE REQUEST FOR SEALED BIDS FOR
FOUR (4) NEW POLICE PATROL VEHICLES**

Motion by Trustee Barnes, seconded by Trustee Jones, to authorize Police Chief Christopher L. DePonceau to request sealed bids for four (4) new Police Patrol Vehicles. One marked Dodge Charger, which will replace L-2 and one marked Dodge Ram, 1500 pick-up truck, replacing L-8, which will be paid for from the 2022-2023 budget. One marked Dodge Charger, replacing L-4, and one unmarked Dodge Durango, replacing L-5, which will be held at the dealership until June 2023, so as to be paid for from the 2023-2024 budget. No additional Police vehicles will be purchased in 2023. Bids are to be received at or before 3:00 PM, Friday, September 9, 2022.

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

RESOLUTION #140-2022 – AUTHORIZE DPW SUPERVISOR TO PURCHASE TRAFFIC SIGNS

Motion by Trustee Barnes, seconded by Trustee Troche, to authorize DPW Supervisor Thomas Pilling to order and purchase traffic signs, to be placed along Summit Street, saying “No Trucks allowed, local traffic only”.

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

**RESOLUTION #141-2022 – AUTHORIZE ATTENDANCE TO NYCOM’S FALL TRAINING
SCHOOL**

Motion by Trustee Fischer, seconded by Trustee Troche, to authorize Board of Trustee Ellen E. Barnes and Trustee Nancy W. Jones to attend NYCOM’S Annual Fall Training School to be held in Saratoga Springs, N.Y., September 12th-16th. Ms. Barnes and Mrs. Jones will be reimbursed for any and all authorized expenses incurred.

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

August 22, 2022 (continued)

ANYONE TO BE HEARD

Mrs. Susan Chandler, 207 W. Summit St., thanked the Board of Trustees for taking action on the increased amount of truck traffic along Summit St. and authorizing Mr. Pilling to order signs to be placed along the street eliminating through truck traffic. Mrs. Chandler said she and others that live along East & West Summit St. are very appreciative.

Motion by Trustee Barnes, seconded by Trustee Jones, to recess the regular meeting at 7:40 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, Police Chief Christopher A. DePonceau, Village Clerk Mary B. Currie and Village Treasurer Apryl L. Troutman.

EXECUTIVE SESSION (Adjournment)

Motion by Trustee Barnes, seconded by Trustee Fischer, and unanimously carried to adjourn the executive session and re-open the regular meeting of the Board of Trustees at 8:14 PM.

RESOLUTION #142-2022 – AUTHORIZE VACATION HOURS FOR OFFICER HAFNER

Motion by Trustee Barnes, seconded by Trustee Jones, to authorize one hundred sixty (160) hours of vacation time to be added to Officer Dan Hafner's annual compensation time and to be effective as of June 15, 2022. The vacation hours are being granted due to his longevity with the Village of Lakewood and were unintentionally omitted from resolution #90-2022, dated June 13, 2022. Officer Hafner has been a member of the Lakewood-Busti Police Department since 2000.

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

RESOLUTION #143-2022 – AUTHORIZE POLICE CHIEF TO CONDUCT INTERVIEWS

Motion by Trustee Troche, seconded by Trustee Barnes, to authorize Police Chief Chris DePonceau to conduct interviews for a part-time Police Officer with the L-BPD.

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

Motion by Trustee Barnes, seconded by Trustee Troche and unanimously carried the Board adjourned at 8:15 PM.

Mary B. Currie
Village Clerk