

**December 12, 2022**

The twenty-third regular meeting of the Board of Trustees of the Village of Lakewood, N.Y., was held, Monday, December 12, 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, Village Attorney John I. LaMancuso and Fire Chief Kurt Hallberg. Absent were DPW Supervisor Thomas R. Pilling and Building Inspector Jeff Swanson. A work session was held with no action taken.

**OBSERVE A MOMENT OF SILENCE**

Mayor Holcomb kindly asked if everyone would join him to observe a moment of silence in honor and memory of Mr. Gene Nelson who was a long time resident of the Village of Lakewood and passed away yesterday. Mayor Holcomb said Mr. Nelson worked for the Village of Lakewood DPW for thirty-eight years, he was a life member of the Lakewood Fire Department with thirty-one years as an active member and was also DPW Supervisor Tom Pilling's father in law.

**APPROVAL OF MINUTES**

Motion by Trustee Jones, seconded by Trustee Fischer, to approve the minutes of the last regular meeting of the Board of Trustees held November 28, 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 December 12, 2022, be approved and that the Clerk shall execute said abstracts and direct payment by the Treasurer. Abstracts (28# & #28) Trust & Agency Fund: \$ 62,570.25, General Fund: \$ 77,974.52, (checks #19349 thru #19402). Voided check #19380, ACH to M&T Bank.

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

**REPORTS**

DPW Supervisor Tom Pilling submitted his report saying Titan Development, Inc., Gasport, N.Y., has completed Phase one of the playground project at Hartley Park for the winter. Mr. Pilling also said there is a beaver problem by the viaduct on West Fairmount Ave., he said he has received a nuisance permit from the DEC to eliminate the beaver and the beaver dam.

Police Chief Christopher A. DePonceau reported the Lakewood-Busti Police Department has had three hundred sixty-one incidents from November 28, 2022 to December 12, 2022 which included eighty-six business checks, six well beings, three domestic incidents, thirteen finger prints taken, three larceny reports, nine motor vehicle accidents, forty-eight property checks, twenty-six vehicle stops, thirteen shoplifting incidents, eighteen suspicious situations, twelve parking complaints and twenty-two warrants that were processed.

Chief DePonceau said on Saturday, December 10<sup>th</sup>, the L-BPD was called to Walmart for a shoplifting complaint that ended up in a police pursuit up Southwestern Drive and out into the township. He said the subject eventually went into someone's driveway and got stuck in their yard. Chief DePonceau said the officers pursued the suspect on foot and were able to apprehend him, an arrest was made with multiple misdemeanors and felonies. Chief DePonceau noted one of the officers involved in the pursuit of the alleged shoplifter, sustained a fractured hip while in the pursuit.

Chief DePonceau also said on December 9<sup>th</sup> one of the L-BPD Officers was involved in a deer strike while operation L-3 on Nelson Rd. in the Town of Busti. He said an estimate of repairs and pictures of the vehicle have been submitted to the Village's insurance company.

December 12, 2022 (continued)

Fire Chief Kurt Hallberg reported the Lakewood Fire Department has responded to one thousand seventy-four alarms year to date. He added this number has surpassed the previous record of one thousand seventy-one alarms in 2019.

Chief Hallberg said the annual service on the Fire Department vehicles is just about completed and thanked DPW Supervisor Pilling and the DPW crew for performing those services on the vehicles.

Village Treasurer April L. Troutman reported that the DPW Fuel accounts and the Law Contractual account have exceeded their budgets and asked to have a transfer added to the agenda. She also asked for an update on the status of the EMS billing.

Trustee Barnes said the Village of Lakewood is waiting for the contracts with the county and All Star, once the revenues start coming in from the EMS billing we will be able to reimburse the Law Contractual account over time.

Trustee Troche said he has heard that some fire departments within Chautauqua County are receiving payments for their EMS transfers.

Building Inspector Jeff Swanson submitted a report saying the property at 269 E. Terrace Ave. has cleaned up the large amount of junk that had been placed in the driveway and the renovations at the site of a new Cattaraugus County Savings Bank branch, 284 E. Fairmount Ave., have begun.

Trustee Barnes said she met with the new Region 9 director of the NYS DEC and said she seemed very interested in Chautauqua Lake and what people are using it for. Trustee Barnes said she indicated she's ready to move forward with solutions for the water quality.

Trustee Barnes updated the Board of Trustees on the recent discussions that have taken place on the Study of Funding Mechanisms for Chautauqua Lake Protection and Rehabilitation and the Lake Districting.

**RESOLUTION #213-2022 – AUTHORIZE FUND TRANSFER**

Motion by Trustee Troche, seconded by Trustee Jones, to authorize Village Treasurer Apryl L. Troutman to make the following fund transfer to pay for legal expenses; \$ 1,280.50 from A-7270.40 {Joint Recreation-Band Concerts} to A-1420.40 {Law-Contractual}.

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

**RESOLUTION #214-2022 – SET TIME & DATE FOR A PUBLIC HEARING ON VIDEOCONFERENCING MEETINGS**

Motion by Trustee Fischer, seconded by Trustee Troche, to set 6:45 PM, Monday, January 9, 2023, as the time and date for the Board of Trustees to conduct a public hearing on the Village of Lakewood continuing videoconferencing during public meetings.

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

**RESOLUTION #215-2022 – APPROVE PROPOSAL TO THE FARMERS' MARKET RESILIENCY GRANT**

Motion by Trustee Fischer, seconded by Trustee Troche, to approve that the Village of Lakewood Farmers' Market be a part of the joint effort with Chautauqua County Farmers' Market's in the proposal to the NYS Farmers Market Resiliency grant and authorize Mayor Holcomb to send a letter of support.

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

December 12, 2022 (continued)

**RESOLUTION #216-2022 –ACCEPT SECURITY SURVEILLANCE SYSTEM PROPOSAL FOR HARTLEY PARK & BEACH HOUSE**

Motion by Trustee Barnes, seconded by Trustee Fischer, for the Board of Trustees to accept the lowest proposal of \$ 12,554.80, as submitted by FSC Systems, LLC, Jamestown, NY. The security surveillance system to be installed will include materials and labor for Hartley Park’s video surveillance, the beach house access control and interior cameras.

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

**RESOLUTION #217-2022 – AUTHORIZE MID-YEAR BUDGET TRANSFER**

Motion by Trustee Jones, seconded by Trustee Troche, to authorize Village Treasurer Apryl L. Troutman to make the following mid-year budget transfer for a budget shortfall; \$ 70.00 from A-1990.40 {Contingent Account – Contractual} to A-1010.40 {Board of Trustees – Contractual}.

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

**RESOLUTION #218-2022 – AUTHORIZE USE OF FUND BALANCE**

Motion by Trustee Jones, seconded by Trustee Troche, to authorize Village Treasurer Apryl L. Troutman to use the Fund Balance to make a payment to Speno MacLeod, PLLC, Baldwinsville, N.Y., to cover half of the property tax refund for the settlement in the Chautauqua Mall assessment lawsuit.

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

**RESOLUTION #219-2022 – AUTHORIZE FORMING A SICK BANK COMMITTEE**

Motion by Trustee Troche, seconded by Trustee Barnes, authorizing Mayor Holcomb to form a “sick bank” committee for the non-union Village of Lakewood employees and add the sick time policy to the Village of Lakewood’s Personnel Policies & Procedures. The newly formed committee will consist of the Mayor, the Police Chief, DPW Supervisor, Village Clerk, Village Treasurer and a member of the CSEA.

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

**RESOLUTION #220-2022 – USE OF TIME OFF REQUEST FORMS**

Motion by Trustee Troche, seconded by Trustee Barnes, for Village of Lakewood employees to begin submitting time off request forms, when requesting any time off from work, beginning January 11, 2023. The request forms are to be submitted to the department supervisor for approval, the Village Clerk’s office is to submit the request forms to the Mayor for approval.

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

**RESOLUTION #221-2022 – APPROVE LAKEWOOD FIRE DEPARTMENT CHIEFS 2023**

Motion by Mayor Holcomb, seconded by Trustee Jones, for the Board of Trustees acting as the Board of Fire Commissioners to approve the following Lakewood Fire Department Fire Chief positions for 2023. Fire Chief: Kurt Hallberg, First Assistant Fire Chief: Steve Smouse, Second Assistant Fire Chief: Tom Allen.

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

**RESOLUTION #222-2022 – AUTHORIZE BUDGET MODIFICATION**

Motion by Trustee Barnes, seconded by Mayor Holcomb, to authorize Village Treasurer Apryl L. Troutman to make the following budget modification for the DPW’s Gasoline and Diesel Fuel; increase sales tax revenue account by \$ 10,000.00, increase A-5110.44 {Street Maintenance-Gasoline} by \$ 5,000.00 and A-5110.45 {Street Maintenance-Diesel Fuel} by \$ 5,000.00.

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

December 12, 2022 (continued)

**ANYONE TO BE HEARD**

Mr. Dave Card, 38 Chautauqua Ave., said he was at Hartley Park the other evening and indicated it was very dark, he asked if the Board of Trustee would consider having a light left on at night.

Motion by Mayor Holcomb, seconded by Trustee Jones and unanimously carried the Board adjourned at 7:40 PM.

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Mary B. Currie  
Village Clerk