

**BOARD OF TRUSTEES MEETING**  
***VILLAGE OF LAKEWOOD***  
**February 12, 2024**

The regular meeting of the Board of Trustees of the Village of Lakewood, N.Y., was held, Monday, February 12, 2024.

Present:	Randall G. Holcomb	Mayor
	Ellen E. Barnes	Trustee
	R. Richard Fischer	Trustee
	Ben Troché	Trustee
	Nancy W. Jones	Trustee
Also Present:	Apryl L. Troutman	Village Clerk/Treasurer
	Krysten Sisson	Village Deputy Clerk
	Christopher A. DePonceau	Police Chief
	Kurt Hallberg	Fire Chief
	Thomas R. Pilling	DPW Supervisor
	Jeff Swanson	Building Inspector
	Marilyn Fiore-Lehman	Village Attorney

A work session was held with no action taken.

**APPROVAL OF MINUTES**

Motion by Trustee Troché, seconded by Trustee Jones, to approve the minutes of the last meeting of the Board of Trustees held on January 22, 2023.

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

**AUDIT OF CLAIMS**

Motion by Trustee Fischer, seconded by Trustee Troché, that the claims as audited by the Auditing Committee of the abstract dated February 12, 2024, be approved and that the Clerk shall execute said abstracts and direct payment by the Deputy Treasurer.

- Abstracts (#36) Trust & Agency Fund: \$67,677.62 (checks #8149 thru #8183 )
- Abstracts (#38 & #38) General Fund: \$158,438.33, (checks #20477 thru #20526), Trust & Agency Fund: \$64,225.20 (checks #8184 thru #8214 )

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

**REPORTS**

**DPW Supervisor Thomas Pilling:**

- With budget season coming up, he asked the board to think about setting money aside for Chautauqua Ave. bricks. He stated that he can get a price from RMS for a rough estimated cost. RMS is going to check to see if the bricks have settled anymore. Mr. Pilling stated that he will work on getting with them by the end of the month to get a rough cost and then the board can decide if they want it to be put into the budget or not.
  - o Trustee Fischer asked Mr. Pilling about the cement things that surround the brick. He stated that there is 16 of them and the 13 of them are cracked or chipped.
    - Mr. Pilling stated that if they were replaced they would just crack again. He also stated that the two different types of stones are settling into each other and that eventually it will stop settling. He also mentioned that RMS has measurements and he can check with them to see if the settling has slowed down or stopped at all.
      - Trustee Fischer asked if they can just black top over it.
        - o Mr. Pilling stated that it is up to the board what they would like to do with the road.

- Mr. Pilling stated that he received a letter from a residence on Ivy St. in the village about the woolly adelgid (tree disease) that is on the trees. There is a few more spots within the village where this tree disease is located, there is one spot on West Summit and other on Terrace. The main problem is on Ivy Street, Mr. Pilling stated that it is up to the board what the next steps would be.
  - o Trustee Troche stated that the last time this issue was presented, he reached out to Forecon. He stated that they told him that this disease when treated is very expensive and isn't always effective or successful. The person that he spoke with recommended not a large treatment. He stated that this is what he reported the last time this was brought up and if the residence themselves wanted to treat, that's what they should do.
- Mr. Pilling stated that the quote they got back in 2020 to treat the trees was \$4600 and the village paid \$4000 to get them cut down. He stated that the person he talked to from Forecon said that if the disease is treated that it needs to be kept up with and there is no guarantees that it is going to work. Mr. Pilling mentioned that there is only two trees on that right-way and the rest are on private property.
  - o Trustee Troche asked Mr. Pilling what his recommendation is.
  - o Trustee Barnes stated that the property owners and the village all need to do that same thing. Mr. Pilling responded that he thinks if everyone works together, it could be cheaper. He stated that he would talk to Rich and see if there is a bulk pricing. He stated that the more they treat and the bigger the area that cheaper it will be.
    - o Trustee Barnes stated that they would need to figure out what each property owner would need to pay and how much the village would have to pay. She asked Village Attorney Lehman that if we decided to move forward with this, if a contract could be drawn up between the property owner and village. Also within the contract mention how many trees are going to be treated and how many each person is responsible.
      - Attorney Lehman stated that the trees on the private property, the owners would have to agree to this.
    - o Mayor Holcomb asked Mr. Pilling if he knew what trees were on village property and which would be the responsibility for the property owner.
      - Mr. Pilling stated yes.
    - o Trustee Barnes asked Mr. Pilling how often this will have to be treated.
      - Mr. Pilling stated that after it is treated probably every 4 to 5 years but it could also be unknown.

Mr. Pilling stated that it has been treated by a property owner once and it seemed to work for them, however it has spread across the street. He stated that he thinks it is getting spread around by the birds.

Trustee Barnes asked Mr. Pilling what the orange markers are on the pavement.

- o Village residence Tom stated that they are marked for the waterlines.

#### **Mayor Holcomb:**

- Stated that he had two complaints to report to Mr. Pilling from the same guy. The first is about the trees right across from the village building. The village resident believes that the trees are dead and that they need to be taken down. The same resident stated that there is also some dead trees at the end of Spruce St., and that they are so dead, when the wind picks up, the branches break off of them and they are landing in the road. Mayor Holcomb asked Mr. Pilling to please take a look at the trees.
  - o Mr. Pilling stated that he would make sure to take a look at them.

#### **Police Chief Chris DePonceau:**

- Between the dates of 1/22/2024 and 2/12/2024 the police department has handled 718 alarms, some of these incidences include the following:
  - o 8 alarms, 11 animal complaints, 218 area/door/business checks, 16 check the wellbeing, 14 MVAs, 92 property checks, 22 special details, 14 suspicious situations, 7 suspicious persons, 16 VT parking complaints, 49 VT stops, 34 warrants (checked & served).

### **Fire Chief Kurt Hallberg:**

- 114 alarms so far this year. He stated that everyone should have received a copy of the annual report.
  - o Mr. Fischer stated that it was wonderfully put together.
    - Chief Hallberg stated that he gave his wife the facts and she put the report together, so the credit goes to her.
- The board members should have also received the Fire Station Needs and Structural Deficiencies (please see attached document from more details). Chief Hallberg stated that he knows how the rumor mill get rolling and he would like to make the board aware of the reasons why the committee is looking to do some of these updates with the fire station as well as other properties within the village. Some of the main items are the building is 28 years old, and it needs some updating and some TLC. The Fire Department is running twice the amount of calls that they use to. From when the building was built to now there are new mandates for construction on items such as needing to be a separate locker room for gear, due to it not being allowed in the same space where people are walking and where the trucks are stored, so that's a big thing we have included there. Also, the exhaust removal system, it was brought to the Fire Hall from this building, and he doesn't know exactly how old it is but doesn't don't work anymore and they don't attach to the trucks that we have now. So that's part of what we need upgrade. Also, the upstairs where the weight/exercise room is and computer server room, the air conditioning and heat is not regulated, so it's difficult to work out in those conditions. As well as computer equipment is not be regulated by the correct temperatures. It takes kind of a beating when it's not cool. Lastly, we are not adding to the fire station to house the counties fly car. We would like to restructure so that all the EMS can be in one area. EMS is 80% of what we do. The goal is to get the supplies closer to the ambulance or at least in the same area so it is easier to restock after a call. We would also like to not have to move other vehicles to get the second ambulance out.
  - o Mayor Holcomb asked if they need the second ambulance, do they have to move other trucks to get it out?
    - Chief Hallberg stated yes that is correct.
  - o Trustee Jones stated that the sheet says "4 additional overhead doors facing east to house 2 ambulances, the county fly car and M371 pickup truck." Trustee Jones wanted to know why the county fly car is mentioned.
    - Chief Hallberg stated that housing the county fly car is going to be figured into the reconstruction. It is not for the counties benefit, it is for the benefit of the village.
  - o Trustee Jones stated that if we are housing the fly car that the county should be responsible for some kind of payment.
    - Chief Hallberg stated that the committee and himself have been discussing that and that there is going to be a meeting with the county on that matter. He also mentioned to remember that the county fly car is a huge help to our department. In the middle of the night we might not get a medic or an EMT and when that happens we have the county fly car to call on. They are a big benefit to us, but they are not the reason that we are considering this project.

### **Village Attorney Marilyn Fiore-Lehman:**

- No report

### **Village Clerk/Treasurer Apryl Troutman:**

- The village recently received its first quarter payment for the sales tax distribution from Chautauqua County, in the amount of \$255,134.20. The state is reporting a 4.2% increase in sales tax overall, and our county last quarter it was 1.8% of an increase over last year. Sales tax is still trending up to our advantage.
- Within the Clerk's office we have been busy working on upcoming events such as the 4 of July Summerfest, Farmers' Market and Live on the Lake. We have provided some information about potentially having a bounce house this year, it is one of the agenda items. We have been looking at bands for Live on the Lake. The board has also been provided information on the Farmers' Market.
  - o Mayor Holcomb asked for a little more information of the Farmers' Market and if it is going to be moved back down to CHQ Ave.
    - Mrs. Troutman stated that Taryn will be the Farmers' Market manager again this year and we meet with her last week to talk about the ins and outs of the market. We had some

discussions on moving it back down to CHQ Ave. as it was not well received at the location last year. We discussed potentially closing down the section of CHQ Ave. between Summit St. and Alta Way and if Sigel Park could be an option.

- Taryn stated that she is a little concerned with the location due to there not being a lot of shade in the area. She stated that is why she liked it a little farther down on CHQ Ave. because there are more trees. She stated that she will give the location a try but if a lot of her vendors are not liking it she is going to have to ask for it to be move down the road. She also stated that the park is a lovely area but the drop down into the park is very steep and it would be difficult for the older people and mothers with strollers to get in and out of the park.

**Village Deputy Clerk Krysten Sisson:**

- The new village website is almost ready to go live. The Clerk's office had a meeting with Jason Deering a couple weeks ago and went over everything that needed to be updated on his end and what could be done on our end. All the meeting minutes and agendas have been upload from the past years. There was a list sent over to Jason with a few last minute changes and then we should be ready to go live.
  - o Trustee Barnes asked if there was going to be a chance to review it before it went live
    - Miss. Sisson stated if she would like to review it she can.
- Miss. Sisson stated that Jason and Trustee Troche have been a huge help.
  - o Post Journal Press asked when the website is going to be up because he would like to do a story on it once it is live.
    - Trustee Troche stated that he doesn't like to give a deadline because every time we do something else comes up.

**Code Enforcement Officer Jeff Swanson:**

- He stated that he just started to go through the delinquent tax list. He stated that he has been working with someone on these properties to see what can be done with them. He also asked the village if they want to move past the \$10,000 NYSERDA Clean Energy Grant and work toward the \$40,000 grant.
  - o Mayor Holcomb said absolutely.
- He stated that he will provide more information but it is pretty much just tracking the energy bills and sending them off to NYSERDA.
- Next he mentioned that he got information back from the Village Attorney and that there is only a little bit more work on the cease and desist order. He stated that he will be finishing that up this week.
- Post Journal Press asked CEO Swanson if he has heard anything on Popeye's or Chipotle coming to Lakewood.
  - o CEO Swanson stated that he has no comment.
- CEO Swanson mentioned that he has been over to the car wash doing inspections on the concrete and the footers. He mentioned that they are working on the center section where the drainage is going to be.
  - o Trustee Troche asked when it is supposed to open.
    - CEO Swanson stated that they have not stated a timeline.

**Mayor Holcomb:**

- Stated that there are two residence that he would like us to keep in our thoughts. Dave Card is one of them, he has been in the hospital for a few weeks following a hernia surgery and has been having some complications from it. The other person is Dwayne Anderson, he fell and broke his hip. Dwayne is now in a rehab center working toward recovery. He was a former trustee of ours. Please keep both of these individuals on your thoughts.

**Old Business**

**Discuss the 394 Sidewalk Project**

Trustee Fischer stated that there is nothing more to discuss because the state as already applied for the grant and we are just going to have to see where things go from here.

- Mayor Holcomb asked if the grant was for both sides of the road or if it was just for the one.
  - o Trustee Fischer stated that he was not sure.
- Trustee Barnes stated that application was turned in on the 9<sup>th</sup> of January.
- Mayor Holcomb asked Trustee Fischer to keep us updated on the project.

**New Business**

**RESOLUTION #26-2024 –APPROVE THE AGREEMENT BETWEEN THE VILLAGE OF LAKEWOOD AND CHAUTAUQUA REGION ECONOMIC DEVELOPMENT CORPORATION**

Motion by Trustee Troché, seconded by Trustee Fischer, to approve the agreement between the Village of Lakewood and Chautauqua Region Economic Development Corporation and authorize Mayor Randall G Holcomb to sign.

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

- Trustee Jones asked if this was just to complete the study.
  - o Mrs. Troutman stated that the goal of this grant is to get a plan in place and come up with a design to complete the work later on.
    - Trustee Barnes asked if we are going to get a grant to do the work in the future.
      - Mrs. Troutman stated that is the plan.

**RESOLUTION #27-2024 –AUTHORIZE THE VILLAGE CLERK TO ADVERTISE FOR BIDS**

Motion by Trustee Fischer, seconded by Trustee Jones, to authorize the Village Clerk to advertise for bids regarding the Village of Lakewood’s weekly collection & disposal of household garbage and recyclables. The current 3 year contract with Beichner Waste Services, Sinclairville, NY, expires May 31, 2024.

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

- Mayor Holcomb asked if this could be placed on social media as well.

**RESOLUTION #28-2024 –APPROVE THE DATES, TIME AND LOCATION FOR THE 2024 FARMERS’ AND ARTISANS’ MARKET.**

Motion by Trustee Barnes, seconded by Trustee Jones, to approve the dates, time and location for the 2024 Farmers’ and Artisans’ Market.

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

- Trustee Fischer asked if we were going to go with the location on the paper or if we were going to consider a different location.
  - o Deputy Clerk Krysten stated that we are going to attempt the suggested location and change in the future if needed.

**RESOLUTION #29-2024 –APPROVE TO SCHEDULE FIRE GUYS BOUNCE HOUSE & PARTY RENTALS FOR THE 4TH OF JULY SUMMERFEST.**

Motion by Trustee Troché, seconded by Trustee Barnes, approve to schedule Fire Guys Bounce House & Party Rentals for the 4th of July Summerfest at the cost of \$1000.

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

- Mrs. Troutman stated that she provided their insurance to our insurance copy and all we have to do is fill out an events form for the day. She stated that this is something new with the new insurance company.

**RESOLUTION #30-2024- AUTHORIZE THE VILLAGE CLERK/TREASURER TO MAKE THE FOLLOWING MID-YEAR BUDGET MODIFICATIONS FOR BUDGET SHORTFALLS**

Motion by Trustee Fischer, seconded by Trustee Jones, to authorize the Village Clerk/Treasurer to make the following mid-year budget modifications for budget shortfalls:

- a) Decrease expenditure account A9060.80 {Hospital & Medical Insurance} by \$15,200 and increase expenditure account A9060.81 {Insurance Buy-Outs} by \$15,200
- b) Increase revenue accounts A101120.00 {Non-Property Tax Distribution by County} by \$15,000, increase expenditure accounts A1910.40 {Unallocated Insurance - Contractual} by \$2,750, A3120.11 {Police-Salaries-Overtime} by \$10,300 and A4540.20 {EMS Equipment} by \$1,950

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

**RESOLUTION #31-2024- AUTHORIZE THE BOARD OF TRUSTEES OF THE VILLAGE OF LAKEWOOD TO ASSEMBLE A NEW SUB-COMMITTEE FROM THE PUBLIC SAFETY COMMITTEE**

Motion by Trustee Fischer, seconded by Trustee Troché, to authorize the Board of Trustees of the Village of Lakewood to assemble a new sub-committee from the Public Safety Committee, made up of elected officials from the Village of Lakewood and the Town of Busti, pertinent department heads, and a sergeant appointed by the Chief of Police. This committee will be known as the LBPD Task Force.

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

**RESOLUTION #32-2024-APPOINT MEMBERS TO THE LBPD TASK FORCE**

Motion by Trustee Fischer, seconded by Trustee Jones, to appoint Deputy Mayor Troche, Trustee Barnes, Chief DePonceau, and a sergeant appointed by the Chief of Police to the newly formed LBPD task force in which Clerk/Treasurer Apryl Troutman will act as Clerk.

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

Mr. Pilling asked where the board is at with the Personal Police and Procedures.

- Trustee Troche stated that they were submitted to the Board at the beginning of the week, once he hears back from them they will be sent to the attorney for approval. Once they come back he stated he would be more than happy to sit down and discuss them.

**ANYONE TO BE HEARD**

**EXECUTIVE SESSION**

**REGULAR MEETING (Adjournment)**

Motion by Trustee Troché, seconded by Trustee Barnes, and unanimously carried to adjourn the regular meeting of the Board of Trustees at 7:21 PM.

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

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Krysten G. Sisson  
Village Deputy Clerk