

**BOARD OF TRUSTEES MEETING
VILLAGE OF LAKEWOOD
April 13th, 2026**

The seventh meeting of the Board of Trustees of the Village of Lakewood, N.Y., was held,
Monday, April 13th, 2026, 6:30 P.M

Present:	Randall G. Holcomb	Mayor
	Ben J. Troché	Deputy Mayor/Trustee
	Ellen E. Barnes	Trustee
	John L. Shedd	Trustee
	Scott A. Cooper	Trustee
Also Present:	Apryl Troutman	Village Clerk/Treasurer
	Shaunah Pilling	Deputy Clerk
	Kimberly Fairbanks	Deputy Treasurer
	Matthew Bentley	Police Chief
	Kurt Hallberg	Fire Chief
	John C. Certo	DPW Supervisor
Absent:	Marilyn Fiore-Lehman	Village Attorney
	Jeff Swanson	Code Enforcement Officer

A Budget work session was held at 5:45pm

Mayor Holcomb opened the regular meeting at 6:35pm. The Board or Trustees finished their discussion on the budget.

Motion by Trustee Shedd, seconded by Trustee Barnes to recess the regular meeting to go into the Public Hearing for the Proposed Village of Lakewood Tentative Budget for the fiscal year, 06/01/2026 – 05/31/2027 at 6:45pm.

Adopted: 4 ayes, no nays (Barnes, Cooper, Troché, Shedd).

PUBLIC HEARING – 6:45PM

Proposed Village of Lakewood Tentative Budget for the fiscal year, 06/01/2026 – 05/31/2027

Mayor Holcomb opened the Public Hearing at 6:45pm for anyone to be heard.

Rich Fischer, 43 West Fairmount Ave, stated that the tax rate of \$6.46 is misleading. He believes it is double that because when using assessments from last year and what the taxes are this year, it makes it the highest tax rate the Village has ever seen. This is not affordable for families on fixed incomes. He questioned what the Board will actually cut off the tentative budget and how much it will actually impact the tax rate.

Carole Jones, 144 West Summit, questioned the Clerk and Treasurers salaries, asking if this included employee benefits and why the increase each year.

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- **Trustee Troché** stated they would be having an executive session later that evening to discuss salaries in detail. Last year's salary changes were corrective due to being behind. In his opinion salaries cannot stay where they are proposed currently.
- **Clerk/Treasurer Troutman** clarified some of the salary questions. Both the Clerk and Treasurer salaries proposed amounts are the sum of one full time employee's salary and half of another. She is the Clerk/Treasurer. There is also a Deputy Clerk and a Deputy Treasurer.

Ms. Jones asked if she was correct or incorrect in the Highway Department increase under Flood and Erosion control over \$300,000.

- **DPW Supervisor Certo** stated this is their CHIPS funds and leftover Covid funds.

Ms. Jones stated as a lakefront owner their assessments have doubled or tripled and with the tax rate where it is their future tax bill will have doubled. She agreed with Mr. Fischer that it is unsustainable.

- **Trustee Troché** understands that the assessments are nasty, but that's on the Town of Busti. The Board has a lot of proposals and work to do on this budget, but that is the point of the work session and public hearing. This budget has only gone up \$51,000 in total expenditures compared to last year.

Ms. Jones said the Village isn't using the fund balance to reduce it, the residents are paying for it. In terms of fiscal responsibility, the Board needs to make tough decisions. She brought up consolidation.

- **Trustee Barnes** stated consolidation doesn't always save money, it has to be done correctly if it is going to save money and that is where having studies done comes in.

Motion by Trustee Shedd, seconded by Trustee Barnes to adjourn the Public Hearing for the Proposed Village of Lakewood Tentative Budget for the fiscal year, 06/01/2026 – 05/31/2027 at 6:45pm.

Adopted: 4 ayes, no nays (Barnes, Cooper, Troché, Shedd).

APPROVAL OF MINUTES

Motion by Trustee Barnes, seconded by Trustee Cooper, to approve the minutes of the last meeting of the Board of Trustees held on March 23rd, 2026, with one correction on the adjournment.

Adopted: 4 ayes, no nays (Barnes, Cooper, Troché, Shedd)

AUDIT OF CLAIMS

Motion by Trustee Shedd, seconded by Trustee Barnes, that the claims as audited by the Auditing Committee of the abstract dated April 13th, 2026 be approved and that the Clerk Department shall execute said abstract and direct payment by the Treasurer Department.

- Abstracts (#46 & #46)
 - o General Fund: \$53348.89 (checks #10148 thru #10183), Replacement Check due to Direct Deposit Error \$183.51 check #10184 & \$545 check #10185
 - o T&A Fund: \$83,338.77 (checks #22451 thru #22498)
 - VOIDED CHECKS:

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- #22477 – M&T Bank, ACH Payment
- #22478 – National Grid, ACH Payment
- #22496 – Windstream, ACH Payment

Adopted: 4 ayes, no nays (Barnes, Cooper, Troché, Shedd)

REPORTS

DPW Supervisor John C. Certo:

The Crew has been out fixing plow damage and cleaning up the parks. They spent a day sweeping Route 394 for the State from LUV Toyota to Southwestern Drive and back up the other side. In the next few weeks, they plan on fixing potholes on the roads as long as the weather cooperates.

Brush Pickup will be May 4th.

The DPW would also like to co-purchase a patch buggy with the Town of Busti at the cost of \$5000 each. This would make patching pot holes much more efficient.

Police Chief Matthew Bentley:

Since the last meeting, the LBPD has handled 794 calls. Year to date total they are at 3868 calls. The department finished their first biannual training for the year in March. Officer Swan and K9 Kor are now certified in human tracking.

- **Trustee Shedd** asked if there were any updates with Mr. Emerson's missing person's case.

Chief Bentley said there is nothing new, they have had no new updates from the Sheriff's Department.

Fire Chief Kurt Hallberg:

312 Alarms so far this year. On May 20th Southwestern will be hosting the mock DWI program that the LFD will be participating in.

On April 28th some of the LFD members will be heading down to the Sutphen Fire plant in Lake Aerial, PA. It will be a one-day trip.

Code Enforcement Officer Jeff Swanson:

Absent – No report.

Village Attorney Lehman:

Absent - No report.

Clerk/Treasurer Apryl Troutman:

No report.

COMMITTEES

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Trustee Barnes gave a report on the wetland's lawsuits. She thanked the Board and Mayor Holcomb for their wiliness to support the lawsuits. Trustee Barnes' report is as follows:

"On April 8, 2026, an Albany judge "ordered, adjudged and declared"

- "that regulation promulgated as 6 NYCRR part 664"

- "are annulled in their entirety"

- "for non-compliance with SEQRA"

- "and such regulation are null and void

In April 2025 two Chautauqua Lake organizations, the Chautauqua Lake Partnership and the Chautauqua Lake Property Owners Association filed Article 78 suits challenging the governments administrative actions pertaining to the 2022 Amendment to the 1975 Freshwater Wetlands Act. The suits demanded "A Judgement and Order of the Court...annulling, vacating, and setting aside...the 2022 amendments to the Freshwater Wetland Act (Part QQ) and...the amendments to 6NYCRR Part 664" (the new wetlands regulations).

Petitioners include the CLPOA, Town of Ellery, Builders Exchange of the Southern Tier, Bemus Point Business Association.

Plaintiff organizations identified several causes of action. CLPOA causes of action included State Administrative Procedure Act (SAPA) Noncompliance. The CLP causes of action included SEQRA and SAPA Noncompliance. Lawsuit supportive amicus briefs/affidavits were filed by several individuals on behalf of organizations, municipalities and by government and former government officials. Mayor Holcomb submitted an amicus brief in support of the lawsuit on behalf of the Village of Lakewood.

The CLPOA and CLP lawsuits were consolidated with other plaintiff lawsuits from across the state, including the NFIB (National Federation of Independent Business), Business Council of NYS, NYS Economic Development Council, NYS Builders Association, NYS Association of Realtors and National Waste and recycling Association, several home builders/developers, Village of Kiryas Joes, Town of Palm Tree.

Oral arguments were heard by Judge Slotkin in Albany on January 30, 2026. Plaintiffs' presentations were divided among three attorneys: CLP, CLPOA and NYS Business Group/Village of Kiryas Joel. In April 2026, Albany County Supreme Court Justice Platkin struck down the new wetlands regulations in their entirety and they are now "null and void".

The Judge's ruling was on one cause of action – the DEC's failure to comply with SEQRA, the State Environmental Quality Review Act. Stating the DEC ignored and failed to evaluate many foreseeable consequences of the regulation which many of those who commented on the regulations had flagged.

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All regulation provisions: the classification system, the 100 ft. adjacent area, the area of unusual importance criteria, etc are now “null and void”

At this time, where do we stand:

- The new regulations are void, but the legislation, 2022 amended Freshwater Wetlands Act remains
- Pending projects must be reassessed
- JD uncertain at this time
- What will the DEC will do – appeal? Make new regs with appropriate SEQRA review? Or something else?

Those with active JDs or active permits should seek out legal counsel.

As an aside, the Village must go through the SEQRA process for every law we enact. SEQRA requires agencies to identify and assess potential environmental impacts during the planning process. Ensuring the environmental factors are weighed equally with social and economic considerations.

SEQRA review ensures that agencies:

- Consider impacts on land, water, air, traffic, community character, historic resources, human health, and more
- Evaluate cumulative impacts (not just isolated pieces of a project)
- Avoid improper segmentation of projects
- Use standardized Environmental Assessment Forms (EAFs)
- Prepare an Environmental Impact Statement (EIS) when significant impacts may occur.”

OLD BUSINESS

Discussion on the Revised Fee Schedule

Trustee Troché submitted a revised fee schedule for the Board to consider. He was not expecting a vote tonight, but with the Board having a few weeks to review it, he was hoping to get it moving along with the hope of it passing for the next fiscal year. The revisions were done with the help of each department head and Trustee Cooper, with the exception of CEO Swanson. The Fire Inspector did send them some suggestions as well. Trustee Troché compared 8 neighboring municipalities fee schedules to compose the proposed schedule before them. There

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are many services the Village does for free that maybe the Board could try and get back some of the revenue. As the whole Board discussed in the Budget work session, the expenditures continue to rise then things have to be cut and this could offset a lot to help lower the tax rate.

- **Trustee Barnes** asked about the public hearing fee of \$100.

Trustee Troché explained that the public hearing fee is related to Zoning in particular because when people request to come in front of the Zoning board, it helps offset the legal costs associated with processing that, as well as Post-Journal Notices and mailings. Trustee Troché explained further on some of the line items he has proposed to the Board, a majority of the fee schedule is to offset the cost of processing, maintenance of properties, and the resources managing certain permits. A majority of the current fee schedule is at a very low cost per service, this proposed schedule will help fix that and take some of the cost off the Village Taxpayer.

- **Trustee Barnes** asked Chief Bentley what they currently charge for.
- **Chief Bentley** said for example impounded vehicles have a current charge of \$20 per day, which hasn't been updated in the last 30 years. They charge \$7 per police report, the proposed schedule ups the fee to \$10.
- **Trustee Barnes** asked if the department charges an impound fee if they can find the owner of the vehicle.
- **Chief Bentley** said yes, most of these vehicles are in there for a purpose and the owners want them back. In the case they don't come, then he believes they would keep it impounded and eventually request a title for it.

Trustee Troché asked to have the fee schedule on the next meeting's agenda to vote on.

NEW BUSINESS

Resolution #36-2026 authorize the 2026 July 4th Celebration

Motion by Trustee Barnes, seconded by Trustee Troché to authorize the 2026 July 4th Celebration as follows:

- i. Saturday July 4th, 2026 (rain date Sunday July 5th, 2026)
- ii. Fireworks display by Zambelli - \$27,000
- iii. Music provided by Ion Sky - \$1,750
- iv. Bounce Houses provided by Fire Guys Rentals - \$1,200
- v. Vendors along Chautauqua Ave

Adopted: 4 ayes, no nays (Barnes, Cooper, Troché, Shedd)

Resolution #37-2026 approve the 2026 LAROW dock permit applications

Motion by Trustee Barnes, seconded by Trustee Troché to authorize the following LAROW dock permits:

- i. Costanzo – 138 E Terrace Ave – Oakland Ave LAROW
- ii. Johnson – 26 Harlem Ave – Harlem Ave LAROW

Adopted: 4 ayes, no nays (Barnes, Cooper, Troché, Shedd)

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Resolution 38-2026 authorize the following budget transfers

Motion by Trustee Cooper, seconded by Trustee Barnes to authorize the following budget transfers:

- i. \$1,000 from A1680.40 {Central Data Processing} to A1650.40 {Central Communication System}
- ii. \$344.92 from A5142.10 {Snow Removal – Salaries} to A5142.11 {Snow Removal – Salaries OT}

Adopted: 4 ayes, no nays (Barnes, Cooper, Troché, Shedd)

Resolution 39-2026 authorize the use of \$8,275 from A 878.30, Capital Reserve – Police Equipment

Motion by Trustee Barnes, seconded by Trustee Shedd to authorize the use of \$8,275 from A 878.30, Capital Reserve – Police Equipment to purchase five (5) new RADAR units from Decatur.

Adopted: 4 ayes, no nays (Barnes, Cooper, Troché, Shedd)

Resolution 40-2026 authorize the Lakewood Fire Department to use Car 371 and M371 for travel to Lake Aerial, PA on April 28th, 2026

Motion by Trustee Barnes, seconded by Trustee Shedd to authorize the Lakewood Fire Department to use Car 371 and M371 for travel to Lake Aerial, PA on April 28th, 2026 to inspect the new engine 372 at the factory. They will be reimbursed any legal expenses along the way.

Adopted: 4 ayes, no nays (Barnes, Cooper, Troché, Shedd)

Trustee Troché asked how many members are going to the inspection and if two vehicles are necessary for travel.

Chief Hallberg said so far there are 5 members and they will only take what is needed for travel.

Resolution 41-2026 approve the Special Music Permit Application as submitted by Group Ther-Happy, 103 Chautauqua Ave – Memorial Day through Labor Day weekend

Motion by Trustee Troché, seconded by Trustee Barnes to approve the special music permit application as submitted by Group Ther-Happy, 103 Chautauqua Ave, requesting outside music on Sunday afternoons from Memorial Day through Labor Day weekend from 5pm-8pm.

Adopted: 4 ayes, no nays (Barnes, Cooper, Troché, Shedd)

Resolution 42-2026 approve the Special Music Permit Application as submitted by Group Ther-Happy, 103 Chautauqua Ave – July 4th

Motion by Trustee Troché, seconded by Trustee Shedd to approve the special music permit application as submitted by Group Ther-Happy, 103 Chautauqua Ave, requesting outside music on the Fourth of July from 1pm-9pm.

Adopted: 4 ayes, no nays (Barnes, Cooper, Troché, Shedd)

Resolution 43-2026 approve the Special Music Permit Application as submitted by Group Ther-Happy, 103 Chautauqua Ave – August 2nd

Motion by Trustee Troché, seconded by Trustee Shedd to approve the special music permit application as submitted by Group Ther-Happy, 103 Chautauqua Ave, requesting outside music on the August 2nd from 1pm-8pm (amended from permit application).

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Adopted: 4 ayes, no nays (Barnes, Cooper, Troché, Shedd)

Resolution 44-2026 to accept the addition of two new active members to the Lakewood Fire Department and one resignation from the Lakewood Fire Department

Motion by Trustee Shedd, seconded by Trustee Barnes to accept the addition of two new active members of the Lakewood Fire Department:

- 1) Sarah Saullo, 3681 Nutt Road, Jamestown NY
- 2) Ethan Johnson, 13 Stoneman Ave, Lakewood NY

And accept the resignation of Lakewood Fire Department member Hannah Dearman, 2091 Ridge Road, Lakewood NY.

Adopted: 4 ayes, no nays (Barnes, Cooper, Troché, Shedd)

ANYONE TO BE HEARD

RECESS

Motion by Trustee Barnes, seconded by Trustee Shedd, to recess the regular meeting of the Board of Trustees at 7:32 PM, to enter into executive session to discuss personnel matters.

EXECUTIVE SESSION

Present at the first part of the executive session, were Mayor Holcomb, Trustees Barnes, Cooper, Troché and Shedd. As well as Clerk/Treasurer Apryl Troutman, and DPW Supervisor Certo.

Present at the second part of the executive session were Mayor Holcomb, Trustees Barnes, Cooper, Troché and Shedd. Motion by Trustee Cooper, seconded by Trustee Barnes to adjourn the executive session at 8:20pm.

REGULAR MEETING (Adjournment)

Motion by Trustee Barnes, seconded by Trustee Troché and unanimously carried to adjourn the regular Board of Trustees meeting at 8:21PM.

Adopted: 4 ayes, no nays (Barnes, Cooper, Troché, Shedd)

Shaunah Pilling

Deputy Clerk