

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

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

Present:	Randall G. Holcomb	Mayor
	Ben J. Troché	Deputy Mayor/Trustee
	Ellen E. Barnes	Trustee
	Scott A. Cooper	Trustee
	John L. Shedd	Trustee

Also Present:	Apryl Troutman	Village Clerk/Treasurer
	Shaunah Pilling	Deputy Clerk
	Kurt Hallberg	Fire Chief
	John C. Certo	DPW Supervisor
	Matthew Bentley	Police Chief
	Jeff Swanson	Code Enforcement Officer
	Marilyn Fiore-Lehman	Village Attorney

A work session was held discussing Fall Fest with Taryn Wilson-Wheatley

APPROVAL OF MINUTES

Motion by Trustee Troché, seconded by Trustee Barnes, to approve the minutes of the last meeting of the Board of Trustees held on June 22nd, 2026.

Adopted: 3 ayes, no nays (Barnes, Cooper, Troché) 1 abstain (Shedd)

AUDIT OF CLAIMS

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

- Abstracts (#4 & #6)
 - T&A Fund: Abstract #4 \$50,293.98 (checks #10396 thru #10433)
 - T&A Fund: Abstract #6 \$61,990.85 (checks #10434 thru #10474)
 - General Fund: Abstract #6 Month End \$30,595.56 (checks #22703 thru #22706)
 - VOIDED CHECKS:
 - #22706 – Windstream, ACH to vendor
 - General Fund: Abstract #6 \$158,142.82 (checks #22707 thru #22748)
 - VOIDED CHECKS:
 - #22734 – National Grid, ACH to vendor

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

REPORTS

DPW Supervisor John C. Certo:

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The DPW crew set up and cleaned up from the Fourth of July and Rock the Lake. The opening concert went well. Cross pipes are being installed on Cherry Lane, Crawford Lane, and Lake Street.

The full-time new hire, Leo Kavic, started this last week and is doing a great job so far.

Police Chief Bentley:

Since the last meeting the LBPD has had 780 calls. Everyone available worked on the Fourth of July and there were no major incidents. As of July 6th, Officer Tyler Conlan has resigned, Chief Bentley wishes him the best.

The discovery grant money has come in, and the Board will later have a resolution on that. The award was \$31,000 and it's going to go towards additional infrastructure and technology upgrades in the police department. Also, the New York State Law Enforcement Technology Grant came out this past Monday, and Chief Bentley is going to be applying for that. We're looking at getting a brand-new speed trailer that will have a message board on it. We're looking into a drone, and then intersection cameras at Fairmont and Fairdale. The Department has been having a lot of issues there, obviously because of Walmart with the shoplifting, but also accidents and just traffic going up and down 394.

Fire Chief Hallberg:

578 alarms this year so far. They had 8 calls on the Fourth of July. One of which was a brush fire at the beach from the fireworks. Chief Hallberg recommended that adjustments be made in the future for fireworks, like looking into a barge or something.

Engine 372 is in and they will be working on those the next three drills so hopefully by the end of the month that will be in service.

Code Enforcement Officer Swanson:

CEO Swanson stated he had left photos at each of the Board members seats as well as emailed everyone concerning a complaint he received about trees and brush being cut down on Gifford Ave. DPW Supervisor Certo and I went down and looked at the property which was believed to be Village property. After speaking with the Mayor and some of the Board members they scheduled a survey that did confirm the property is the Villages. CEO Swanson is asking the Board what they want the next steps to be as they are in charge of all the Village properties. He also stated a tenant of the apartments on Gifford had the trees removed.

Another issue he found was that there is a shed on the Village property. He has already spoken to the owner of that and explained they need to apply for a building permit and area variance.

- **Trustee Barnes** stated she had done some of her own digging and found it is illegal to cut down trees on other people's property if they are not the owner. It is also a criminal matter with the destruction of trees. This also could make it a civil matter, giving the Board three different ways to go about this. Years ago, something similar happened in which there was no follow up by the Board at the time.
- **Mayor Holcomb** asked CEO Swanson if he had any suggestions as to what should be done at this property.

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CEO Swanson believes that because of the way the property sits that the property owner should have to remove all the roots and stumps as it is a safety hazard. There is also an older break wall that could be fixed, but they are never going to get back the tree line that created the privacy the neighborhood had for many years. The property owner could also work with the Zoning Board of Appeals to figure out a fence for that area to give the surrounding properties some of their privacy back.

- **Trustee Barnes** stated they would have to prove that the tenant was given permission by the property owner to move forward with them.
- **Attorney Lehman** stated that the property owner is responsible either way because it was his tenant that had the trees cut down. All zoning laws revert back to the property owner, making the property owner responsible for what the tenant does. The property owner then can go after the tenant for reimbursement. She also asked are these trees that someone had planted or just weeds that turned into trees.
- **CEO Swanson** said according to the complainant, her dad and the neighbor had gotten permission years ago to plant the trees along the boundary on the Village property.

Trustee Shedd asked if there was any indication of whether or not they knew where the property line was before cutting the trees.

- **CEO Swanson** does not believe that they ever checked. He did find a stake on the very southwest side that he assumed was a property boundary but was unsure so that is why he had requested to have it surveyed.
- **Trustee Shedd** asked Attorney Lehman what the penalty could be.
- **Attorney Lehman** stated there could be a civil penalty if the neighbor can prove that someone invested money into those trees, by taking them to small claims court or they could establish that there was a value to the foliage that was cut down. They could ask the police to file criminal charges based on the value of what was cut down.
- **Trustee Barnes** asked if the Village needs to be the complainant.
- **Trustee Troché** asked if the Board can make the property owners put up a fence.
- **Attorney Lehman** doesn't believe the Board can make them put up a fence, but the Board can ask them to replace what they cut down by giving them options.
- **Trustee Barnes** asked if anyone knows what kind of trees were cut down and if they have any value.
- **DPW Supervisor Certo** was unsure.
- **Trustee Barnes** asked Chief Bentley if he could look up the environmental law part of this conflict.
- **Trustee Shedd** stated replacing the trees makes absolute sense. But, his one question was there any value to the Village of those trees being there? Someone else had to ask to plant the trees there, therefore the Village probably would have never been involved with planting anything there. He does not see any harm to the Village other than the precedent that it would set allowing someone to cut trees down on Village property elsewhere. He believes there should be some sort of penalty in addition to the replanting, to set a precedent that no individual can just cut down a Village tree without permission.

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- **Trustee Cooper** stated that the safety aspect is really important in this situation as they do not want anyone to get hurt, the Village could also be liable. He asked Village Attorney Lehman if they should hire a contractor to fix this or have the property owner whose tenant had the trees cut down, hire someone.
- **Village Attorney Lehman** recommended they have the property owner hire someone and be in contact with DPW Supervisor Certo for it to be done properly.

Village Attorney Lehman:

Village Attorney Lehman has been in contact with Trustee Barnes regarding battery energy storage systems (BESS). Mrs. Lehman's role in the Town of Ellicott has gained her some experience with this subject, so she will be sharing some drafts of different options of potential legislation in the next week so it can be discussed at the next meeting.

- **Trustee Shedd** asked if this for a moratorium.
- **Village Attorney Lehman** stated yes and no. There is a draft moratorium against all of them. Another draft gives opportunities for entities that come in and have smaller battery energy storage systems, so there is a consideration because there is a difference between larger and smaller ones. Many municipalities have handled it differently depending on where they are located and what they want to do within their own areas. She would like the Board to look through all the options and discuss at the next meeting.
- **CEO Swanson** asked if this will address data centers.
- **Village Attorney Lehman** stated she will look into them as well.

Clerk/Treasurer Troutman:

No report.

Mayors Report:

Zoning Board member, Jack McCray, has given his resignation which was effective immediately. The Zoning Board of Appeals is now looking for a new member to keep their board at five members. If anyone is interested, please reach out to the Clerk/Treasurers office, the Zoning Board, or the Board of Trustees.

COMMITTEE REPORTS

Trustee Troché and Trustee Barnes met with the Fire Department and Fire Company to discuss EMS billing. It was a good meeting, they figured they are where they have to be right now, which is a little less than last year but that is because of the use of CCMS so often. He does want to move forward with a resolution by next meeting to send a letter to County Legislator, County Executive, and the chairman urging Ambulance 73 to be 24/7 because it is very needed across the third battalion.

Next, the Clerk's office forwarded Trustee Cooper and himself a travel policy. By law, the Village is supposed to have a travel and conference policy, in which we do not currently. This policy is almost done so it will be dispersed when it is.

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Lastly, he did send out a summary of the personnel meeting he and Trustee Shedd were involved in last month. Any discussion on that can be brought up in the executive session.

OLD BUSINESS

NEW BUSINESS

RESOLUTION #83-2026 – Authorize 2026 Fall Fest on October 3rd, 2026

Motion by Trustee Troche, seconded by Trustee Barnes to authorize the 2026 Fall Fest on October 3rd, 2026 with the amendment that the fee be \$50 per vendor and \$30 for non-profits.
Adopted: 4 ayes, no nays (Barnes, Cooper, Shedd, Troché)

RESOLUTION #84-2026 - Authorize the Following Capital Reserve Transfers for the 2025/26 Budget

Motion by Trustee Cooper, seconded by Trustee Barnes to authorize the following capital reserve transfers for the 2025/26 budget:

- i. \$15,000 from A 1620.40 Buildings Contractual to A 878.40 Capital Reserve - Building Repairs
- ii. \$10,000 from A 5110.40 Street Maintenance Contractual to A 878.10 Capital Reserve - DPW Equipment
- iii. \$5,000 from A3120.20 Police Equipment, \$1,000 from Police – Contractual and \$6,500 from A3120.43 Police - Vehicle Maintenance to A878.30 Capital Reserve - Police Equipment
- iv. \$1,800 from LFD - Equipment, \$6,600 from A3410.43 LFD - Equipment Maintenance/Testing, \$1,600 from LFD - Gasoline, \$1,500 from A3410.47 Water Fees and \$12,500 from A3410.48 Uniforms/Fire Gear to A878.40 Capital Reserve – LFD Equipment

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

Clerk/Treasurer Troutman stated this relates to the previous year's budget, which was 2025/26. These are funds that were left in the department's budget, it was remaining funds unexpended, so it will go into those departments' reserve accounts for equipment in the future. She is still working on closing out the fiscal year, once this is approved, she can move forward. And there will be a positive increase to the fund balance.

RESOLUTION #85-2026 - Authorize the Following Fund Transfer from Farmers Market Fund to Parks - Contractual

Motion by Trustee Barnes, seconded by Trustee Cooper to authorize the following fund transfer of \$125 from T1093.15 Farmers Market Fund to A7110.40 Parks – Contractual.

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

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RESOLUTION #86-2026 – Accept the Criminal Justice Discovery Funding and Authorize Mayor Holcomb to Sign the Agreement

Motion by Trustee Troché, seconded by Trustee Barnes to accept the criminal justice discovery funding and authorize Mayor Holcomb to sign the agreement between the Village of Lakewood and Chautauqua County; the County will reimburse the Village up to the \$31,000.

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

RESOLUTION #87-2026 – Authorize the Distribution of Chautauqua Lake Management Funds - \$5,000

Motion by Trustee Barnes, seconded by Trustee Troché to authorize the distribution of Chautauqua Lake Management Funds - \$5,000 as follows:

- i. 2026/27 Contribution Amounts
 - Chautauqua Lake Association - \$2,000
 - Chautauqua Lake Partnership - \$2,000
 - Everwild Land Trust (Chautauqua Lake Watershed) - \$1,000

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

RESOLUTION #88-2026 – Accept the Resignation of Lakewood-Busti Police Officer

Motion by Trustee Troché, seconded by Trustee Barnes to accept the resignation of Lakewood-Busti Police Officer, Tyler Conlan, effective July 6th, 2026.

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

RESOLUTION #89-2026 – Authorize Deputy Clerk Pilling and Deputy Treasurer Fairbanks to attend the 2026 NYCOM Fall Training School

Motion by Trustee Barnes, seconded by Trustee Shedd to authorize Deputy Clerk Pilling and Deputy Treasurer Fairbanks to attend the 2026 NYCOM Fall Training School in Saratoga Springs, NY scheduled for September 14-18. Mrs. Pilling and Mrs. Fairbanks will be reimbursed for any and all authorized expenses incurred.

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

ANYONE TO BE HEARD

Candance Flanders, 96 Fairmount Ave, thanked the DPW for all they did with the clean up of trees and shrubbery at Community Park.

Jay Young, from the Chautauqua Lake and Watershed Management Alliance, gave an update for the Fairmount Ave Project that construction should begin later this week.

RECESS REGULAR MEETING

Motion by Trustee Troché, seconded Trustee Barnes to recess the regular meeting at 7:12PM to enter into an executive session regarding DPW personnel matters.

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

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EXECUTIVE SESSION

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

EXECUTIVE SESSION (Adjournment)

Motion by Trustee Shedd, seconded by Trustee Barnes, and unanimously carried to adjourn the executive session and re-open the regular meeting of the Board of Trustees at 8:01pm.
Adopted: 4 ayes, no nays (Barnes, Cooper, Shedd, Troché)

REGULAR MEETING (Adjournment)

Motion by Trustee Shedd, seconded by Trustee Barnes and unanimously carried to adjourn the regular Board of Trustees meeting at 8:01pm.
Adopted: 4 ayes, no nays (Barnes, Cooper, Shedd, Troché)

Shaunah Pilling

Deputy Clerk