BOARD OF TRUSTEES MEETING
VILLAGE OF LAKEWOOD
September 28th, 2026

The sixteenth meeting of the Board of Trustees of the Village of Lakewood, N.Y., was held, Monday, September 28th, 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
	Jeff Swanson	Code Enforcement Officer
	Matthew Bentley	Police Chief
	Marilyn Fiore-Lehman	Village Attorney

A work session was held with an update from Trustee Cooper about the Chautauqua Avenue Parklet project, a presentation from Randall Perry about the Fairmount Avenue Triangle Stormwater Basin Improvements, and a DPW Employee Policy from Trustee Troché.

APPROVAL OF MINUTES

Motion by Trustee Shedd, seconded by Trustee Troché, to approve the minutes of the last meeting of the Board of Trustees held on August 24th, 2026.
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 abstracts dated August 31st, 2026, September 14th, 2026 and September 28th, 2026 be approved and that the Clerk Department shall execute said abstract and direct payment by the Treasurer Department.

Abstracts (#12 & #12) Month End

- T&A Fund: Abstract #12 $59,739.94 (checks #10559 thru #10602)
- General Fund: Abstract #12 $93,123.33 (checks #22811 thru #22845)
  - VOIDED CHECKS:
    - #22828 – M&T Bank, ACH to vendor
    - #22829 – National Grid, ACH to vendor
    - #22843 – Windstream, ACH to vendor

Abstracts (#14 & #14)

- T&A Fund: Abstract #14 $48,776.97 (checks #10603 thru #10638)
- General Fund: Abstract #14 $163,708 (checks #22846 thru #22890)
  - VOIDED CHECKS:
    - #22873 – M&T Bank, ACH to vendor

- #22874 – National Grid, ACH to vendor
- #22889 – Windstream, ACH to vendor

2. Abstracts (#16 & #16)
    - T&A Fund: Abstract #16 $53,428.98 (checks #10639 thru #10676)
    - General Fund: Abstract #16 $90,871.88 (checks #22891 thru #22926)
        - VOIDED CHECKS:
            - #22912 – National Grid, ACH to vendor
            - #22925 – Windstream, ACH to vendor

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

REPORTS

DPW Supervisor John C. Certo:
The DPW would like to thank Linda and Christine Swanson for volunteering their time to clean out the flower beds on Chautauqua Avenue. It was very appreciated. The crew has been out working on sidewalks and patching what they can before winter.
Stonehill Homes asked DPW Supervisor Certo about placing some paver stones between the curb and sidewalk on Chautauqua Avenue and he let Stonehill Homes know that decision would be up to the Board.
Lastly, DPW Supervisor Certo is planning to meet with the resident on the dead end of Bentley about the possibility of extending the road at the end a bit to access their property.

Police Chief Bentley:
Since the last meeting the LBPD has handled 1315 calls. Also, the department has received some donations and fundraising funds that have made it into the canine account. The Paws for the Law golf tournament brought in $5,500. There was a fundraiser with the Lakewood American Legion that brought in $871, and then they received a gracious donation from the Jeep Jam event of $2,000. Some of those funds are actually being allocated within some of the proposals we have here for the meeting. Canine Officer Swan is going to be attending a training in Johnstown, New York, it is called *First Aid and Saving the Life of Your Canine Partner.* It's a one-day school. The Chautauqua County Sheriff's Office is covering the cost for this. Sergeant Cummings is going to be attending a two-day frontline leadership school in Buffalo in October. Lastly, Canine Officer Swan with his partner, Kor, did a track for Ellicott Police Department. They assisted in locating an eight-year-old and a five-year-old that had walked away from home and helped find them at Wegmans. The training and certifications have come in handy. Canine Kor and Officer Swan did an excellent job.

Fire Chief Hallberg:
802 alarms this year. The department has had a multitude of car accidents recently, nine to be specific in the last two weeks. Most are from inattentiveness. The Lakewood Fire Department is hosting their open house this coming Saturday, October 3rd from noon-4pm. There will be food, truck rides, demonstrations, and a bounce house.

Code Enforcement Officer Swanson:
Many residents have been inquiring about what is going into the old Valu Home Center building. It will be split up with a portion being Goodwill. CEO Swanson let the Board know he is constantly working on property maintenance issues.

Village Attorney Lehman:
No Report.

Clerk/Treasurer Troutman:
The annual financial report for fiscal year end May 31st, 2026 has officially been filed with the Office of the State Comptroller. A copy is available in the Clerk's office and the website, lakewoodny.gov. Some notable cash receipts that have been received in the past few weeks are a payment from the City of Jamestown BPU for their water services tax equivalent that they pay annually to the Village of Lakewood in the amount of $111,906. Also received payment from New York State Office of the State Comptroller, it is for the local government AIM payment in the amount of $24,255. That is the same year after year. Lastly, the Village received a donation from the Lakewood Community Development Corporation in the amount of $8,111.29, and that donation goes towards the 2026 Summerfest July 4th event to help offset the cost of the fireworks.
Fall Fest is this Saturday, October 3rd from 10am-4pm along Chautauqua Avenue with lots of vendors, a petting zoo, facing painting, live music, and more.

COMMITTEE REPORTS

Trustee Cooper and Trustee Troché recently met with Jeremy Maggio who is promoting 125 plans for the Village employees. These 125 plans are a proactive step from what they understood that the Village could benefit from some FICA reduction costs and payroll. Employees would have more proactive medical services provided to them. The Trustees would like to reach out to the Department heads with the next steps and with their blessing, to be able to dig into this a little further.

Trustee Troché is requesting an executive session to discuss negotiations with the Town of Busti.
He also stated that the Public Safety Committee has been busy, Trustee Barnes and he met regarding some policies that are still a work in progress. They also met with some of the Department heads regarding the upcoming Fall Fest event.

OLD BUSINESS

Discussion was had regarding the LAROW Dock Permit application for Ronald Gorski – 233 West Summit Street that was tabled on August 24th, 2026 until the Village Attorney could review.

Mr. Gorski, 233 West Summit Street, stated that he moved here nine years ago for the summers. For the past nine years, he has been maintaining Lowe Park making sure it is clean along the shoreline and landscaping it regularly. Seasonal DPW employee, Jim Fye, helped haul away the trimmings, but majority of the time Mr. Gorski states it is he who kept the park in the shape it is. He said he takes great pride in that park and his home that he has done so much work too in the last nine years. In the documentation from the Lowes in the 1930s it stated that they have the perpetual right to place a dock in the park.

Village Attorney Lehman stated that she had reviewed the documentation, as well as former Village Attorney LaMancusos findings in 2021. She recognizes Mr. Gorski's position, but the problem is that limitation on the transfer of the property to the Village was never recorded properly, so that special limitation extinguished, and now because it's deemed to be parkland. The only way that the Village could authorize any type of activity in that area, besides just being a parkland, would be to ask for special legislative approval to do so. Attorney Lehman understands Mr. Gorsky's concern, and I'm sure the Village appreciates the time and money he's invested, that doesn't negate the fact that legally the Village cannot just approve this right-of-way permit for that dock. If they're inclined to do so, they would actually have to submit a petition or a request to the state legislature to come in and take a look at this and actually give them authority to do so.

Trustee Barnes stated there is a right of way in that area that does have a dock on it and can be utilized.

Mr. Gorski commented back two things. First, when the park was deeded to the Village there were certain requirements for the Village to maintain the park in certain ways and that has not been the case as far as sidewalks, specific amounts of trees, and just general maintenance. The other thing is Mr. Gorski believes there was a dock there in the past.

Mayor Holcomb asked DPW Supervisor Certo to look at the park and see what can be done.

Trustee Barnes asked Village Attorney Lehman in the file from former Village Attorney LaMancuso, was there anything specific about the sidewalks and tree issue.

Village Attorney Lehman said she would look into the whole file from 2021.

Bruce Tomczak, 230 West Summit, disagrees with placing a dock at Lowe Park for many reasons such as alienation of park property, infringing on Lakewood rights and right of ways, and swimming access boundaries. The last thing is the extinguishment Village Attorney Lehman just discussed that happened in the property transfer in 1931, but it was in 1961 when something had to be filed, actually declaration of a right to reserve was never filed. So that means that all

the conditions that the Lowe family transferred the parkland to the Village are no longer applicable. Since 1998 there has not been a dock at Lowe Park.

Resolution #106-2026 to DENY the 2026 LAROW Dock Permit Application

Motion by Trustee Troché, second by Trustee Barnes to DENY the 2026 LAROW Dock Permit Application:

1. Ronald Gorski – 233 West Summit Street – Lowe Park LAROW

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

Discussion was had regarding the Gifford Avenue Tree Removal that was last mentioned during the July 27th, 2026 meeting and first mentioned in the July 13th, 2026 meeting.

Richard Davis, 2 ½ Gifford Avenue, is looking for answers. He and his wife first approached the board almost 4 months ago with no clarification if the right of way is private or public where the tree line was cut down behind their property. He asked what is going to happen with the owner that took the trees down that were clearly not on his property.

Mayor Holcomb asked Village Attorney Lehman for council on this.

Village Attorney Lehman stated this conversation would be better for executive session due to the possibility of litigation.

NEW BUSINESS

Resolution #107-2026 to set the date and time of the Village-wide Halloween Trick or Treat

Motion by Trustee Barnes, seconded by Trustee Troché to set the date and time of the Village-wide Halloween Trick or Treat for Saturday, October 31st, 2026 from 6pm-8pm.
Adopted: 4 ayes, no nays (Barnes, Cooper, Shedd, Troché)

Resolution #108-2026 to accept the resignation of Lakewood Fire Department Members

Motion by Mayor Holcomb, seconded by Trustee Cooper to allow the Board of Trustees, acting as the Board of Fire Commissioners, to accept the resignation Brandon Fardink, Colin Melquist, and Sarah Saullo as members of the Lakewood Fire Department.
Adopted: 4 ayes, no nays (Barnes, Cooper, Shedd, Troché)

Mayor Holcomb thanked the members for their volunteer service.

Resolution #109-2026 to authorize the following fund transfers

Motion by Trustee Troché, seconded by Trustee Barnes to authorize the following fund transfers;

- $50 from T1093.15 Farmers Market Fund to A7110.40 Parks – Contractual to reimburse a Farmer Market vendor
- $300 from T1093.15 Farmers Market Fund and $300 from T1093.40 July 4th

Celebration to A1410.42 Clerk - Publications for the 2027 CCVB Travel Guide

- $1,702.50 from T1093.37, Police K9 Unit to A3120.40, Police – Contractual to reimburse K9 Office Swan for the installation of the K9 Unit shed
- $169 from T1093.37, Police K9 Unit to A3120.40, Police – Contractual for a vacuum cleaner for the K9 unit.

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

Resolution #110-2026 to authorize and support the replacement of the baseball scoreboard at the Michael LaGrega Field on Linwood Avenue

Motion by Trustee Barnes, seconded by Trustee Shedd to authorize and support the replacement of the baseball scoreboard at the Michael LaGrega Field on Linwood Avenue. The project is a joint effort by the Southwestern Little League program, Lakewood Community Development Corporation, Jamestown Macadam, Chad DeVliegar and the Village of Lakewood Department of Public Works.
Adopted: 4 ayes, no nays (Barnes, Cooper, Shedd, Troché)

Resolution #111-2026 to authorize EMS Captain Katherine Hutchinson to attend two conferences

Motion by Trustee Barnes, seconded by Trustee Shedd to authorize EMS Captain Katherine Hutchinson to attend the two conferences below:

i. EMS Charts Conference in Pittsburgh, PA – 9/22/26 – 9/23/26
ii. Vital Signs EMS Conference in Niagara Falls, NY, 11/10/26 – 11/14/26

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

Trustee Troché asked if the funds would be coming out of the EMS Training account.

Fire Chief Hallberg said they would be.

Resolution #112-2026 to approve the General Liability Insurance renewal package for the Village of Lakewood and authorize Mayor Holcomb to execute the required documents

Motion by Trustee Cooper, seconded by Trustee Barnes to approve the General Liability Insurance renewal package for the Village of Lakewood and authorize Mayor Holcomb to execute the required documents.
Adopted: 4 ayes, no nays (Barnes, Cooper, Shedd, Troché)

Resolution #113-2026 to amend the N. Mathews Construction Contract for the Fairmount Triangle Stormwater Basin Improvements Project and authorize Mayor Holcomb to sign the change order

Motion by Trustee Barnes, seconded by Trustee Troché to amend the N. Mathews Construction Contract for the Fairmount Triangle Stormwater Basin Improvements Project and authorize Mayor Holcomb to sign the change order as follows:

WHEREAS, the Board of Trustees of the Village of Lakewood approved the selection of N. Mathews Enterprises, Inc., as the Construction Contractor for the Fairmount Triangle

Stormwater Basin Improvements Project on April 27, 2026, via Resolution #45-2026; and

WHEREAS, upon completion of the public bidding process for construction, surplus grant funds remain that can be used to further enhance the benefit of the project to the Village and the health of Chautauqua Lake at no additional out-of-pocket cost to the Village; and

WHEREAS, the Village's Project Engineer, EcoStrategies Engineering & Surveying, PLLC., has revised the project design to include the additional enhancements and recommends acceptance of the construction change order proposal offered by N. Mathews; and

WHEREAS, the Village wishes to amend its contract with N. Mathews to perform these additional construction services and has already secured the grant funding necessary to pay for them; therefore, be it

RESOLVED that the Village Of Lakewood Board, in the County Of Chautauqua, hereby authorizes an increase in the value Of its contract with N. Mathews Enterprises, Inc., by an amount not-to-exceed One Hundred Twenty-One Thousand Dollars and Zero Cents ($121,000.00), for additional construction work to be done in accordance with the Village's grant agreement #C02788GM with the New York State Department of Environmental Conservation, bringing the total not-to-exceed value of the N. Mathews contract to One Hundred Ninety-Five Thousand Dollars and Zero Cents (S 195,000.00). The Village Board Authorizes the Mayor to execute a contract amendment with N. Mathews.

Trustee Shedd asked Randall Perry, Executive Director of Chautauqua Lake and Watershed Management Alliance, if there is any documentation as to the specifics of the change in cost other than the map.

Randall Perry stated he will forward over the letter from EcoStrategies with the components of the change order.

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

Clerk/Treasurer Troutman read into the record the email the Board received from Ted McCague, the Historic Preservation Committee Chairman, regarding the next resolution. “Dear Mayor and Trustees, under new business on tonight's agenda is approval and authorization for our mayor to sign a proposal from Clinton Brown to provide the survey, the services with our CLG processes, because we need the executed proposal to be made part of our PL of NYS grant application, which is due on September 30th, I asked Clinton to include a provision in the proposal that says if Lakewood is not awarded the grant, the proposal is void. So that if the grant money is not received then the village is not obligated under this proposal. He's unable to attend tonight, but if there were any questions, please give him a call.”

Resolution #114-2026 to accept the Clinton Brown Company Architecture, PC proposal letter fated 9/4/2026 for Professional Services to Prepare a Reconnaissance Level Historic Resources Survey (RLHRS) and authorize Mayor Holcomb to sign

Motion by Trustee Troché, seconded by Trustee Barnes to accept the Clinton Brown Company Architecture, PC proposal letter fated 9/4/2026 for Professional Services to Prepare a Reconnaissance Level Historic Resources Survey (RLHRS) and authorize Mayor Holcomb to sign.
Adopted: 4 ayes, no nays (Barnes, Cooper, Shedd, Troché)

Trustee Troché stated if this Grant is awarded the Village share would be $2,350.

Resolution #115-2026 to cancel the October 12th, 2026 Board of Trustees meeting due to the Columbus Day/Indigenous People Holiday

Motion by Trustee Shedd, seconded by Trustee Barnes to cancel the October 12th, 2026 Board of Trustees meeting due to the Columbus Day/Indigenous People Holiday.
Adopted: 4 ayes, no nays (Barnes, Cooper, Shedd, Troché)

Discussion was had regarding the Village of Lakewood exceeding the Tax Cap without adopting an override law for the 2026-2027 fiscal year budget.

Trustee Barnes stated the Board reviewed the 2026-27 budget and tax levy, and they determined that the Village property tax levy did exceed the allowable limit. Therefore, the Board has to work on seeing where they want to get the funds to put into the dedicated account. The Board plans to be transparent as they go along. The first step is to allocate the funds to put into the tax reserve account, tax levy, and reserve account, and that will be utilized at the next fiscal year budget, 2027-2028, to reduce the tax levy at that time.

Trustee Shedd asked if there is a time limitation on this.

Trustee Barnes stated there really isn't a limit, but the sooner the better. Clerk/Treasurer Troutman has been in touch with the New York State Comptroller's office, as well as herself speaking with them just once. The biggest homework part will be for the board to sit down and discuss where this money should come from. She thinks it's early enough in the fiscal year since the Village is just completing month number four of the fiscal year. Taking it out of this year's budget already can be dicey because usually around the halfway mark through the fiscal year, things that come up, and they begin looking for money to take care of those things that do come up unexpectedly. She does not want to fall short in our own budget, and they do have the fund balance, and we could even use a NY Class to help fund this.

Resolution #116-2026 to Establish a Tax Levy Reserve Fund Pursuant to General Municipal Law §3-C

Motion by Trustee Barnes, seconded by Trustee Cooper to Establish a Tax Levy Reserve Fund Pursuant to General Municipal Law §3-C as follows:

WHEREAS, the Village of Lakewood adopted its 2026-2027 fiscal year budget with a property tax levy of $2,748,323; and

WHEREAS, after completing our year-end review, it was determined that the Village's tax levy exceeded the allowable tax levy limit established under New York State General Municipal Law § 3-c; and

WHEREAS, General Municipal Law § 3-c requires that any excess tax levy collected without adopting a local law that authorizes the tax levy override, must be placed in a reserve fund and used to offset the tax levy for the following fiscal year; and

WHEREAS, the excess levy has been calculated to be $284,983; and

THEREFORE, BE IT RESOLVED, the Village of Lakewood Board of Trustees hereby does establish Account A 230.00 - Excess Tax Levy Reserve Account and Account A 695.00 – Deferred Taxes Reserve Account -, in accordance with the General Municipal Law § 3-c; and

BE IT FURTHER RESOLVED, that the Village Treasurer is authorized and directed to deposit into said reserve accounts the amount of $284,983, representing the excess tax levy for Fiscal Year 2026-2027 budget; and

BE IT FURTHER RESOLVED, that the monies held in these reserve accounts shall be used solely for the purpose set forth by General Municipal Law § 3-c, specifically to reduce the tax levy of the Village's Fisal Year 2027-2028 budget by the above stated amount; and

BE IT FURTHER RESOLVED, the Village Treasurer and all appropriate Village officials are authorized to take any actions necessary to implement this resolution and comply with the applicable reporting requirements.

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

Mayor Holcomb stated New York State limits tax levy growth for municipalities is a maximum of 2%. In order for a municipality to exceed their established limit, it must pass a local law before adopting the budget. The Village of Lakewood did not adopt an override law for the 2026-2027 fiscal year budget.

After completing a review of our 2026-2027 budget and tax levy, we determined that the Village's property tax levy exceeded the allowable limit under New York State's Property Tax law.

State law provides a straightforward remedy for this situation. The excess levy amount is required to be place in a dedicated reserve fund and used to reduce the following year's tax levy.

The excess amount has been calculated to be $284,983. This Board has taken action tonight to establish the required reserve and ensure full compliance with General Municipal Law Section 3-c.

This is a routine compliance step under New York State law. It does not affect current Village services, public safety operations, infrastructure projects or day-to-day operations. It is a

statutory compliance measure that allows the excess levy amount to be returned to taxpayers through a reduction in the 2027-2028 budget tax levy.

Transparency is important to this Board. We believe it is appropriate to acknowledge the oversight, explain the corrective action being taken and ensure that the residents understand that the matter is being addressed exactly as New York State law requires.

ANYONE TO BE HEARD

RECESS REGULAR MEETING

Motion by Trustee Barnes, seconded Trustee Troché to recess the regular meeting at 7:27PM to enter into an executive session regarding a contractual matter.
Adopted: 4 ayes, no nays (Barnes, Cooper, Shedd, Troché)

EXECUTIVE SESSION

Present at the executive session, were Mayor Holcomb, Trustees Barnes, Troché, Shedd and Cooper. As well as Clerk/Treasurer Troutman, Village Attorney Lehman, and Police Chief Bentley.

EXECUTIVE SESSION (Adjournment)

Motion by Trustee Troché, seconded by Trustee Cooper, and unanimously carried to adjourn the executive session and re-open the regular meeting of the Board of Trustees at 8:11pm.
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 8:11pm.
Adopted: 4 ayes, no nays (Barnes, Cooper, Shedd, Troché)

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Shaunah Pilling

Deputy Clerk