

SEPTEMBER 11, 2017

The seventeenth regular meeting of the Board of Trustees of the Village of Lakewood, N.Y., was held Monday, September 11, 2017, 6:30 PM, with Mayor Cara Birrittieri presiding. Trustees present were Ellen E. Barnes, Susan F. Drago, Randall G. Holcomb and Edward J. McCague. Also present were Village Clerk Joseph M. Johnson, Village Treasurer Andrea J. Windoft, Police Chief John R. Bentley, Department of Public Works Supervisor Thomas R. Pilling and Building Inspector Jeffrey A. Swanson. Absent were Village Attorney John I. LaMancuso and Fire Chief Kurt W. Hallberg.

REPORTS

Mayor Birrittieri began her report by asking everyone in attendance to join her and members of the Board of Trustees in observing a moment of silence, on this the sixteenth anniversary of the September 11th terrorist attacks on the United States of America, which resulted in the death of nearly 3,000 innocent people. Mayor Birrittieri said our thoughts and prayers are with the families who lost loved ones that day, as well as with the folks in Texas and Florida impacted by Hurricane Harvey and Hurricane Irma.

APPROVAL OF MINUTES

Motion by Trustee McCague, seconded by Trustee Barnes, to approve the minutes of the last regular meeting of the Board of Trustees, held August 28, 2017. Adopted: 4 ayes, no nays (Barnes, Drago, Holcomb, McCague)

AUDIT OF CLAIMS

Motion by Trustee Holcomb, seconded by Trustee Barnes, that the claims as audited by the Auditing Committee of the abstract dated September 11, 2017, be approved and that the Clerk shall execute said abstracts (#13 & #14) and direct payment by the Treasurer, with the exception of the invoice for ads in the 2018 Chautauqua County Travel Guide, that will require some additional review and comment. Trust & Agency Fund: \$ 63,112.30, (Checks #4204 thru #4215), General Fund: \$ 89,037.24, (Checks #14099 thru #14137) Adopted: 4 ayes, no nays (Barnes, Drago, Holcomb, McCague)

REPORTS (CONTINUED)

In continuing her report Mayor Birrittieri indicated that the local Rite-Aid Pharmacy will be conducting a flu-shot clinic for Village of Lakewood employees and their dependents in the Board Room of the Anthony C. Caprino Municipal Building, Thursday, September 14th, from 11:00 AM - 12:15 PM.

Mayor Birrittieri said the next meeting of the Events & Marketing Committee will be held 6:30 PM, Tuesday, September 19th. New volunteers are always welcome so bring a friend. Without volunteers it would be impossible to make our local events happen. Topics for discussion will include this year's Christmas in the Village and a new and exciting event that could be coming to Lakewood.

Department of Public Works Supervisor Thomas R. Pilling reported that the

drainage project within the former canal property between Gerald Ave. and Olive Ave. has been completed and work to finish a stormwater management project off Mall Blvd. is nearing completion. Mr. Pilling also reported that R. Patti, Concrete & Excavating, Jamestown, N.Y., will begin work to replace sections of sidewalk along East Third Street within the next few weeks and that he has received three quotes to repaint the clock tower ranging from \$ 3,700.00 to \$ 8,775.00.

SEPTEMBER 11, 2017 (CONTINUED)

Mayor Birrittieri said she would like to review the respective quotes to paint the clock tower before making a decision.

In conclusion, Mr. Pilling asked Mayor Birrittieri and the Board of Trustees to authorize the transfer of \$ 17,691.66 from Account T1093.00, [Sale of Equipment] into Account A5110.20 [Streets Equipment], which will be used towards the purchase of a used ten-wheeled dump truck from the Town of Busti. NOTE: The cost of the used truck will be around \$ 20,000.00.

RESOLUTION #138-2017 - AUTHORIZE FUND TRANSFER

Motion by Trustee McCague, seconded by Trustee Barnes, authorizing Village Treasurer Andrea J. Windoft to transfer \$ 17,691.66 from Account T1093.00, [Sale of Equipment], into Account A5110.20, [Streets Equipment], in connection with the purchase of a used ten-wheeled dump truck from the Town of Busti. The cost of the used truck is expected to be around \$ 20,000.00.

Adopted: 4 ayes, no nays (Barnes, Drago, Holcomb, McCague)

REPORTS (CONTINUED)

Trustee McCague took a minute to thank D.P.W. Supervisor Pilling and the D.P.W. crew for picking-up the many branches and tree limbs following the storm that moved through the Village of Lakewood last week.

Police Chief John R. Bentley reported that the Lakewood-Busti Police Department has handled six thousand nine hundred thirteen incidents year-to-date, three hundred fifty-six of which occurred within the past two weeks. Chief Bentley then asked Mayor Birrittieri and the Board of Trustees for permission to start looking to fill the vacant Part-Time Police Officer position.

RESOLUTION #139-2017 - FILLING THE VACANT PART TIME POLICE OFFICER POSITION

Motion by Trustee Holcomb, seconded by Trustee Barnes, authorizing Police Chief Bentley to begin interviewing prospective Part-Time Police Officer candidates, in an effort to fill the vacancy created by the recent resignation of Officer Justina L. Preston, who accepted a full-time position with the Village of Westfield Police Department. Officer Preston had worked part-time for the Lakewood-Busti Police Department since October 14, 2013. Adopted: 4 ayes, no nays (Barnes, Drago, Holcomb, McCague)

REPORTS (CONTINUED)

Village Treasurer Andrea J. Windoft reported that the Non-Union Personnel Rules & Regulations will need to be amended upon the Board of Trustees approval of adding a Part-Time Police Officer, (Douglas P. Goodwill) to the list of Certified Field Training Officers, who will in-turn qualify for the extra dollar per hour, when working as a Field Training Officer. Also, the Board of Trustees has asked to review in more detail the invoice for ads in the 2018 Chautauqua County Travel Guide, as submitted for payment by Mayor Birrittieri.

Treasurer Windoft then thanked Trustee Barnes and Trustee Drago for conducting the audit of the Village of Lakewood's financial records of the past fiscal year last Friday.

SEPTEMBER 11, 2017 (CONTINUED)

Village Treasurer Windoft also reported that per the Water Agreement between the Village of Lakewood and the City of Jamestown's Board of Public Utilities, the Village annually receives 8% of the basic service and water charges collected from customers served under this Agreement. Mrs. Windoft indicated \$ 91,000.00 was budgeted, however the Village recently received \$ 99,667.00, a surplus of \$ 8,667.00.

Mrs. Windoft said although that's great news, the bad news is that the Village of Lakewood's budget also reflects its annual contributions to the N.Y.S. Retirement Systems, based on projected figures received last September. According to the most recent information received from the N.Y.S. Retirement System, the projected contribution figures were underestimated by approximately \$ 8,600.00.

Mrs. Windoft indicated she recently received a remittance request from Richard E. Stanton, Esq., Buffalo, N.Y., and distributed copies to members of the Board of Trustees for their review and comment. NOTE: Mr. Stanton is the Attorney handling the litigation between the Village of Lakewood, et al and Up State Tower, LLC, et al.

Concluding her report, Treasurer Windoft indicated she contacted Tint Press, Jamestown, N.Y., designers of the Village of Lakewood's new web-site, on its status and was told that an update will be forthcoming.

RECESS

Motion by Trustee Drago, seconded by Trustee Barnes, to recess the regular meeting of the Board of Trustees at 6:42 PM so as to conduct a previously scheduled public hearing.

Adopted: 4 ayes, no nays (Barnes, Drago, Holcomb, McCague)

PUBLIC HEARING: 6:40 PM
SPECIAL USE PERMIT APPLICATION
ESTABLISH NEW RESTAURANT/BAR
103 CHAUTAUQUA AVE.

Ms. Michelle M. Turner, 18 West Terrace Ave., has submitted an application for a Special Use Permit regarding plans to renovate the building and property at 103 Chautauqua Ave., (former Yesterday's Bar & Grill), into a family friendly restaurant/bar, at which alcoholic beverages will be sold and served. In accordance with Section #25-13, (C-2), [Retail Business (B-1) District], of the Village of Lakewood Zoning Law, the establishment of a Bar in a B-1 zoning district requires a Special Use Permit. NOTE: a Bar is defined as any establishment, however designated, at which alcohol is sold for consumption on premises as a primary use to twenty-five percent (25%) or more of the patrons [minimum of ten (10)] on a regular basis. Thus, a restaurant that caters to the sale of alcoholic beverages at certain portions of the operating hours shall be considered to be a dual use restaurant/bar for the purposes of this local law.

Mayor Birrittieri opened the public hearing at 6:43 PM and asked Ms. Lori Galster, Project Manager, of Galster Enterprises, Inc., Jamestown, N.Y., if she would like to briefly explain plans to redevelop 103 Chautauqua Ave.

Ms. Galster indicated upon acquiring a demolition permit, crews removed a good share of the interior so we could get an idea what we had to work with in designing a floor plan. She said a number of problems surfaced as we got a closer look at the building. Ms. Galster said it only makes sense to make improvements to the building's exterior prior to doing anything on the interior. Issues on site and with the abutting public park include a crumbling retaining wall between the properties, the overgrown vegetation and the earthen embankment against the building's southerly wall. Ms. Galster said before a major investment is made to upgrade the site, access to the southerly wall's exterior is paramount in order to provide proper drainage and make necessary repairs to the wall. To do so we are asking for assistance from the Village of Lakewood.

SEPTEMBER 11, 2017 (CONTINUED)

Ms. Galster said she met with D.P.W. Supervisor Thomas R. Pilling on site in order to get a firsthand look at some of the issues. We discussed the need for a wall and proper drainage between the building and the park property and the possibility of reducing the height of the retaining wall which runs from the southwest corner of the building to the sidewalk on Chautauqua Ave. Because the existing onsite parking is going to be converted into an exterior dining area, another favor the developers are asking from the Village of Lakewood is to convert the existing driveway aprons along Chautauqua Ave. and East Summit Street into parking spots. Ms. Galster also indicated that the developers are interested in purchasing from the Village of Lakewood, the small parking area located off the alleyway behind the park.

Ms. Galster then introduced Ms. Diane Hendrix, Architect for the project, who briefly reviewed with Mayor Birrittieri and members of the Board of Trustees, ideas concerning a proposed wall and drainage between the building and the park. She said the building's southerly wall is in rough shape. Ms. Hendrix said another main obstacle will be to clear-out the vegetation and overgrown arborvitae bushes along the southerly wall of the building. Doing so will open up a view of the park from inside the restaurant. Ms. Hendrix indicated that the proposed building renovations will include a glass overhead garage door on the building's west side. As Ms. Galster previously mentioned, the current parking area will be transformed into outside seating and include a sign/menu board at the northwest corner of the property, raised fire pit and decorative planters located along the property's perimeter. She also said the

outside seating area will be resurfaced with a concrete aggregate.

Trustee Barnes asked Ms. Hendrix if she knew what is required by the New York State Liquor Authority when it comes to acceptable barriers between the public sidewalks and the adjacent areas where alcoholic beverages will be served.

Ms. Hendrix indicated the developers have a consultant that is researching that particular question.

Ms. Galster said they have provided the New York State Liquor Authority with an outside seating number, however it will be up to the staff to monitor the restaurant's patrons to make sure alcoholic beverages remain on site. Ms. Galster said whatever is required by the New York State Liquor Authority is what we will do. She then said the project is headed-up by two committed owners who want to bring a family friendly restaurant/bar to the community.

Building Inspector Jeff Swanson indicated if there are going to be a couple of parking spaces along East Summit Street, the developer might consider placement of a few impact devices or bollards along that edge of the outside seating area.

Ms. Galster indicated the goal of using heavy planters, as proposed, is that they would double as impact devices.

Trustee Drago asked Ms. Galster who owns the retaining wall between the project site and Recognition Park.

Ms. Galster indicated according to multiple surveys the wall belongs to the owner of 103 Chautauqua Ave. If the developer were to remove the wall it would create a problem for the Village of Lakewood as it relates to the abutting park property.

Mayor Birrittieri said she believes it is a neighbor to neighbor situation that could be worked out.

D.P.W. Supervisor Pilling indicated the Village of Lakewood shouldn't be saddled with the cost to replace someone else's wall.

Ms. Galster said the existing concrete block wall is leaning and needs to be removed.

SEPTEMBER 11, 2017 (CONTINUED)

Mr. Richard Rose, 42 Gifford Ave., and member of the Lakewood Planning Board, said it is his understanding that the public hearing this evening was scheduled to review a Special Use Permit application to determine whether or not a Bar may be established at 103 Chautauqua Ave. At the last regular meeting of the Planning Board, a recommendation was made for the Board of Trustees to grant Ms. Turner's special use permit application. That is what members of the Board of Trustees should be talking about, instead of all these other things that aren't germane to the special use permit application. Mr. Rose added it is just a waste of time and out of order.

Ms. Galster indicated that in addition to getting an answer regarding the special use permit application the other questions brought up this evening

also need answers so the project can move forward.

Mayor Birrittieri said all the things that have been discussed this evening are part of the project as a whole and doesn't think it has been a waste of time. We as a Board of Trustees need to know what needs to be accomplished and we need to have some direction so this worthwhile project can move forward. Mayor Birrittieri indicated that there is a lot of interest in this project and rightly so. There is a proposal on the table to make a considerable upgrade to major component of the Chautauqua Ave. corridor and the developers are on a tight timeframe.

Mr. Rose said he agrees that it is a very important project, however he believes the project should have been thoroughly vetted and properly submitted.

Building Inspector Swanson asked Ms. Galster what is the square footage of the building, because if it is under 5,000 sq. ft., site plan review would not be required.

Mayor Birrittieri said a vote will be required this evening on the Special Use Permit application as submitted.

Trustee Barnes asked what decisions need to be made this evening to allow the project to move forward.

D.P.W. Supervisor Pilling indicated that he will need approval from the Board of Trustees to disturb or remove any of the vegetation in the park. He said according to the latest survey, there is nine inches between the park property and the building's southerly wall.

Ms. Galster said she is getting prices from various contractors to install drainage and construct a wall along the southerly wall of the building, but what needs to be determined this evening is if the Board of Trustees will support a decision to have the dirt moved away from the building's southerly wall and that the vegetation and arborvitae trees along the north edge of the park be removed. This will allow the developers to repair the wall's exterior and begin work inside the building.

Ms. Kaie Smith, 24 Park Lane, and Chairperson of the Lakewood Planning Board, indicated this particular special use permit application came before the Planning Board last month and believes the issue is the fact the park property has intruded onto someone else's property. Ms. Smith said she has talked with Mr. Pilling and Mr. Rose about the situation and believes it presents an opportunity to improve the park. Currently the park is overgrown in some areas and some of the dead or dying vegetation needs to be removed. We then can take a fresh look at the wall area to see if something creative be done with it.

Mayor Birrittieri indicated trimming or cutting down some of the vegetation along the park's northerly edge isn't going to take away from its beauty, while at the same time in doing so, it can only enhance the experience of the patrons of the restaurant.

Mr. Thomas Turner, 33 East Lake Street, indicated any resolution by the Board of Trustees to approve Ms. Turner's special use permit should also include language that the Village of Lakewood agrees to assist the developers in removing the earthen berm that abuts the southerly wall of the building at 103 Chautauqua Ave., while continuing discussion on the retaining wall

between the properties.

SEPTEMBER 11, 2017 (CONTINUED)

RESOLUTION #140-2017 - APPROVE SPECIAL USE PERMIT APPLICATION

Motion by Trustee McCague, seconded by Trustee Barnes, for the Board of Trustees to grant/approve the Special Use Permit application as submitted by Ms. Michelle M. Turner, 18 West Terrace Ave., whereby she will be allowed to sell and serve alcoholic beverages at the Restaurant/Bar being proposed for the property and building at 103 Chautauqua Ave., with the condition that the Village of Lakewood agrees to assist the developers by removing the earthen berm which currently abuts the southerly wall of the building and also work with the developers to establish a mutually beneficial stormwater drainage plan and wall between the park and the building. In accordance with Section #25-13, (C-2), [Retail Business (B-1) District], of the Village of Lakewood Zoning Law, the establishment of a Bar in a B-1, Retail Business District requires a special use permit. Although the size and scope of the proposed project falls short of the threshold for site plan review, the Board of Trustees also concurs with the recommendation by the Planning Board, by also approving the outside dining areas, proposed natural gas fire pit, and agrees to convert the driveway aprons leading to the property into additional parking spaces.

Adopted: 5 ayes, no nays (Birrittieri, Barnes, Drago, Holcomb, McCague)

Mr. Thomas Calzone, 3 East Third Street, indicated to Mayor Birrittieri and the Board of Trustees that he and other neighbors attended a similar public hearing years ago, when another developer applied for a special use permit in order to establish a Restaurant/Bar (Yesterdays) at 103 Chautauqua Ave. He and others were told at the time the proposed restaurant/bar was going to be a fine dining establishment. Unfortunately that didn't happen and it wasn't too long before he was spending sleepless nights at home due to the loud music and commotion just across the alley. Mr. Calzone said on more than one occasion he was forced to call the police to intervene. Mr. Calzone said he is hopeful the proposed restaurant/bar is indeed going to be family-friendly as advertised.

Mayor Birrittieri indicated to Mr. Calzone that he has expressed some fair concerns.

Ms. Michelle M. Turner said she can understand Mr. Calzone's concerns and it is their intent to establish a well run and respectable restaurant/bar for everyone to enjoy, especially the neighbors.

Trustee Barnes asked Ms. Turner if she plans on having music at the restaurant/bar.

Ms. Turner said yes, they expect to provide music occasionally, however the size of the building doesn't lend itself to having larger bands playing.

Ms. Galster indicated that she wanted to answer the question asked about the cost of the proposed wall and drainage work along the building's southerly wall. One quote to do the work totaled \$ 7,000.00.

Trustee McCague indicated it would be wise to have the Department of Public Works, under the supervision of Tom Pilling, do the work. The D.P.W. has the

equipment and manpower, plus they do good work.

Village Treasurer Windoft asked who is paying the \$ 7,000.00, adding the D.P.W. could do the work as an in-kind service, while the developers pay for the materials.

Mr. Paul Defrisco, owner of the commercial buildings at 113-119 Chautauqua Ave., said he is looking forward to having a nice restaurant in the neighborhood and asked if there was a restriction on the previous restaurant/bar as to how late music could be played. He then asked if it addressed in the resolution to approve the special use permit.

SEPTEMBER 11, 2017 (CONTINUED)

Trustee McCague indicated to Mr. Defrisco that according to the zoning law there are no other restrictions or requirements that the applicant needs to comply with regarding the establishment of a restaurant/bar in a B-1, Retail Business District.

Trustee Barnes indicated that a noise ordinance is something the Village of Lakewood might consider when it comes time to amend its current zoning law.

Trustee Drago asked if the Board of Trustees should discuss the question raised about use of the parking area behind the park. Trustee Drago said she believes it isn't something the Village of Lakewood should allow.

Mr. Gary Carvella, 11 East Summit Street, said he did have problems over the years with previous proprietors of the bar at 103 Chautauqua Ave., however what concerns him now are the four underground fuel storage tanks on the site and wonders if they were remediated properly. Changing subjects, Mr. Carvella said there are a number of residents that utilize the parking area behind the park, particularly during the winter when there are limited off-street parking spaces. If the Village of Lakewood sells or leases the property, where are people supposed to park.

Ms. Galster indicated there is a report on file that Lictus Oil, Clymer, N.Y., cleaned the tanks and had them filled with a cement slurry and as long as the tanks are not disturbed, the project can proceed. She said work to resurface the former parking lot would only require excavating down four inches and that wouldn't be considered disturbing the underground tanks. Ms. Galster said it would be up to the Village of Lakewood if they wanted to establish additional parking spaces along East Summit Street and Chautauqua Ave.

Building Inspector Swanson said there is an environmental report on file regarding the underground tanks on site, but said he has not had a chance yet to review the entire report.

Mayor Birrittieri indicated that this project represents a big change for the Village of Lakewood and there are things that still need to be decided.

Trustee Barnes indicated a concern voiced by some merchants is there is very little parking and doesn't think selling or leasing public parking spaces is a very good idea. It is something we as the Board of Trustees need to be very

careful about.

Mayor Birrittieri said the comprehensive plan provides some streetscape options and presents an opportunity to bring in additional foot traffic to the Chautauqua Ave. business corridor.

Trustee McCague said we are working with consultants to help with the re-design of Chautauqua Ave. to make it more business friendly and that adequate parking is certainly an issue. What the developers of 103 Chautauqua Ave. are eluding to is that a slight re-design of that corner could result in additional parking spaces. The goal in being more business friendly could result in more commercial tenants along Chautauqua Ave. and additional foot traffic. A project such as the one being proposed is not only important to the Village of Lakewood but also the consultants doing the re-design recognize its importance.

Mr. Calzone indicated things have changed the past few years with respect to parking and residents are scrambling for any off-street parking spaces during the winter months.

Ms. Galster asked if a timeline could be established when some of the work in connection with exposing the southerly wall of the building, installation of drainage and construction of the wall between the properties, is expected to be done because the construction season is getting short.

SEPTEMBER 11, 2017 (CONTINUED)

D.P.W. Supervisor Pilling indicated to Ms. Galster his season is getting short too, but said he is hopeful some of the work could be done within the next two weeks.

Mr. Rose, as Tree Committee Chairman, said he strongly objects to removing any of the trees in the park until a plan is in place. Hasty decisions like this could destroy the park, adding it is a case of poor planning.

Mayor Birrittieri indicated certain decisions need to be made so work on this project can move forward and with no one else to be heard, proceeded to close the public hearing at 7:46 PM.

REPORTS (CONTINUED)

Building Inspector Jeff Swanson reported with the help of the Chautauqua County Land Bank, the dilapidated single-family residence at 208 Elmcrest Ave. has been razed and disposed of and with assistance from the Village Clerk the junk pile behind the rental property at 22 East Summit Street has again been cleaned-up for the time being.

Mayor Birrittieri asked Mr. Swanson if anything can be done about the vacant property at 3 Gerald Ave.

Mr. Swanson said there are very few enforcement options available to Code Enforcement Officers, but he will be glad to look into the matter again.

Trustee Holcomb asked Mr. Swanson if the house at 6 Holly Drive has been sold.

Mr. Swanson said it is his understanding that the single-family residence has become the property of the U.S. Department of Housing & Urban Development (HUD) and that it might be going up for auction.

COMMITTEE REPORTS

Trustee Barnes, as a member of the Auditing Committee, thanked Village Treasurer Windoft for the great job she does in keeping meticulous financial records, which makes conducting the annual audit a breeze.

Trustee Drago, Chairperson of the Auditing Committee, echoed Trustee Barnes sentiments.

As Library Liaison, Trustee Drago reminded everyone of the Lakewood Memorial Library's upcoming "Food for Thought" fundraiser, set for 7:00 PM, Friday, September 22nd. She encouraged folks to buy a ticket and support your library.

RESOLUTION #141-2017 - ADOPT CHAUTAUQUA COUNTY ALL-HAZARD MITIGATION PLAN

RESOLUTION - VILLAGE OF LAKEWOOD, NEW YORK AUTHORIZING THE ADOPTION OF THE CHAUTAUQUA COUNTY MULTI-JURISDICTIONAL ALL-HAZARD MITIGATION PLAN

Motion by Trustee Susan F. Drago, seconded by Trustee Edward J. McCague, per the recommendation of Mayor Cara Birrittieri, that;

WHEREAS, Chautauqua County Office of Emergency Services, with the assistance from Ecology & Environment, Inc., has gathered information and prepared the Chautauqua County Multi-Jurisdictional All-Hazard Mitigation Plan; and

SEPTEMBER 11, 2017 (CONTINUED)

WHEREAS, the Chautauqua County Multi-Jurisdictional All-Hazard Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; an

WHEREAS, the Village of Lakewood is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and

WHEREAS, the Village of Lakewood has reviewed the Plan and affirms that the Plan will be updated no less than every five (5) years;

NOW THEREFORE, BE IT RESOLVED by the Board of Trustees that the Village of Lakewood hereby adopts the Chautauqua County Multi-Jurisdictional All-Hazard Mitigation Plan as this jurisdiction's Natural Hazard Mitigation Plan and resolves to execute the actions in the Plan.

Adopted: 4 ayes, no nays (Barnes, Drago, Holcomb, McCague)

RESOLUTION #142-2017 - AUTHORIZE MID-YEAR BUDGET TRANSFERS

Motion by Trustee Holcomb, seconded by Trustee Drago, authorizing Village

Treasurer Andrea J. Windoft to make a mid-year budget transfer in connection with an overage in Account A7140.11, (Lifeguard Salaries), by transferring \$ 226.30 from Account A7140.20, (Parks Equipment), into Account A7140.11, (Lifeguard Salaries).

Adopted: 4 ayes, no nays (Barnes, Drago, Holcomb, McCague)

RESOLUTION #143-2017 - AUTHORIZE SEMINAR ATTENDANCE

Motion by Trustee Barnes, seconded by Trustee Holcomb, authorizing Code Enforcement Officer Jeff Swanson to attend an Information Session on Vacant & Abandoned Properties, to be held 10:30 AM, Wednesday, September 20, 2017, on the North Campus of the University of Buffalo. Mr. Swanson will be reimbursed for any necessary expenses incurred.

Adopted: 4 ayes, no nays (Barnes, Drago, Holcomb, McCague)

RESOLUTION #144-2017 - SET TIME & DATE FOR PUBLIC HEARING

Motion by Trustee Holcomb, seconded by Trustee McCague, for the Board of Trustees to set 6:40 PM, Monday, September 25, 2017, as the time and date to conduct a public hearing to review a Special Use Permit application as submitted Shults Real Estate, LLC, 181 East Fairmount Ave., regarding their proposal to convert/remodel the commercial building at the above address into a new 4,000 sq. ft. Hyundai auto/truck dealership, in accordance with Section #25-14, (C 10), [Highway Business (B-2.1) District].

Adopted: 4 ayes, no nays (Barnes, Drago, Holcomb, McCague)

DISCUSSION - CHAUTAUQUA COUNTY TRAVEL GUIDE ADS

Mayor Birrittieri indicated that last year the Village of Lakewood, with financial assistance from the Lakewood Community Development Corporation, placed two small ads in the 2017 Chautauqua County Travel Guide. The ads showcased the annual 4th of July Summerfest and the "Live on the Lake" summer concert and entertainment series. Mayor Birrittieri said she would be in favor of doing similar ads for the 2018 Chautauqua County Travel Guide, and believes it is a good use of funds in promoting the Village of Lakewood.

SEPTEMBER 11, 2017 (CONTINUED)

Mayor Birrittieri said discussions with the Chautauqua County Chamber of Commerce continue in an effort to form a local Lakewood Community Chamber of Commerce, however that's something for another time. Tonight she would like for the Board of Trustees to approve spending for the two ads in the travel guide which provides a very high profile for area businesses and local events.

Trustee Barnes said the Board of Trustees has struggled with this issue the past two years and asked Village Treasurer Windoft what would it take to set-up an account for these type of expenses. Trustee Barnes said it is her understanding that there are some restrictions on how much a municipality can spend on advertising, but would need some clarification on that question from Village Attorney LaMancuso.

Village Treasurer Windoft indicated money could be budgeted and added to the

Mayor's contractual account. She then suggested that because there is funding available in the Mayor's Beautification Fund, a resolution be considered to transfer \$ 765.00 from Account T1093.10 into the Mayor's Contractual Account, A1210.40, to pay for the ads.

Trustee McCague said the Chautauqua County Travel Guide reaches over 190,000 people plus they do other sorts of marketing promoting all of Chautauqua County. Mr. McCague believes for the money the two ads are a good value for the Village of Lakewood.

Mr. Doug Schutte, 104 Winchester Road, and Treasurer for the Lakewood Community Development Corporation, (LCDC), indicated to Mayor Birrittieri and the Board of Trustees, they would be hard pressed not to do what was done last year and finance 50% of the cost for the two ads in next year's travel guide.

RESOLUTION #145-2017 - AUTHORIZE BUDGET TRANSFER & APPROVE PAYMENT FOR ADS

Motion by Trustee Holcomb, seconded by Trustee McCague, authorizing Village Treasurer Andrea J. Windoft to transfer \$ 765.00 from Account T1093.10, (Mayor's Beautification Fund), into Account A1210.40, (Mayor's Contractual), and approve payment to the Chautauqua County Visitors Bureau, for two promotional ads in the 2018 Chautauqua County Travel Guide.
Adopted: 4 ayes, no nays (Barnes, Drago, Holcomb, McCague)

RESOLUTIN #146-2017 - APPROVE PAYMENT TO QUALIFIED FIELD TRAINING OFFICER

Motion by Trustee Barnes, seconded by Trustee McCague, to approve payment of \$ 1.00 extra per hour to Part-Time Police Officer Douglas P. Goodwin, when working as a qualified Field Training Officer.
Adopted: 4 ayes, no nays (Barnes, Drago, Holcomb, McCague)

RESOLUTION #147-2017 - SET TIME AND DATE FOR PUBLIC HEARING

Motion by Trustee McCague, seconded by Trustee Barnes, per the recommendation of Mayor Birrittieri, to set 6:50 PM, Monday, September 25, 2017, as the time and date for the Board of Trustees to conduct a public hearing to consider amending Local Law #7-2016 [Appointment of an Alternate Member to the Zoning Board of Appeals], which would increase the number of alternates from one to three members.
Adopted: 4 ayes, no nays (Barnes, Drago, Holcomb, McCague)

SEPTEMBER 11, 2017 (CONTINUED)

RECESS

Motion by Trustee Barnes, seconded by Trustee Holcomb, to recess the regular meeting of the Board of Trustees at 8:12 PM, so as to enter into executive session for the purpose of discussing current litigation and labor contract negotiations.

Adopted: 4 ayes, no nays (Barnes, Drago, Holcomb, McCague)

EXECUTIVE SESSION

Present at the executive session were Mayor Cara Birrittieri, Trustee Edward J. McCague, Trustee Susan F. Drago, Trustee Ellen E. Barnes, Trustee Randall G. Holcomb, Village Treasurer Andrea J. Windoft and Village Clerk Joseph M. Johnson. Motion by Trustee Holcomb, seconded by Trustee Drago, to adjourn the executive session at 8:54 PM.

Motion by Trustee Holcomb, seconded by Trustee McCague, and unanimously carried the Board adjourned at 8:55 PM.

Joseph M. Johnson
Village CLerk