

DECEMBER 12, 2016

The twenty-third regular meeting of the Board of Trustees of the Village of Lakewood, N.Y., was held Monday, December 12, 2016 at 6:30 PM, with Mayor Cara Birrittieri presiding. Trustees present were Ellen E. Barnes, David J. Di Salvo, and Randy Holcomb. Also present were Village Clerk Joseph M. Johnson, Village Treasurer Andrea J. Windoft, Police Chief John R. Bentley, Village Attorney John I. LaMancuso, Department of Public Works Supervisor Thomas R. Pilling, Fire Chief Kurt W. Hallberg and Building Inspector Jeffrey A. Swanson. Absent was Trustee Susan F. Drago.

#### NYSERDA GRANT APPLICATION DISCUSSION

Mr. John Mayr, the Clean Energy Communities Coordinator, with the New York State Energy Research & Development Authority, appeared before Mayor Birrittieri and the Board of Trustees to review the process to become a Clean Energy Community and qualify for a \$ 100,000.00 or \$ 50,000.00 grant. Mr. Mayr then provided Mayor Birrittieri and members of the Board of Trustees pamphlets containing helpful information on the grant program.

Trustee Di Salvo asked Mr. Mayr if it would be necessary to have an energy audit done on the subject building or could information from a previous energy audit be utilized.

Mr. Mayr indicated to Trustee DiSalvo it wouldn't hurt to have an energy done, but wasn't sure if data from a previous energy audit could be used, adding that question is out of his area of expertise. Mr. Mayr then thanked Mayor Birrittieri for the opportunity to explain the grant application process and said if anyone has any questions on the grant or the requirements to qualify, to please give him a call.

#### RECESS

Motion by Trustee Barnes, seconded by Trustee Holcomb, to recess the regular meeting so as to conduct a previously scheduled public hearing.  
Adopted: 3 ayes, no nays (Barnes, Di Salvo, Holcomb)

PUBLIC HEARING: 6:40 PM  
SPECIAL USE PERMIT APPLICATION  
SALE & CONSUMPTION OF ALCOHOL  
LA COCINA MEXICAN RESTAURANT  
5 WEST FAIRMOUNT AVE.

Mr. Usiel Fuentes, a restaurateur from Olean, New York, has submitted an application for a Special Use Permit regarding plans to make use of the building and property at 5 West Fairmount Ave., as a Mexican Restaurant, (La Cocina), at which he plans to sell and serve alcoholic beverages. In accordance with Section #25-6, [Definitions] and Section #25-14, (C-14), [Highway Business (B-2) District], of the Village of Lakewood Zoning Law, 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. 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, thus requiring a Special Use Permit.

Mayor Birrittieri opened the public hearing at 6:40 PM and asked Mr. Fuentes if he would like to briefly explain his proposal.

Mr. Fuentes indicated that the Mexican (La Cocina) Restaurant will not include a "full bar", rather beer and wine will be available to those dining.

DECEMBER 12, 2016 (CONTINUED)

Mayor Birrittieri asked the Village Clerk what was the Planning Board's position on Mr. Fuentes' special use permit.

Village Clerk Johnson indicated that the Planning Board met on November 16, 2016 to review Mr. Fuentes' special use permit however the applicant was not in attendance, so they were not able to take any action one way or another on the application. Village Clerk Johnson indicated that in accordance with Section #25-86, [Referral to Planning Board], of the Village of Lakewood Zoning Law, the Municipal Board may act without a recommendation from the Planning Board.

Mayor Birrittieri asked Mr. Fuentes what are the planned upgrades for the building itself.

Mr. Fuentes said the improvements to the building's interior and exterior are cosmetic in nature. He indicated the exterior of the building has already been painted and currently the inside is being painted and improvements to the flooring are being made.

Mayor Birrittieri asked Building Inspector Swanson if he would like to make any comments concerning Mr. Fuentes' proposal.

Mr. Swanson said because the building is under 5,000 sq. ft. the project didn't trigger site plan review and because work on the interior and exterior is only cosmetic, a building permit wasn't required.

Trustee Di Salvo asked Mr. Fuentes what will be the restaurant's hours of operation.

Mr. Fuentes said the restaurant will be open from 11:00 AM - 10:00 PM, seven days a week.

With no one else to be heard, Mayor Birrittieri closed the public hearing at 6:47 PM, and reopened the regular meeting.

RESOLUTION #205-2016 - APPROVE SPECIAL USE PERMIT APPLICATION

Motion by Trustee Holcomb, seconded by Trustee Barnes, to grant/approve the Special Use Permit application as submitted by Mr. Usiel Fuentes, whereby he will be allowed to sell and serve alcoholic beverages at the Mexican restaurant (La Cocina) being proposed for 5 West Fairmount Ave. in accordance with Section #25-6, [Definitions] and Section #25-14, (C-14), [Highway Business (B-2) District], of the Village of Lakewood Zoning Law.

Adopted: 3 ayes, no nays (Barnes, Di Salvo, Holcomb)

## APPROVAL OF MINUTES

Motion by Trustee Holcomb, seconded by Trustee Di Salvo, to approve the minutes of the last regular meeting of the Board of Trustees, held November 28, 2016.

Adopted: 3 ayes, no nays (Barnes, Di Salvo, Holcomb)

## AUDIT OF CLAIMS

Mayor Birrittieri indicated there was a question or two regarding the bill for ads in the 2017 Chautauqua County Travel Guide which is published by the Chautauqua County Visitors Bureau, Chautauqua, New York.

Trustee Di Salvo asked Mayor Birrittieri if the Local Community Development Corporation, (LCDC) has committed to paying for half of the invoice for the ads.

DECEMBER 12, 2016 (CONTINUED)

Mayor Birrittieri indicated that the LCDC has agreed to pay 50% of the invoice regarding the planned ads for the 2017 travel guide.

Trustee Holcomb asked Mayor Birrittieri where is the money coming from to pay for the ads.

Mayor Birrittieri said the money to pay for the ads is the left over revenue in the Summer Band Concerts account, (A7270.40), which will promote next summer's activities. Mayor Birrittieri said over 190,000 copies of the annual travel guide are distributed throughout Chautauqua County and beyond. She noted the ads in the travel guide will provide exposure for Lakewood and is a positive way to utilize the balance of the summer concert monies.

Trustee Holcomb indicated none of the Trustees approved payment of that particular claim because it was unclear where the money to pay for it was coming from.

Trustee Barnes indicated it was also unclear what the Village of Lakewood's share of that invoice was going to be.

Trustee Di Salvo that was his question also, but now knowing how the invoice is going to be paid for he is ready to move on the matter. Trustee Di Salvo told Mayor Birrittieri she did a great job on the ads.

Mayor Birrittieri said she is trying to get the biggest bang out of the money available and believes it is a great way to promote and provide exposure for the Village of Lakewood.

Trustee Barnes wanted to make it clear that indeed the Band Concerts Account is a line item in the budget that is reviewed and agreed upon when the annual budget is prepared.

Mr. Edward J. McCague, 12 Park Lane, and speaking on behalf of the LCDC, said he was enlightened on the powerful marketing impact the travel guide provides by fellow LCDC Board member Michelle Turner. The travel guide is not only distributed throughout Chautauqua County but also impacts the Buffalo, Cleveland and Pittsburgh markets. Mr. McCague said in addition to the ads in the travel guide, there is a whole support network that assists in marketing

the Village of Lakewood. For example, the Chautauqua County Visitors Bureau assisted in the development of the ads saving the Village of Lakewood on ad design costs.

Mayor Birrittieri also said there wasn't a lot of time to put this ad campaign together and after having checked with the LCDC and the Village Treasurer on available funding, the deadline for the ad copy had come and gone. Thankfully we were able to squeak the ads in. Mayor Birrittieri said another event the Events & Marketing Committee is considering is a "Wellness Day" in the spring, which for the most part will be merchant driven.

Trustee Barnes had two questions for Mayor Birrittieri and Village Treasurer Windoft. How much is left in the Summer Concerts account and what is the cost of 50% of the travel guide's ad package.

Treasurer Windoft indicated to Trustee Barnes that there is \$ 2,000.00 left in Account #A7270.40 and 50% of the ad will cost \$ 425.00. Village Treasurer asked Mayor Birrittieri and the Board of Trustees to consider adopting a resolution this evening authorizing her to transfer the monies to be paid out of the Summer Concerts account, (A7270.40).

DECEMBER 12, 2016 (CONTINUED)

#### AUDIT OF CLAIMS

Motion by Trustee Barnes, seconded by Trustee Di Salvo, that the claims as audited by the Auditing Committee of the abstracts dated December 12, 2016, be approved and the Clerk shall execute said abstracts (#29 & #30) and direct payment by the Treasurer. Trust and Agency: \$ 70,509.66, (Checks #3954 thru #3977), General Fund: \$ 280,534.82, (Checks #13294 thru #13339)  
Adopted: 3 ayes, no nays (Barnes, Di Salvo, Holcomb)

#### RESOLUTION #206-2016 - AUTHORIZE FUND TRANSFER

Motion by Trustee Di Salvo, seconded by Trustee Holcomb, authorizing Village Treasurer Andrea J. Windoft to transfer \$ 450.00 from Account #A7270.40, (Summer Concerts), allowing payment of 50% of the cost for ads to be published in the Chautauqua County Visitors Bureau's 2017 County Travel Guide.  
Adopted: 3 ayes, no nays (Barnes, Di Salvo, Holcomb)

#### REPORTS

Mayor Birrittieri began her report by thanking all the volunteers for making the Christmas in the Village event this past Saturday a huge success, after the event's two year hiatus. In particular Mayor Birrittieri would like to thank members of the Events & Marketing Committee, the office staff, the Board of Trustees, the Department of Public Works crew, who built ten sandwich boards which will be able to be used at future events. She also wished to thank Ben Blood and those who sang Christmas carols, Vince Liuzzo,

who is still working on the tree carving, Santa & Mrs. Claus, the Lakewood Baptist church for providing free hot chocolate, all the vendors who supported this event, merchants who donated their floor space to over sixty vendors and those who donated items for the gift baskets.

Mayor Birrittieri was happy to report that we, as a committee have brought back Christmas in the Village and is hopeful it will be an annual tradition for years to come. The next meeting of the Events & Marketing Committee will be held Tuesday, January 3rd, at which this year's CITV will be reviewed and discussed. Anyone interested is more than welcome to attend.

Changing subjects, Mayor Birrittieri reported that the Village of Lakewood and the Town of Busti, with assistance from the Chautauqua Lake & Watershed Management Alliance, are on the receiving end of a \$ 100,000.00 Stormwater Engineering Study awarded by the NYS Department of Environmental Conservation.

Department of Public Works Supervisor Thomas R. Pilling said speaking of grants, the Village of Lakewood/Southwestern Central School District's application for a combined fuel island grant was not approved, however it is something the Village of Lakewood should continue to look into.

Mr. Pilling also reported that the Town of Harmony is interested in purchasing the D.P.W.'s 1990 Salt Truck for \$ 5,000.00, and would like the Board of Trustees' permission to sell it. Mr. Pilling said his goal is to purchase a used ten wheeled dump truck at a cost of approximately \$ 20,000.00, and to sell the 1991 & 1998 International dump trucks through Auctions International this spring, which should bring-in a minimum of \$ 5,000.00 per truck. That would leave only about \$ 5,000.00 to appropriate in next year's budget to purchase the used dump truck.

DECEMBER 12, 2016 (CONTINUED)

RESOLUTION #207-2016 - APPROVE THE SALE OF THE 1990 INTERNATIONAL DUMP TRUCK

Motion by Trustee Holcomb, seconded by Trustee Di Salvo, approving the sale of the 1990 International Dump/Salt Truck to the Town of Harmony for \$ 5,000.00, per the recommendation of Department of Public Works Supervisor Thomas R. Pilling.

Adopted: 3 ayes, no nays (Barnes, Di Salvo, Holcomb)

REPORTS (CONTINUED)

Police Chief John R. Bentley reported the Lakewood-Busti Police Department has responded to nine thousand eight hundred thirty reportable incidents year-to-date, and that the L-BPD is handling a large number of larcenies. Tis the season.

Chief Bentley also reported that due to the recent winter weather that set-in, the L-BPD has handled an increased number of motor vehicle accidents. He encouraged motorists to just slow down when faced with winter driving

conditions. With that said, we are staying very busy.

Fire Chief Kurt W. Hallberg reported the Lakewood Volunteer Fire Department has responded to eight hundred thirty alarms year-to-date, twenty-four of which occurred in the past two weeks. Chief Hallberg said one alarm involved the LFD spending about four hours at the Ashville BOCES investigating a hazardous material spill in and around the swimming pool area.

Mayor Birrittieri thanked Fire Chief Hallberg and the LFD for opening-up a portion of their fire station as vendor space during this past Saturday's Christmas in the Village event.

Village Attorney John I. LaMancuso apologized for not being able to attend the previous Board of Trustees meeting, saying he understood the Easement Agreement with Windstream Communications was discussed. He said the original offer called for a onetime payment of \$ 5,000.00 however he was able to negotiate an increased price of \$ 7,000.00. As far as considering a monthly easement payment to the Village of Lakewood, Windstream Communications would prefer making a onetime payment instead. Mr. LaMancuso said it is therefore up to the Board of Trustees whether to accept the \$ 7,000.00 or to make a counter offer.

Trustee Di Salvo asked Village Attorney LaMancuso if there has been any talk of settling the law suit between the Village of Lakewood and Up State Tower, LLC.

Mr. LaMancuso indicated that there had been some agreement between Richard E. Stanton, Esq. and opposing counsel regarding some of the stipulations between the two parties.

Village Treasurer Andrea J. Windoft indicated she will present a detailed financial report in connection with the Christmas in the Village event to Mayor Birrittieri and the Board of Trustees at the next regular meeting December 27<sup>th</sup>.

Building Inspector Jeffrey A. Swanson indicated that he recently met with Trustees Di Salvo and Holcomb on becoming a Clean Energy Community and the possibility of qualifying for available grant funding from the New York State Energy Research & Development Authority (NYSERDA). Mr. Swanson said he has provided Village Attorney LaMancuso with a couple of sample resolutions for his review. Mr. Swanson said he will be working with Village of Lakewood officials to implement four of the ten High-Impact Actions in moving forward on the NYSERDA grant application. Mr. Swanson said it is his goal to get the four steps completed by the end of the year.

DECEMBER 12, 2016 (CONTINUED)

Mr. Swanson indicated that he would like to see the use and installation of solar panels as a use by right, adding he has issued building permits for them in the past with the thought that solar panels be considered a utility. Mr. Swanson said tomorrow, (December 13<sup>th</sup>), he will be attending a seminar in Hamburg, N.Y. on zoning rules and regulations dealing with solar panels and windmills.

Mayor Birrittieri said it is a good idea for the Village of Lakewood to be

prepared for changes in energy generating systems when it comes to zoning.

RESOLUTION #208-2016 - APPROVE ENERGY LOAN PROGRAM

Motion by Trustee Holcomb, seconded by Trustee Barnes, for the Village of Lakewood, as a participating Clean Energy Community, to approve an energy loan program entitled "Energize New York Benefit Financing Program", to make funds available, through the NYSERDA grant, to qualified property owners who install renewable energy systems and/or make their buildings more energy efficient.

Adopted: 3 ayes, no nays (Barnes, Di Salvo, Holcomb)

RESOLUTION #209-2016 - ESTABLISH ENERGY BENCHMARKING REQUIREMENTS

Motion by Trustee Di Salvo, seconded by Trustee Holcomb, for the Village of Lakewood to establish Energy Benchmarking Requirements for certain municipal buildings as follows:

PURPOSE: Buildings are the single largest user of energy in the State of New York. The poorest performing buildings typically use several times the energy of the highest performing buildings for the exact same building use. As such, this resolution will use Building Energy Benchmarking to promote the public health, safety and welfare by making available good actionable information on municipal building energy use to help identify opportunities to cut energy costs and reduce pollution in the Village of Lakewood. Collecting, reporting and sharing Building Energy Benchmarking data on a regular basis allows municipal officials and the public to understand the energy performance of municipal buildings relative to similar buildings nationwide. Equipped with this information, the Village of Lakewood is able to make smarter, more cost-effective operational and capital investment decisions, reward efficiency and drive widespread continuous improvement.

DEFINITIONS:

- A. "Benchmarking Information" shall mean information generated by the Portfolio Manager, as herein defined including descriptive information about the physical building and its operational characteristics.
- B. "Building Energy Benchmarking" shall mean the process of measuring a building's energy use, and tracking that use over time and comparing performance to similar buildings.
- C. "Commissioner" shall mean the head of the Department.
- D. "Covered Municipal Building" shall mean a building or facility that is covered or occupied by the Village of Lakewood and is 1,000 sq. ft. or larger in size.
- E. "Department" shall mean the specific municipal department administering the energy benchmarking program.
- F. "Energy" shall mean electricity, natural gas, steam, hot or chilled water, fuel oil, or other product for use in a building or renewable on-site electricity generation, for purposes of providing heating, cooling, lighting, water heating or for powering or fueling other end-uses in the Building and related facilities as reflected in utility bills or other documentation of actual energy use.
- G. "Energy Performance Score" shall mean the numeric rating generated by the Portfolio Manager

that compares the energy usage of the building to that of similar buildings.

- H. "Energy Use Intensity" (EUI) shall mean the kBTUs (1,000 British Thermal Units) used per square foot of gross floor area.

DECEMBER 12, 2016 (CONTINUED)

- I. "Gross Floor Area" shall mean the total number of enclosed square feet measured between the exterior surfaces of the fixed walls within any structure used or intended for supporting or sheltering any use or occupancy.
- J. "Portfolio Manager" shall mean Energy Star Portfolio Manager, the internet-based tool developed and maintained by the United States Environmental Protection Agency to track and assess the relative Energy performance of buildings nationwide or successor.
- K. "Utility" shall mean any entity that distributes and sells energy to covered municipal buildings.
- L. "Weather Normalized Site EUI" shall mean the amount of energy that would have been used by a property under 30-year average temperatures, accounting for the difference between average temperatures and yearly fluctuations.

**APPLICABILITY:** This resolution is applicable to all covered Municipal buildings as defined. The Village Clerk may exempt a particular covered municipal building from the benchmarking requirement if the Village Clerk determines that it has characteristics that make benchmarking impractical.

**BENCHMARKING REQUIRED FOR COVERED MUNICIPAL BUILDINGS:** No later than June 1 of every year, the Village Clerk or his or her designee shall enter into the Portfolio Manager the total energy consumed by each covered municipal building, along with all other descriptive information required by the Portfolio Manager for the previous year. For new covered municipal buildings that have not accumulated 12 months of energy use data by the first applicable date following occupancy for inputting energy use into the Portfolio Manager, the Village Clerk or his or her designee shall begin inputting data the following year.

**DISCLOSURE & PUBLICATION OF BENCHMARKING INFORMATION:** The Village Clerk shall make available to the public via the internet an annual update on the following benchmarking information:

- Summary statistics on energy consumption for covered municipal buildings derived from aggregation of benchmarking information, and
- For each covered municipal building individually, the status of compliance with the requirements of this resolution and the building address, primary use type and gross floor area and annual summary statistics, including site EUI, Weather Normalized Source EUI, annual GHG emissions, and energy performance score where available and a comparison of the annual summary statistics (as required by the preceding section) across calendar years for all years since annual reporting under this resolution has been required for said building.

**MAINTENANCE OF RECORDS:** The Village Clerk shall maintain as necessary for carrying out the purposes of this resolution, including but not limited to energy bills and other documents received from tenants and/or utilities. Such records shall be preserved by the department for a period of three (3) years.

**ENFORCEMENT & ADMINISTRATION:** The Village Clerk or his or her designee shall

be the Chief Enforcement Officer of this resolution. The Chief Enforcement Officer of this resolution may promulgate regulations necessary for the administration of the requirements of this resolution. Within thirty days after each anniversary of this resolution, the Chief Enforcement Officer shall submit a report to the Village Board, including but not limited to summary statistics on energy consumption for cover municipal buildings derived from aggregation of benchmarking information, a list of all covered municipal buildings identifying each covered municipal building that the Village Clerk determined to be exempt from the benchmarking requirement and the reason for the exemption and the status of compliance with the requirements of this resolution.

SERVERABILITY: If any clause, sentence, paragraph, section or part of the resolution shall be adjudged by any court pf competent jurisdiction to be invalid, the judgement shall not affect the validity of this resolution as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

Adopted: 3 ayes, no nays (Barnes, Di Salvo, Holcomb)

DECEMBER 12, 2016 (CONTINUED)

#### RESOLUTION #210-2016 - SET DATE FOR PUBLIC HEARING

Motion by Trustee Holcomb, seconded by Trustee Barnes, for the Board of Trustees to set Tuesday, December 27<sup>th</sup> as the date to conduct a public hearing on a proposed Local Law to allow Village of Lakewood property owners to pay back the cost of clean energy upgrades to their commercial or non-profit property through a special charge back on the Village of Lakewood tax bill, via the Clean Energy Community/Energize New York Finance Program. NOTE: Trustee Di Salvo indicated because the local law requires SEQR review, it will also be subject to approval by the Chautauqua County Department of Planning & Economic Development.

Adopted: 3 ayes, no nays (Barnes, Di Salvo, Holcomb)

#### COMMITTEE REPORTS

Trustee Barnes indicated that she has been in contact with Mr. Julius Leone, Director of the Chautauqua County Department of Emergency Services, Mayville, N.Y., about scheduling a presentation on Chautauqua County's ambulance response program at a future work session.

Trustee Di Salvo said earlier in the day he had a conversation with Ms. Eileen Powers, Director of Rehab Services from CHRIC and she noted that in connection with the \$ 492,500.00 award, three of the twenty-three properties reviewed under this rehab program are currently under contract. Nine of the twenty-three properties qualified for assistance at an average of \$ 44,000.00/property rehab. Trustee Di Salvo indicated if there is any money left over, it can be "rolled over" and hopefully the Village of Lakewood will qualify for another grant on the next round of funding. This information will be reflected in an end of year report to be signed by Mayor Birrittieri and the Village Clerk and filed with the New York State Office of Community Renewal.

Mr. Edward J. McCague, Chairman of the Comprehensive Plan Steering Committee indicated that he has assembled a packet of information on the Comprehensive

Plan for Village Attorney LaMancuso's review. Mr. LaMancuso's review of this information is the last step prior to having the Comprehensive Plan approved by the Board of Trustees. Mr. McCague, in closing, encouraged the respective department heads and members of the Village of Lakewood's administration review and comment on the comprehensive plan as well.

DISCUSS/REVIEW EMPLOYEE HOLIDAY/TIME OFF SCHEDULE

Mayor Birrittieri said as a means to adhere to the current federal holiday schedule, she would propose replacing the three (3) floating holidays for the office employees, namely the Village Clerk, the Village Treasurer and the Deputy Village Clerk/Treasurer, to the following three (3) federal holidays, (not currently observed) Martin Luther King, Jr. Day, Presidents' Day and Columbus Day, and to add the Friday after Thanksgiving as an additional vacation day for all non-union employees. NOTE: These changes shall become effective January 15, 2017 and any office employees who have a balance of floating holidays may utilize them prior to January 16, 2017. Mayor Birrittieri said she believes her proposal is a proper way to move forward on this matter.

Trustee Barnes asked that action on this matter be tabled until Trustee Drago is present. She noted that other businesses are open on Columbus Day and Presidents' Day.

Trustee Di Salvo said he doesn't see any reason to wait any longer in adjusting the holiday schedule.

Trustee Holcomb said he isn't in favor of Mayor Birrittieri's proposal. Trustee Holcomb said he talked with the three employees and they would favor celebrating Martin Luther King, Jr. Day, but retain two floating holidays.

DECEMBER 12, 2016 (CONTINUED)

Trustee Di Salvo said because the banks are closed, it only makes sense to observe the federal holiday schedule.

Mayor Birrittieri agreed with Trustee Di Salvo saying the Village of Lakewood is a local form of government and as such we should be closed on all federal holidays.

Trustee Barnes said using that logic, the day after Thanksgiving is not a federal holiday, banks and other businesses are open and is therefore against this proposal to include the day as an additional vacation day for all non-union employees. Trustee Barnes said she has made a motion to table action on Mayor Birrittieri's holiday schedule which still stands.

RESOLUTION #211-2016 - TABLE ACTION ON PROPOSED HOLIDAY SCHEDULE

Motion by Trustee Barnes, seconded by Trustee Holcomb, to table action on Mayor Birrittieri's proposed holiday schedule, whereby office employees would lose their three (3) floating holidays and instead observe the following three (3) federal holidays, Martin Luther King, Jr. Day, Presidents' Day and Columbus Day, plus for all non-union employees to receive the Friday after Thanksgiving as an extra vacation day.

2 ayes: (Barnes, Holcomb) 2 nays: (Birrittieri & Di Salvo)

Village Treasurer Windoft said after speaking with Mary Currie, they are agreeable to observing the three (3) federal holidays instead of having three (3) floating holidays, noting the extra vacation after Thanksgiving is a bonus.

Trustee Di Salvo said he would like to make a motion to approve the holiday schedule as proposed by Mayor Birrittieri.

Village Clerk Johnson indicated this office pushed to have the Village of Lakewood observe Martin Luther King, Jr. Day a number of years ago to no avail. Observing that particular holiday is long overdue. Mr. Johnson said after speaking with Mrs. Windoft and Mrs. Currie, we all agreed if given a choice to have two floating holidays versus observing Presidents' Day and Columbus Day, we would take the floating holidays. However, we all have earned the maximum amount of vacation leave and therefore have plenty of flexibility in how we utilize our vacation and personal leave time. All Village of Lakewood employees should be thankful for the time off they are granted. Mr. Johnson said observing the federal holiday schedule is only right.

RESOLUTION #212-2016 - APPROVE PROPOSED HOLIDAY SCHEDULE

Motion by Trustee Di Salvo, seconded by Trustee Holcomb, to approve the holiday schedule as proposed by Mayor Birrittieri, replacing the three (3) floating holidays for the office employees, namely the Village Clerk, the Village Treasurer and the Deputy Village Clerk/Treasurer, with the following three (3) federal holidays, (not currently observed), Martin Luther King, Jr. Day, Presidents' Day and Columbus Day, and adding the Friday after Thanksgiving as an extra vacation for all non-union employees. NOTE: Trustee Barnes said for the record, she disagrees with granting all non-union employees with the extra vacation day following the Thanksgiving Day holiday. Adopted: 3 ayes, (Birrittieri, Di Salvo, Holcomb), 1 nay, (Barnes)

DECEMBER 12, 2016 (CONTINUED)

RESOLUTION #213-2016-REFER LETTER FROM SWCS TO THE ZONING BOARD OF APPEALS

Motion by Trustee Di Salvo, seconded by Trustee Holcomb, for Mayor Birrittieri and the Board of Trustees to refer a letter received from Southwestern Central School Superintendent Ms. Maureen Donahue, regarding being contacted by the Carpenter Consulting Group, Rochester, N.Y., in connection with a potential site for a wireless communications facility on SWCS owned property, to members of the Zoning Board of Appeals for their reference.

Adopted: 3 ayes, no nays (Barnes, Di Salvo, Holcomb)

RESOLUTION #214-2016 - RESCHEDULE NEXT REGULAR VILLAGE BOARD MEETING

Motion by Trustee Holcomb, seconded by Trustee Barnes, due to the Christmas Holiday, (Monday, December 26<sup>th</sup>), to reschedule the next regular meeting of

the Board of Trustees for 6:30 PM, Tuesday, December 27, 2016 and to set 6:40 PM, as the time to conduct a public hearing on the Local Law Establishing an Energy Loan Program for property owners in the Village of Lakewood, New York. The meeting will be held in the Board Room of the Anthony C. Caprino Municipal Building, 20 West Summit Street, preceded by a 6:00 PM work session. Adopted: 3 ayes, no nays (Barnes, Di Salvo, Holcomb)

RESOLUTION #215-2016 - AUTHORIZE NYSERDA GRANT APPLICATION PROCESS

Motion by Trustee Barnes, seconded by Trustee Di Salvo, authorizing the Village of Lakewood to begin the process to submit an application for a New York State Energy Research & Development Authority (NYSERDA) grant. Adopted: 3 ayes, no nays (Barnes, Di Salvo, Holcomb)

RESOLUTION #216-2016 - SET TIME & DATE FOR PUBLIC HEARING ON COMP. PLAN

Motion by Trustee Barnes, seconded by Trustee Holcomb, for the Board of Trustees to set 7:00 PM, Monday, January 9, 2017, as the time and date to conduct a public hearing to present, review and accept the State Environmental Quality Review Assessment Forms, Parts #1, #2 & #3 for the Village of Lakewood's Comprehensive Plan - 2016. Adopted: 3 ayes, no nays (Barnes, Di Salvo, Holcomb)

RESOLUTION #217-2016 - SET TIME & DATE FOR PUBLIC HEARING ON COMP. PLAN

Motion by Trustee Barnes, seconded by Trustee Di Salvo, for the Board of Trustees to set 7:30 PM, Monday, January 9, 2017, as the time and date to conduct a public hearing to present and adopt the Village of Lakewood's Comprehensive Plan - 2016. Adopted: 3 ayes, no nays (Barnes, Di Salvo, Holcomb)

Motion by Trustee Di Salvo, seconded by Trustee Holcomb, and unanimously carried the Board adjourned at 7:56 PM.

---

Joseph M. Johnson  
Village Clerk

