

MARCH 14, 2016

The fifth regular meeting of the Board of Trustees of the Village of Lakewood, NY, was held Monday, March 14, 2016 at 6:00 PM, with Mayor Cara Birrittieri presiding. Trustees present were Ellen E. Barnes, David J. Di Salvo, Susan F. Drago, and Randall G. Holcomb. Also present were Village Clerk Joseph M. Johnson, Village Treasurer Andrea J. Windoft, Police Chief John R. Bentley, Village Attorney Edward P. Wright, Department of Public Works Supervisor Thomas R. Pilling and Fire Chief Kurt W. Hallberg. Absent was Building Inspector Jeffrey A. Swanson.

APPROVAL OF MINUTES

Motion by Trustee Di Salvo, seconded by Trustee Barnes, to approve the minutes of the last regular meeting of the Board of Trustees, held February 22, 2016.

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

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 March 14, 2016 be approved and that the Clerk shall execute said abstracts (#9, #41, #42, & #43) and direct payment by the Treasurer. General Fund (End of Month): \$15,049.23, Capital Fund: \$ 467.12, (Checks #12529 & #12530), Trust & Agency Fund: \$ 57,233.88, (Checks #3671 thru #3682), General Fund: \$ 59,880.25, (Checks #12531 thru #12589)

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

REPORTS

Mayor Birrittieri indicated that work on the Tentative Budget for the fiscal year June 1, 2016 - May 31, 2017 is well underway and that she has shared the "working budget" with the Finance Committee, the Board of Trustees and the Citizens Budget Advisory Committee. Mayor Birrittieri said a Tentative Budget will be submitted to Village Clerk Johnson by March 20th for distribution to the Board of Trustees by the end of the month. Mayor Birrittieri said she appreciates all the hard work the department heads did in submitting their estimated budgets for review and consideration. As mentioned on more than one occasion previously, it is going to be a difficult year for the Village of Lakewood budget wise, when taking into account an extremely low budget cap, a decrease in State aid and additional expenses. Members of the Citizens Budget Advisory Committee, which is solely advisory in nature, along with the Finance Committee and the Board of Trustees are encouraged to make any recommendations relative to the budget. Mayor Birrittieri said she will be working with Village Treasurer Andrea J. Windoft to draft a fair and balanced budget to see the Village of Lakewood through the upcoming fiscal year. She added it is her goal to keep the budget within the prescribed property tax cap.

Mayor Birrittieri said the initial meeting of the ad hoc Events & Marketing Committee met March 2nd. She said the group is comprised of about twenty people who are willing to help out with the annual 4th of July Summerfest, concerts in the park and possibly creating new events for the

Village of Lakewood. Mayor Birrittieri said those on Facebook are invited to visit a new Village of Lakewood page which should be up and running very soon. The Village of Lakewood page will promote events, activities and businesses as well as provide a variety of information to residents. The next meeting of the Events & Marketing Committee has been tentatively scheduled for 6:00 PM, Wednesday, April 6th.

Mayor Birrittieri said the New York State Department of Transportation has responded favorably following the December 29, 2015 meeting with NYS DOT officials in Buffalo, to a few requests, in connection with plans to mill and pave Rt. 394 from Winchester Road east to the Jamestown city line. First and foremost they intend to extend the sidewalk on the north side of Rt. 394, from in front of LUV Toyota west to Shadyside Ave.

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When built, the sidewalk will provide a means to safely walk to the Lakewood Family YMCA as well as the retail stores along this stretch of highway. Mayor Birrittieri said with the some financial help through grant funding she is hopeful to someday extend the sidewalk west to Chautauqua Ave. The NYS DOT also has agreed to upgrade the crosswalks into high-visibility crosswalks under this project. Mayor Birrittieri indicated the NYS DOT hasn't ruled out conducting another traffic study at the intersection of Rt. 394 and Shadyside Ave. in the future, to determine if it warrants a traffic signal. Mayor Birrittieri said there is a conference call with NYS DOT officials scheduled for this Wednesday during which a few other issues dealing with pedestrian and vehicular safety will be discussed.

Mayor Birrittieri said residents may have noticed a lot of activity along Chautauqua Ave. recently. Unfortunately a store or two are closing however one is undergoing expansion and there are new businesses coming to the avenue. The Village of Lakewood is sad to see Christa's Angel on Earth gift shop closing, but very fortunate to have been the home of Ms. Mary Stineman's lovely gift shop for a number years. The Village of Lakewood wishes Mary and her entire family a fond farewell.

Mayor Birrittieri then indicated that later this week the Planning Board will be reviewing a proposal for a luxury kennel and dog day care at the former Grazer's Restaurant, 15 West Fairmount Ave.

Mayor Birrittieri said an item on her "to do list" includes the formation a Lakewood Merchants Association, Although it has been tried in the past, she is hopeful the idea will gain some traction this time around. It is important that area merchants support each other and the local business community as a whole.

Mayor Birrittieri took a moment to personally thank Marion Gibbon for her time and energy while serving the community as a member of the Village of Lakewood Planning Board. Mrs. Gibbon, who has served on the Planning Board since January 2012, has made the decision to step down from her position on the review board.

Mayor Birrittieri said a few items will be added to this evening's agenda at the appropriate time.

Department of Public Works Supervisor Thomas R. Pilling indicated that a contractor working at 120 Chautauqua Ave. damaged some pavers at the corner of West Third Street and asked if the Village of Lakewood should contact the

contractor or property owner regarding the repair or replacement of the damaged pavers. Mr. Pilling said he will get some estimates and then go from there.

Mr. Pilling mentioned tonight's agenda includes action on the license agreement between the Village of Lakewood and the Chautauqua Lake Community Sailing Foundation, but it appears their docks have been installed already. He also noted that the group left quite a mess in the beach house following last year's sailing season, saying some additional shelving might be the answer to that problem.

Mr. Pilling completed his report saying with the good weather recently, the DPW and Parks Department crews have begun the annual spring clean-up of the parks.

Police Chief John R. Bentley reported that the Lakewood-Busti Police Department has responded to two thousand one hundred sixty-five reportable incidents year-to-date and that Miro, the K-9 dog, passed a test recently and has been recertified by New York State. Chief Bentley noted that Miro was called into service two times in the past two weeks resulting in the apprehension and arrest of two perpetrators. Chief Bentley then submitted the Lakewood-Busti Police Department's annual report for 2015 to Mayor Birrittieri and the Board of Trustees.

Fire Chief Kurt W. Hallberg reported the Lakewood Volunteer Fire Department has responded to one hundred sixty-three alarms year-to-date, fifty-three of which occurred the past three weeks.

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Mayor Birrittieri indicated to Chief Hallberg that the Lakewood Fire Department's annual banquet and awards ceremony held this past Saturday at the Chautauqua Suites, Mayville, New York was a very nice event and enjoyed by all.

Village Treasurer Andrea J. Windoft said earlier today she received word from the Assessor's Office, noting the previous glitch in the business exemption portion of the Village of Lakewood's assessment roll for the Wal-Mart Plaza, has been corrected, increasing the overall assessment by 2.1 million dollars. The increased assessment will reduce the tax rate per one thousand dollars of assessed value.

PUBLIC HEARING: 6:15 PM
CONSIDER AMENDING THE LOCAL LAW TO
ADD ALTERNATES TO THE PLANNING BOARD

Mayor Birrittieri opened the public hearing at 6:15 PM and asked Village Clerk Johnson to read the notice of public hearing as it appeared in the Village of Lakewood's official newspaper.

Mayor Birrittieri said amending the Local Law would allow the addition of alternates to the Planning Board who would be available to serve in cases of absences and/or conflicts of interest. She indicated this option was brought to her attention by Planning Board Chairman Edward J. McCague. Mayor

Birrittieri said due to the fact that the State of New York recommends the option, she wholeheartedly supports the idea to amend the Local Law, allowing alternates on both the Planning Board and the Zoning Board of Appeals. For example, due to vacation, work, etc., there was no quorum at the last week's meeting of the Zoning Board of Appeals. Mayor Birrittieri said New York State Village Law allows the addition of alternates who will be held to the same training standards as the other members of the respective review boards.

Mayor Birrittieri said she had asked Village Attorney Wright to draft a few guidelines with respect to the alternate review board positions and noted that it is best to have a full board in attendance, rather than three, wherein a unanimous vote would be required, or four, wherein there could be a tie vote, both situations stalling the special use or site plan review application process. Mayor Birrittieri said having alternates would be beneficial at no extra cost. She then asked the chairmen of the Planning Board and Zoning Board of Appeals if they would like to comment on the option to add alternates to each of the review boards.

Planning Board Chairman Edward J. McCague, 12 Park Lane, indicated in the past year while serving on the Planning Board there wasn't one time when there was a full complement of board members. Mr. McCague said he has sent a letter via e-mail to each member of the Board of Trustees explaining substantive arguments to having alternates on the Planning Board. He believes the move to do so is prudent business management, fortifies the review board and allows village business to move forward uninterrupted. Mr. McCague also noted with an alternate in the wings, he or she could step-in and fill a vacancy if need be. In closing Mr. McCague said he supports the option to amend the Local Law, allowing the appointment of alternates and called upon members of the Board of Trustees for their support.

Mr. William Chandler, 207 West Summit Street, Chairman of the Zoning Board of Appeals, indicated about fifty percent of the time the review board has had less than the full complement of members in attendance. Typically there are three or four members present at the meetings. Mr. Chandler said, if his memory serves him right, in the past five or six years there has been only two times when a quorum wasn't present. One of those two times just happened to be last Thursday. Mr. Chandler said the problem arises when the property owner and/or their contractor has done everything they can to move forward with the review process. If there is no quorum to act on the application, the project is delayed. The situation is embarrassing and doesn't make the Village of Lakewood look good. Mr. Chandler said for the sake of the Village of Lakewood he would like for the Board of Trustees to consider amending the local law which would allow alternates on the respective review boards.

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Former Planning Board member Mrs. Marion Gibbon, 92 West Summit Street, indicated when making time to attend a meeting either in the dead of winter or on a beautiful summer evening, it is very annoying for everyone concerned when a quorum isn't present. She said it isn't fair for the review board or the applicant when not enough members of the review board show up. Mrs. Gibbon said she would be available as an alternate member of the Planning Board if needed.

Mr. Richard Rose, 42 Gifford Ave., said he is a new member of the Planning Board, and because the projects that come before them for review are very detailed and complex, it is important to have as many sets of eyes looking at

them and as many heads thinking about them. Mr. Rose said he supports the option to add alternates to the respective review boards. An example for the need of alternates, a current member of the Planning Board announced last month that he was going to be out of town on vacation for two months.

Trustee Barnes said she would first like to thank all those who have served and are serving on either the Planning Board or Zoning Board of Appeals. Trustee Barnes said she is concerned about the times when review board members fail to show up for a scheduled meeting. If a board member is going to be out of town for any length of time they might wish to consider stepping down from their position. She understands emergencies are going to come up but it is only fair for review board members to try to attend each and every meeting.

Trustee Barnes said she believes alternates could throw a monkey wrench into the mix, creating some inconsistency among the review board members. She suggested that the chairmen of the review boards approach their members and express the importance of attending each and every meeting. If one or more members aren't showing-up on a consistent basis that should be looked into. In conclusion, Trustee Barnes said by having alternates, the Village of Lakewood could be burning the pool of candidates that might wish to serve the community in another capacity.

Trustee Holcomb indicated that he contacted fourteen local municipalities, eight townships and six villages, and found that only two have created alternate positions on their respective review boards. Although two municipalities have created the position neither of them has filled it. Trustee Holcomb said he is not in a position this evening to support the idea of having alternates appointed to the review boards. Trustee Holcomb said with more time to give it some thought it is not to say he wouldn't consider the idea sometime in the future.

Trustee Drago said she agrees with the comments made by Trustee Barnes and Trustee Holcomb and therefore doesn't need to say anymore.

Trustee Di Salvo said he disagrees, surprise, surprise. Trustee Di Salvo said he doesn't see any downside to having alternates on the review boards and hasn't heard anything that would lead to him the conclusion that there are objections. He has heard and sees nothing but positives in exercising the option of having alternate review board members. It is only prudent to have alternates and wholeheartedly agreed with Mr. McCague's arguments for having them.

Ms. Wendy Kane, 132 West Summit Street, asked Mayor Birrittieri if the number of members on each review board could be increased.

Mayor Birrittieri said Village Law allows each review board to be comprised of either five or seven members. Although it is possible to increase the number of members to seven, Mayor Birrittieri said she isn't sure if that would be the route to go because there would still be the need for a quorum of four.

Mr. David G. Bargar, 11 Sunset Ave., said he agrees with Trustee Di Salvo in that there doesn't appear to be any downside of having alternates for the two review boards. Mr. Bargar said when developers or individuals come to the Village of Lakewood with proposals they shouldn't be held-up from moving forward because there isn't a quorum present on one or the other review boards.

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Mr. Bargar said not having alternates on the review boards is politicizing the matter and doesn't make any sense at all.

Mr. Bruce Erickson, 9 Stoneman Ave., said with his experience with boards in general, if a member, for one reason or another, fails to participate in a predetermined percentage of the meetings, he or she is replaced. Applicants need to have their proposals reviewed without delay. By law the applicants have a right to a hearing and in this case the Village of Lakewood has an obligation to conduct the hearing in a timely manner.

Trustee Holcomb asked if alternate review board members will be asked to attend a meeting if they are not needed.

Mayor Birrittieri said it is her understanding that alternates aren't required to attend every meeting, however they need to have the proper training just as any regular board member does. The current terms for regular members is five years, while the terms for alternates will likely be set at a maximum of two years.

Mayor Birrittieri said while some local municipalities may not have review board alternates there are many municipalities across New York State that do. Taking into consideration that each review board chairman has expressed support for alternates, we need to do what is right for the Village of Lakewood.

Trustee Di Salvo said before any review board member or alternate is appointed, it must be pointed out what will be expected of them. He added alternates provide flexibility and reiterated there is no downside to the idea of having them.

Trustee Barnes said the option to add alternates to the respective review boards isn't going anywhere and can be revisited. She asked that the review board chairmen speak to each of their board members regarding their commitment and agreed with the idea if a board members misses three meetings within a year they could be asked to step down.

Trustee Drago interjected saying the situation of not having a quorum present hasn't occurred that often.

Trustee Di Salvo said the Village of Lakewood should be prepared for when there isn't a quorum. For example, if there is an important meeting scheduled, such as a proposed cell tower, it is imperative to have a full complement of board members present. Again, it is only prudent to have alternates on the review boards.

Mr. A. Jackson Smith, 15 Sunset Ave., reminded everyone this is government and that life happens. If a well versed review board member for one reason or another can't make a couple of meeting and is asked to step down, a revolving board membership door is created and with that the board may never get the expertise on it that Trustee Holcomb so aptly desires. Mr. Smith then asked Trustee Holcomb to identify the fourteen municipalities that were contacted, which he did.

Trustee Drago indicated she agrees with how Trustee Barnes and Trustee Holcomb expressed the need for consistency on the review boards as members

get to know each other and work together. If there is a revolving door of board members then consistency would be lost.

Mr. Smith said a revolving door of review board members is exactly what you'll have if Ms. Barnes has her way to out review board members when they miss a few meetings over the course of a year and you'll never have the consistency on the review board you so desire.

Mr. McCague indicated the same standards that are required for regular review board members will also be required for alternates. As Chairmen of the Planning Board he will ask alternate board members to attend all the meetings.

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Mr. McCague said members of the review boards have legitimate reasons as to why they may be absent.

There lies in the reason for alternates. If a quorum isn't present and no action is taken, then the review board would be guilty of holding up village business.

Mrs. Mary Seger, 31 Winchester Road, said listening to the chairman of the two review boards, who spoke so passionately about the need for alternates, she is puzzled by the opposition to the idea, adding it doesn't make any sense to her.

Mrs. Jane Gesing, 103 Lakeview Ave., asked members of the Board of Trustees, what is the problem having alternate review board members and why isn't the Village of Lakewood doing this.

Mayor Birrittieri closed the public hearing at 6:50 PM and proceeded to reopen the regular meeting of the Board of Trustees. She then asked for a motion for the Board of Trustees to amend the Local Law allowing two (2) alternates, having terms of two (2) years each, to be added to the five member Planning Board.

RESOLUTION #26-2016 - AMEND LOCAL LAW TO ADD ALTERNATES TO THE PLANNING BOARD

Motion by Trustee Di Salvo, seconded by Trustee Barnes, for the Board of Trustees to amend the Local Law, which would allow the addition of two (2) alternates, having terms of two (2) years each, to the five member Planning Board.

Adopted: 3 nays, (Barnes, Drago, Holcomb), 1 aye, (Di Salvo)

RESOLUTION #27-2016 - AMEND LOCAL LAW TO ADD ALTERNATES TO PLANNING BOARD

Motion by Trustee Di Salvo, seconded by Trustee Barnes, for the Board of Trustees to amend the Local Law, which would allow the addition of two (2) alternates, having terms of one (1) year each, to the five member Planning Board.

Adopted: 3 nays, (Barnes, Drago, Holcomb), 1 aye, (Di Salvo)

RECESS

Motion by Trustee Barnes, seconded by Trustee Holcomb, to recess the regular meeting so as to conduct a previously scheduled public hearing.

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

PUBLIC HEARING: 6:20 PM
CONSIDER AMENDING THE LOCAL LAW TO ADD
ALTERNATES TO THE ZONING BOARD OF APPEALS

Mayor Birrittieri opened the public hearing and asked the Clerk to read the notice of public hearing as it appeared in the Village of Lakewood's official newspaper.

Zoning Board of Appeals Chairman William F. Chandler asked Village Attorney Wright if for example an alternate member of a review board is appointed by the Mayor with the Board of Trustees' approval, could that alternate be reappointed following the end of his or her respective term, whether it be one or two years.

Village Attorney Wright answered yes, if he or she is reappointed by the Mayor and with the Board of Trustees' approval, an alternate is welcome to serve multiple terms.

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Mr. Chandler said that answers the question whether an alternate would only serve a single term and then be replaced.

Per the request of Village Attorney Wright, it is noted that any and all comments made during the first public hearing regarding alternates for the Planning Board should be considered relevant and applicable to the public hearing on the discussion of having alternates for the Zoning Board of Appeals.

RESOLUTION #28-2016 - AMEND LOCAL LAW TO ADD ALTERNATES TO THE ZONING BOARD

Motion by Trustee Di Salvo, seconded by Trustee Barnes, to amend the Local Law, which would allow the addition of two (2) alternates, having terms of one (1) year each, to the five member Zoning Board of Appeals.

Adopted: 3 nays, (Barnes, Drago, Holcomb), 1 yea, (Di Salvo)

COMMITTEE REPORTS

Trustee Drago, as the Board of Trustees' liaison with the Lakewood Memorial Library, indicated she attended their March 8, 2016 meeting and reported overall the library has increased its membership and has experienced increased attendance in both adult and children's programs. Trustee Drago mentioned that library President Myra Blasius would like for the Lakewood Memorial Library to be included in any upcoming Village of Lakewood events.

Trustee Drago said much of discussion revolved around the library's 2016 budget. The Town of Busti will contribute \$ 47,500.00, versus the requested \$ 68,000.00, while the Village of Lakewood will be asked to fund the Town of Busti's shortfall, plus its own share of \$ 68,000.00, for a total of \$ 88,000.00. When library officials were asked if they could tighten their budget belt, the response was they were already at a "bare bones" budget. Trustee Drago said last year the Village of Lakewood appropriated \$ 64,950.00 for the library. It was reported by library

officials that the tentative budget for the Village of Lakewood, which hasn't yet been released to the Board of Trustees, would increase its funding for the library this year by \$4,000.00.

Trustee Di Salvo said for the elected officials of the Town of Busti to cut their contribution to the Lakewood Memorial Library with the assumption the Village of Lakewood would somehow make up the difference is absurd. The town council, namely Supervisor Robbins should be sent a letter signed by Mayor Birrittieri requesting an explanation as to why the Town of Busti is cutting its funding to the library. The Village of Lakewood and the township are up against the same type of budget hurdles. Trustee Di Salvo said the local library is an important quality of life function for the community and its budget woes presents a good reason why a joint meeting between the two municipal boards is so needed to discuss this issue.

Trustee Drago said in defense of the Town of Busti, they have agreed to contribute \$ 47,500.00 to the Lakewood Memorial Library in 2016, adding the township also supports the Hazeltine Public Library out in the hamlet.

Trustee Di Salvo reiterated his point that a letter be sent to Supervisor Robbins requesting a joint meeting of the two municipal boards to discuss this issue.

Mayor Birrittieri said Trustee Di Salvo's comment is duly noted. She said although Supervisor Robins and the town council have balked at the idea to meet jointly on the fifth Mondays during the year, he would consider a joint meeting if the need arises. Mayor Birrittieri said she is pleased that the Town of Busti is funding the two libraries equally, however the cut in its contribution to the Lakewood Memorial Library makes it very difficult.

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Trustee Holcomb said as a member of the Finance Committee he and committee chairman Di Salvo have begun the review of the fee and fine schedule and will suggest changes for the Board of Trustees' review and comment at the next meeting.

Trustee Di Salvo asked that the Mayor and members of the Board of Trustees review and compare the current schedule with the proposed fee and fine schedule and get back with he or Trustee Holcomb with any comments or suggestions.

Trustee Holcomb, as the liaison for the Lakewood History Museum, under the direction of Village Historian Susan G. Lane, gave a brief recap of activities in 2015 and previewed the upcoming events for 2016. Activities in 2015 included a book signing by Mr. Roger Gilbert who authored "Nine West Summit Street", a history of the Quonset hut, the 100 year anniversary celebration of the Village Hall and the awarding of the annual history scholarship to Ms. Lucy Pannes, a senior at SWCS. Earlier this month a plaque commemorating the 50th anniversary of the Lakewood Area Junior Miss Program was dedicated at SWCS. Events for the rest of 2016 include the Chautauqua County History Fair in Mayville, N.Y. and an artifact night in late spring or early summer.

Trustee Barnes, Public Safety Committee Chairperson, reviewed the various ways by which residents can be alerted of emergency situations. The first is by way of reverse 911 calls which utilize land lines only, New York Alert is for those using cell phones and/or land lines, which requires residents to

register for it and last but not least the Smart 911 service, which also requires residents to apply for it.

Trustee Barnes then wanted to report on the subject of having a paid ambulance service. Trustee Barnes recently discussed the subject with Mike Volpe, Fire Chief of the Busti Fire Department. The process to enter into the business of operating a paid ambulance service is very lengthy. Mr. Volpe stressed that the Lakewood Mayor and Town Supervisor along with the respective fire chiefs must discuss in detail all that is involved in setting-up a paid ambulance service.

Trustee Drago, as a member of the Public Safety Committee, continued the discussion and said the decision needs to be made by the local fire department whether to go into being a paid ambulance service alone or team-up with another local fire department. Trustee Drago said it is likely a billing company would be hired and it would be necessary for the Lakewood Emergency Medical Service to become independent from the Lakewood Volunteer Fire Department. If the Lakewood Fire Department and Busti Fire Department were to become partners, an independent ambulance corporation would need to be formed.

Trustee Barnes indicated that different members of the Lakewood Volunteer Fire Department are working on the process to form an independent ambulance service. In addition to forming committees from the respective departments, the first step in doing so would be to educate the public on the change in hospital transport policies. There are going to be some upfront costs such as attorney fees, plus there will be additional licenses required. Trustee Barnes said if 24/7 ambulance service is offered then proper staffing will need to be guaranteed. In addition to upfront legal fees there will be a need of some start-up money, plus as an independent entity the paid ambulance service will likely lease the actual emergency vehicle and garage space from the local fire department. In the long run a paid ambulance isn't expected to be a huge profit maker.

Trustee Barnes asked Mayor Birrittieri if the various committees that have formed could provide her and the other members of the Board of Trustees with occasional reports on their activities, goals, etc. to keep everyone informed of what is happening in the village. Also, a list of the committee members and the chairman of each one would be helpful.

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ANYONE TO BE HEARD

Ms. Sandy Olson, 10 Clark Street, asked if there is anything new to report on the proposal to demolish the fire damaged residential structure at 9.5 Clark Street.

Mayor Birrittieri said she will gladly check with Building Inspector Swanson and get back with her if a timeframe has been set to clean-up the property.

Mr. Benjamin Blood, Secretary of the Lakewood Memorial Library, wanted to add a few things to the points made earlier by Trustee Drago. Mr. Blood said participation in programs offered by the library is on the increase as is

book circulation. The library remains vital and the trend is that the library is being used more and more each year. Mr. Blood wanted to clarify a point made earlier in the evening, saying the library is in no way assuming the Village of Lakewood would make up the difference in this year's budget request, but only that the library is in need of some financial assistance.

RESOLUTION #29-2016 - AUTHORIZE LEVYING OF UNPAID WATER BILLS ONTO TAX BILLS

Motion by Trustee Drago, seconded by Trustee Barnes, authorizing Village Treasurer Andrea J. Windoft to accept the list of unpaid water bills of village residents from the Jamestown BPU for levying onto the 2016-2017 Village of Lakewood tax bills.

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

RESOLUTION #30-2016 - AUTHORIZE 2016-2017 VILLAGE TAX BILL PREPARATION

Motion by Trustee Di Salvo, seconded by Trustee Drago, authorizing Village Treasurer Andrea J. Windoft and the Chautauqua County Division of Taxation to produce the Village of Lakewood's 2016-2017 tax bills in accordance with the most recent tax roll on file.

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

RESOLUTION #31-2016 - AUTHORIZE BUDGET TRANSFER

Motion by Trustee Di Salvo, seconded by Trustee Drago, authorizing Village Treasurer Andrea J. Windoft to make a budget transfer of \$ 2,500.00 from Account A-3120.42, (Police Gasoline) into Account A3120.40, (Police Contractual), for anticipated expenses.

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

RESOLUTION #32-2016 - AUTHORIZE MID-YEAR BUDGET TRANSFERS

Motion by Trustee Barnes, seconded by Trustee Holcomb, authorizing Village Treasurer Andrea J. Windoft to make several mid-year budget transfers regarding overages in the following accounts:
\$ 236.00, from Account A-3620.40, (Code Enforcement Contractual), & Account #A-3620.41, (Code Enforcement Phones), into Account A-3620.10, (Code Enforcement Salaries).

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

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RESOLUTION #33-2016 - REVIEW/APPROVE POLICE VEHICLE BIDS

Police Chief John R. Bentley indicated he had to request bids for the desired vehicles two (2) times in that he failed to receive any bids for the police cars meeting the specifications when initially bid. Chief Bentley said the

second round of bids included decent trade-in prices of \$ 5,000.00 on the 2013 Dodge Charger and \$ 6,771.00 on the 2010 Ford Expedition. Chief Bentley indicated the two trade-in vehicles have high mileage and are in need of repairs.

Motion by Trustee Barnes, seconded by Trustee Drago, to approve/accept the bids for one 2016 Dodge Charger, w/trade-in at a total cost of \$ 22,173.00 and one 2016 Ford Expedition, w/trade-in at a total cost of \$ 25,946.00, per the recommendation of Police Chief John R. Bentley.

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

RESOLUTION #34-2016 - SET TIME & DATE FOR PUBLIC HEARING

Mr. Jackson Knowlton, President of the Lakewood Fire Company wished to say a few words regarding the Fire Company's position on a proposal by Up State Tower Co., LLC to establish a wireless telecommunications facility on their property. Mr. Knowlton said the Lakewood Fire Company was approached by Up State Tower Co., LLC and have executed a lease agreement with them. Mr. Knowlton said the annual income realized through this agreement is substantial and would be an alternate income source for the fire company. A good share of the revenue would be placed in their capital improvement fund. He said the proposed location for the cell tower is in the back southwest corner of their property off Glenwood Ave., in a wooded area along the railroad tracks.

Trustee Di Salvo said extending the timeframe of the interim application process for wireless telecommunication facilities will give the Village of Lakewood a cushion, with the hope of having a draft of a new local law/ordinance in place which better addresses this type of specialty permit application. The review process of an application for a wireless telecommunications facility/cell tower could include Planning Board and Zoning Board of Appeals review as well as environmental review.

Ms. Wendy Kane, 134 West Summit Street, said she is concerned about having a cell tower located within the Village of Lakewood, in particular one so close to the new baseball field, adding she isn't sure it would be such a win-win situation.

Motion by Trustee Di Salvo, seconded by Trustee Barnes, to set 6:15 PM, Monday, March 28, 2016, as the time and date for the Board of Trustees to conduct a public hearing to consider extending, by ninety (90) days, Local Law #2-2015's timeframe regarding the interim application process for Wireless Telecommunication Facilities.

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

RESOLUTION #35-2016 - RENEW LICENSE AGREEMENT WITH THE CLCSF

Motion by Trustee Barnes, seconded by Trustee Drago, to renew the License Agreement between the Village of Lakewood and the Chautauqua Lake Community Sailing Foundation, Inc., regarding use of Richard O. Hartley Park, its Beach House and waterfront as their base of operations for the upcoming sailing season, with the following changes. The term of the License Agreement shall run from March 1, 2016 thru October 31, 2016, instead of commencing April 1st and the licensed premises shall include the western 60 ft. of the park's lakefront. Mayor Birrittieri noted she was asked by the sailing foundation's President to consider reducing the annual license

fee from \$ 500.00 to \$ 250.00, but it would be her recommendation to keep the annual fee at the introductory rate of \$ 500.00. Trustee Di Salvo agreed with the Mayor's position in keeping the fee at \$ 500.00, considering some of the Village's budget constraints.

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

MARCH 14, 2016 (CONTINUED)

RESOLUTION #36-2016 - SET TIME & DATE FOR PUBLIC HEARING

Motion by Trustee Di Salvo, seconded by Trustee Holcomb, to set 6:15 PM, Monday, April 11, 2016, as the time and date to conduct a public hearing on the Village of Lakewood's Tentative Budget for the fiscal year June 1, 2016 - May 31, 2017.

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

RESOLUTION #37-2016 - AUTHORIZE EXECUTION OF PURCHASE CONTRACT

Motion by Trustee Drago, seconded by Trustee Barnes, authorizing Mayor Birrittieri to execute the Purchase Contract between the Village of Lakewood and North Eastern Rescue Vehicles, Inc., Syracuse, N.Y., for the purchase of one (1) 2016 Road Rescue Ultramedic Type III ambulance at a price of \$ 157,350.00

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

RESOLUTION #38-2016 - SET TIME & DATE FOR PUBLIC HEARING

Motion by Trustee Di Salvo, seconded by Trustee Drago, to set 6:30 PM, Monday, March 28, 2016, as the time and date to conduct a public hearing on the Special Use Permit application as submitted by Mr. Lee M. Lodestro, Jamestown, New York, regarding his proposal to redevelop the building and property at 15 West Fairmont Ave. (former Grazer's Restaurant & originally Perkins' Family Restaurant), as a luxury dog kennel and dog day care. In accordance with Section #25-14, C-20, [Highway Business (B-2) District], of the Village of Lakewood Zoning Law, a kennel business within that zoning district requires a special use permit.

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

RESOLUTION #39-2016 - SET TIME & DATE FOR PUBLIC HEARING

Motion by Trustee Di Salvo, seconded by Trustee Barnes, to set 6:40 PM, Monday, March 28, 2016, as the time and date to conduct a public hearing on a Site Plan Review application as submitted by Ms. Diane Hendrix, Registered Architect, 12 Lakeview Ave., regarding a proposal to do an interior remodel of 6,400 sq. ft. of the commercial building at 110 Mall Blvd. along with site improvements. In accordance with Section #25-89, [Site Plan Review], of the Village of Lakewood Zoning Law, the redevelopment of 5,000 sq. ft. or more of commercial floor space requires site plan review.

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

Motion by Trustee Barnes, seconded by Trustee Holcomb, and unanimously carried, the Board adjourned at 7:45 PM.

Joseph M. Johnson
Village Clerk