

NOVEMBER 25, 2019

The twenty-first regular meeting of the Board of Trustees of the Village of Lakewood was held Monday, November 25, 2019, 6:30 PM, in the Board Room of the Anthony C. Caprino Municipal Building, 20 West Summit Street, with Deputy Mayor Edward J. McCague presiding. Trustees present were Ellen E. Barnes, Randall G. Holcomb, and Douglas L. Schutte. Also present were Village Clerk Joseph M. Johnson, Police Chief John R. Bentley, and Village Attorney John I. LaMancuso. Absent were Village Treasurer Apryl L. Troutman, Department of Public Works Supervisor Thomas R. Pilling, Fire Chief Steve Smouse and Building Inspector Jeffrey A. Swanson.

APPROVAL OF MINUTES

Motion by Trustee Barnes, seconded by Trustee Holcomb, to approve the minutes of the last regular meeting of the Board of Trustees, held November 13, 2019, as amended.
Adopted: 4 ayes, no nays (Barnes, Holcomb, McCague, Schutte)

AUDIT OF CLAIMS

Motion by Trustee Barnes, seconded by Trustee Schutte, that the claims as audited by the Auditing Committee of the abstracts dated November 25, 2019 be approved and that the Clerk shall execute said abstracts (#27 & #27), and direct payment by the Treasurer. Trust & Agency Fund: \$ 51,066.97, (Checks #4918 thru #4922), General Fund: \$ 84,975.50, (Checks #16375 thru #16413)
Adopted: 4 ayes, no nays (Barnes, Holcomb, McCague, Schutte)

REPORTS

Deputy Mayor McCague indicated that this year's Christmas in the Village (CITV) will be held Saturday, December 14th, from 10:00 AM – 3:00 PM.

He also reported the Village of Lakewood received a check in the amount of \$ 20,000.00 from the Chautauqua Lake & Watershed Management Alliance, which represented their share of the local match commitment as a partner in the Chautauqua Ave. Green Street Retrofit Project (GIGP 1597). Deputy Mayor McCague expressed his sincere thanks to the Chautauqua Lake & Watershed Management Alliance for their contribution.

Deputy Mayor McCague indicated that members of the "Project Team", for the Green Street Retrofit Project, along with members of the Board of Trustees, plus representatives from the Chautauqua Lake & Water Management Alliance and the project's contractor, Barton & LoGuidice, Rochester, N.Y., met last Tuesday afternoon, (11/19/2019) in the first of a series of project meetings to be held. The purpose of the "kick-off" meeting was to initiate dialog among project partners.

Police Chief John R. Bentley reported that the Lakewood-Busti Police Department has handled eight thousand two hundred incidents year-to-date, three hundred seven of which occurred within the past two weeks. He also reported that the L-BPD patrol car, (L-4), a 2017 Dodge Charger, which sustained considerable damage as a result of a fire at Dave Warren Dodge, Chrysler, Jeep, Ram, Jamestown, N.Y., has been "totaled" by the car dealership's insurance adjuster. He noted the value of the damaged equipment in the car will be negotiated, however it will be close in value to the car itself.

Chief Bentley also noted he and members of the L-BPD are getting up to speed on some reforms in the criminal justice system that will become effective shortly. For those interested, the Chautauqua County District Attorney will be conducting a presentation on the subject, 10:00 AM, Tuesday, December 3rd at Jamestown Community College.

NOVEMBER 25, 2019 (CONTINUED)

COMMITTEE REPORTS

Trustee Holcomb indicated that the Village of Lakewood has received \$ 25,000.00, in connection with the project endorsed by New York State Energy Research & Development Authority (NYSERDA) for the Village of Lakewood to convert three hundred ninety-six cobra style street lighting fixtures to LED light fixtures, and that the next payment, in the amount of \$ 12,500.00, is forthcoming.

Trustee Barnes added she has reached out to Ms. Frances Porpiglia, of National Grid, requesting some additional information on this street lighting fixture change-over program, but has yet to hear back from her.

Trustee Holcomb also reported that he has received from the Chautauqua County Board of Elections, a Certification of Election, stating that he indeed was the winner of the recent mayoral election, to a four year term, commencing January 1, 2020. Mayor elect Holcomb will be asking Trustee Barnes, Deputy Mayor McCague, Trustee Schutte, and Trustee elect Fischer, if they have any preferences when it comes to serving on one or more of the Village of Lakewood's various committees. Mayor elect Holcomb said he would like to hear from everyone early next month to discuss committee assignments. It will be one less thing to address at the beginning of the New Year.

RESOLUTION #178-2019 – AUTHORIZE MID-YEAR BUDGET TRANSFER

Motion by Trustee Holcomb, seconded by Trustee Barnes, authorizing Village Treasurer Apryl L. Troutman to make a mid-year budget transfer of \$ 782.00, from Account A9010.80, [State Retirement], into Account A9015.80, [Police Retirement], to make-up for a 2019-2020 budget shortfall regarding the Village of Lakewood's annual contributions to the New York State Retirement System.

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

RESOLUTION #179-2019 – CANCEL SECOND REGULAR MEETING IN DECEMBER 2019

Motion by Trustee Holcomb, seconded by Trustee Barnes, that due to the Christmas holidays, for the Board of Trustees to cancel its second regular meeting in December, which had previously been scheduled for Monday, December 23rd. NOTE: Members of the Board of Trustees however will be asked to audit any claims/invoices received and processed for payment.

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

RECESS

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

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

PUBLIC HEARING: 6:40 PM
SPECIAL USE PERMIT APPLICATION
RESTAURANT/BAR - 60 CHAUTAUQUA AVE.

Mr. & Mrs. Bruce E. Stanton, 19 Webster Street, have submitted an application for a Special Use Permit regarding their proposal to re-open a restaurant/bar at 60 Chautauqua Ave., formerly Craft Burgers & Brews, as a casual fine dining restaurant/bar. 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, tavern or liquor store within the B-1 zoning district shall require a special use permit.

NOVEMBER 25, 2019 (CONTINUED)

Deputy Mayor McCague opened the public hearing by asking if there is anyone present that would like to comment on Mr. & Mrs. Stanton's proposal.

Mr. Tom Marlinski, 36 Ohio Ave., indicated he would just like to wish the new owners luck and hope they are better neighbors than the previous owner.

Knowing Mr. Marlinski, at times, had some issues with the decibel level of music that was played on the outside deck, Deputy Mayor McCague wished to read a couple of statements made by Mr. Stanton at last week's Planning Board meeting, in answering a question posed to him about having music at his restaurant.

Mr. Stanton said he isn't planning on having an on-going music schedule at the restaurant, however he wouldn't rule out occasionally having piano or acoustic guitar music in the background. Music is part of the experience of what happens at Group Ther-Happy, and although the dining experience at Stella will be totally different, we hope it compliments what goes on there. Mr. Stanton did say the outside deck, which was very well done, will be an integral part of our seasonal business however.

With no one else to be heard, Deputy Mayor McCague closed the public hearing at 6:45 PM, and proceeded to reopen the regular meeting.

RESOLUTION #180-2019 – APPROVE SPECIAL USE PERMIT APPLICATION – RESTAURANT/BAR

Motion by Trustee Schutte, seconded Trustee Barnes, for the Board of Trustees to approve/grant a Special Use Permit application, as submitted by Mr. & Mrs. Bruce E. Stanton, per the recommendation of the Planning Board, whereby Mr. & Mrs. Stanton will be allowed to re-establish a restaurant/bar at 60 Chautauqua Ave. (former Craft Burgers & Brews), in accordance with Section #25-13 (C) #2, [Retail Business (B-1) District], of the Village of Lakewood Zoning Law.

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

ANYONE TO BE HEARD

Mr. Michael Looker, 15 Owana Way - #7, asked Deputy Mayor McCague if he could note what part of the minutes of the Board of Trustees meeting held November 13th were amended.

Deputy Mayor McCague said instead of a resolution in the minutes stating the Board of Trustees would be referring a zoning law question to the Zoning Board of Appeals for their interpretation, the referral regarding the matter for interpretation should have come directly from the Building Inspector.

Motion by Trustee Barnes, seconded by Trustee Holcomb, and unanimously carried, the Board adjourned at 6:49 PM.

Joseph M. Johnson
Village Clerk