

The special budget work session of the Village of Arcade (VOA) Board of Trustees, Wyoming County, New York was held on Tuesday, March 13, 2007 at 6:00pm there were:

**PRESENT**

Deputy Mayor Richard Kosmerl, Trustee Paul Burkett, Trustee Hugh Ely, Trustee Dan Reisdorf, Superintendent of Public Works Larry Kilburn, Clerk/Treasurer Pam Beiersdorf, Police Chief John Laird, and Deputy Village Clerk/Temporary Donna Miller

**ABSENT**

Mayor Michael Doster

**ALSO PRESENT**

Brian Burton, Dan Laird (until 6:45pm), Joan Harrison (at 7:40pm)

**NOTICE**

Pursuant to Article 7 of the Public Officers Law, notice of this meeting was given to the media on February 23, 2007 and the same posted on February 23, 2007.

**PLEDGE TO ALLEGIANCE**

Deputy Mayor Kosmerl opened the meeting with the Pledge to Allegiance.

**BUDGET WORK SESSION**

The Board reviewed and discussed the proposed General fund 2007-08 budget.

**REVITALIZE ARCADE COMMITTEE (RAC)**

The following resolution was offered by Trustee Burkett and seconded by Trustee Ely:

**RESOLUTION**

**WHEREAS**, the Revitalize Arcade Committee (RAC) is applying for a grant from the New York Main Street program through the New York State Division of Housing and Community Renewal, and

**WHEREAS**, the Village of Arcade is not the direct applicant, and

**WHEREAS**, the grant will provide funds to implement facade and building renovations for properties in the Main Street District, and

**WHEREAS**, the RAC will administer the project, coordinating the efforts of the property owners, business owners, building inspections, contractors and architects, state and local agencies, and

**WHEREAS**, that the Main Street District should be geared toward the look of an early 1900's community, and

**WHEREAS**, the implementation of the New York Main Street program for façade and building renovations will enhance the economic revitalization and tourism for the Arcade community.

**NOW, THEREFORE, BE IT RESOLVED**, the Village of Arcade Board of Trustees fully supports the efforts of the RAC to apply and obtain the New York Main Street grant for the purpose of making such worthy improvements to our Main Street District.

The motion was passed upon the following vote:

<b>VOTE</b>								
Mayor Michael Doster		Yes		No		Abstain	X	Absent
Deputy Mayor Richard Kosmerl	X	Yes		No		Abstain		Absent
Trustee Paul Burkett	X	Yes		No		Abstain		Absent
Trustee Hugh Ely	X	Yes		No		Abstain		Absent
Trustee Daniel Reisdorf	X	Yes		No		Abstain		Absent
<b>VOTE TOTAL:</b>								
	4	Yes	0	No	0	Abstain	1	Absent
<b>RESULTS</b>								
	X	<b>PASS</b>					<b>FAIL</b>	

**EXECUTIVE SESSION**

Motion by Deputy Mayor Kosmerl, seconded by Trustee Reisdorf, and unanimously carried the Board enter into executive session to discuss the following topic(s) at 8:15pm:

- collective negotiations

Motion by Trustee Reisdorf, seconded by Trustee Burkett, and unanimously carried the Board exit executive session at 8:48pm.

**COURT CLERK/POLICE CLERK REQUEST FOR UNION REPRESENTATION**

Motion by Deputy Mayor Kosmerl and seconded by Trustee Burkett, Mayor Doster be authorized to sign and respond to the Petition for Unit Clarification and/or Unit Placement received from the New York State Public Employment Relations Board regarding the Court Clerk/Police Clerk request for union representation. Said response shall describe the bargaining unit the Village Board deems appropriate, the following list of relevant facts to support such conclusion. Furthermore, the Village Board has not objections to move forward with inclusion into the General Unit.

**Allegations addressed as follows:**

- a). The Police Clerk reports directly to the Chief of Police.

**Agree.**

- b). The Account Clerks and Clerk/Typists report to the Village Clerk.

**Agree.**

- c). The Police Clerk is compensated out of the Police Budget.

**Disagree. There is no Police budget. The Police Clerk is compensated out of the General Fund budget. The Police Department costs are included in the General Fund budget. There is not a separate Police budget.**

- d). The Account Clerks and Clerk/Typists are paid out of the General Fund.

**Agree.**

- e). Both the Justice Court Clerk and Police Clerk are part time positions.

**Agree. The Justice Court Clerk position is 25 hours per week and the Police Clerk position is 15 hours per week.**

- f). The same employee (Gillian Moore) performs both duties and she has requested union representation.

**Agree.**

- g). The union has sought recognition from the Village but was denied verbally. No real reason other than "case law" was given.

**Disagree. The Village Board has taken NO action, favorable or unfavorable. In addition, no case law was ever discussed by the Village Board.**

- h). The Justice Court Clerk is not a managerial confidential position.

**Agree. Based on attorney for the Village of Arcade's investigation of State law, the Village Board agrees with his definition and determination.**

Describe the unit it claims is appropriate and set forth any other relevant facts:

The Village Board deems that the General Unit is the appropriate unit because of the following reasons:

1. The majority of hours worked (25 out of 40 hours/week) by the Court Clerk/Police Clerk are Court related and not Police related.
2. The position is clerical.
3. The Court Clerk/Police Clerk is not a police officer, therefore, does not fit in the Police Unit.
4. The Court Clerk/Police Clerk is paid out of the General Fund budget.

Any objections to timeliness:

The Village Board does not have any objections to timeliness and is willing to move forward with inclusion into the General Unit.

The motion was passed upon the following vote:

<b>VOTE</b>								
Mayor Michael Doster		Yes		No		Abstain	X	Absent
Deputy Mayor Richard Kosmerl	X	Yes		No		Abstain		Absent
Trustee Paul Burkett	X	Yes		No		Abstain		Absent
Trustee Hugh Ely	X	Yes		No		Abstain		Absent
Trustee Daniel Reisdorf	X	Yes		No		Abstain		Absent
<b>VOTE TOTAL:</b>	4	Yes	0	No	0	Abstain	1	Absent
<b>RESULTS</b>	<b>X</b>	<b>PASS</b>				<b>FAIL</b>		

**COURT CLERK/POLICE CLERK INTO GENERAL UNIT VERSUS POLICE UNIT**

Motion by Deputy Mayor Kosmerl and seconded by Trustee Reisdorf, the recommendation of the Village Board is to place the Court Clerk/Police Clerk position into the General Unit.

The motion was passed upon the following vote:

<b>VOTE</b>								
Mayor Michael Doster		Yes		No		Abstain	X	Absent
Deputy Mayor Richard Kosmerl	X	Yes		No		Abstain		Absent
Trustee Paul Burkett		Yes	X	No		Abstain		Absent
Trustee Hugh Ely	X	Yes		No		Abstain		Absent
Trustee Daniel Reisdorf	X	Yes		No		Abstain		Absent
<b>VOTE TOTAL:</b>	3	Yes	1	No	0	Abstain	1	Absent
<b>RESULTS</b>	<b>X</b>	<b>PASS</b>				<b>FAIL</b>		

**ADJOURN**

There being no further business to come before the Board the meeting duly adjourned at 9:07pm upon motion by Trustee Burkett and seconded by Deputy Mayor Kosmerl.

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Clerk/Treasurer