

The special work session of the Village of Arcade (VOA) Board of Trustees, Wyoming County, New York was held on Tuesday, June 26, 2007 at 7:00pm there were:

PRESENT

Mayor Rich Kosmerl, Deputy Mayor Hugh Ely, Trustee Jim McGarvey, Trustee Paul Burkett, Trustee Brian Burton, Superintendent of Public Works Larry Kilburn, Clerk/Treasurer Pam Beiersdorf, and Deputy Clerk/Treasurer Donna Miller

ALSO PRESENT

Jim Pierce (Wyoming County Chamber), Deb McGarvey, Glenn Cooper, and Kathy Dear (Stuart Brown Associates)

PLEDGE TO ALLEGIANCE

Mayor Kosmerl opened the meeting with the Pledge to Allegiance.

DISCUSS POTENTIAL CHANGES TO THE ZONING LOCAL LAW TO IMPROVE DEVELOPMENT ACTIVITIES

Trustee Burkett is working to streamline and improve the zoning and permit process. Trustee Burkett contacted various municipal officials to compare their zoning process with the VOAs. The Village of Brockport, NY has a simple application process that the VOA should consider mirroring. A customer completes an application, submits the application, the customer is given a brochure on the specific topic (e.g., building a pool, shed, deck, etc), then the customer completes the appropriate building, planning board, or zoning permit application.

Trustee Burkett also recommended that the Zoning Officer update the Board on approvals and denials of submitted applications so the Board is kept apprised.

Motion by Mayor Kosmerl and seconded by Trustee McGarvey, Karen Burkett be authorized to provide typing support of the Revision 16 draft to the Zoning Local Law deliverable by September 2007 for a sum of \$2,000.00.

The motion was passed upon the following vote:

VOTE								
Mayor Richard Kosmerl	X	Yes		No		Abstain		Absent
Trustee Brian Burton	X	Yes		No		Abstain		Absent
Trustee Paul Burkett		Yes		No	X	Abstain		Absent
Deputy Mayor Hugh Ely	X	Yes		No		Abstain		Absent
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent
VOTE TOTAL:	4	Yes	0	No	1	Abstain	0	Absent
RESULTS	X	PASS				FAIL		

DISCUSS THE FUTURE USES OF THE ECONOMIC DEVELOPMENT LOAN PROGRAM FUNDS

Kathy Dear, Program Manager from Stuart Brown Associates attended the meeting to provide the Board options for uses of the economic development loan program funds. According to Kathy, if the VOA decides to offer the program for economic development there are no additional requirements. Period advertising is required in hopes of generating application, however, no additional notifications are required to Housing and Urban Development (HUD).

If the VOA decides to use the funds for other eligible community development activities, the VOA would be required to notify HUD via a letter that outlines the expected implementation process. An annual report to HUD would also be required.

Eligible activities are broad for community development: economic development, housing rehab, first time home owners assistance, public facilities improvements, etc.

Even though these fund are sitting in the VOAs account, they are still considered Federal funds and are bound by all the Federal regulations that govern the Small Cities Community Development program. One of the key provisions however are that at least 51% of the people who benefit must be low to moderate income.

According to the 2000 census (information collected in 1999), only 42% of the VOA is low to moderate income. If the VOA uses the census data strictly, we would be excluded eligibility for any type of activity that has Village wide benefit, e.g., improvements to water/sewer plants, park improvements, downtown parking improvements, etc. anything that would benefit the entire community.

Kathy Dear suggested that the VOA perform a Village wide household survey. If the results of this survey show that 51% of the residents are low to moderate income than a project wide activity would be feasible. HUD accepts household surveys for two years.

One exception to the low to moderate income rule in terms of census versus survey, is handicapped persons. By HUDs definition handicapped persons are presumed to be low to moderate income. Improvements for example at the old firehall on Liberty Street to make it handicapped accessibility and an eligible activity because that people benefit are already low to moderate income. Activities such as installing an elevator, lift, ramps, changing doorways widths, replacing doors to have crash bars, handicapped accessible bathroom. Who is going to benefit? If the answer is handicapped persons, then no survey is needed.

If the VOA was interested in supporting an agency such as Habitat for Humanity, Kathy Dear recommended that the Village partner with the agency that helps with homeownership on a regular basis. Advise the agency you are interested in supporting homeownership and will set aside some amount of money or help x number of people up to x dollar amount.

Another way to support homeownership or new housing development is through demolition, if you can show that the end user is low to moderate income.

For housing rehab projects, Kathy Dear recommends the VOA partner with another agency that is already working on housing rehab projects. Housing rehab is very intensive: screening the applicants, inspections, preparation of the write-up, preparation of the contracts, monitoring the work, etc.. Kathy made the VOA officials aware of the key Federal regulation relating to lead based paint, they are much tougher.

One thing that can't be done is to build a building in an industrial park. In the past, communities have built incubator buildings that sat vacant for years. HUD is against this type of construction. The cliché, if you build it they will come, is unacceptable with HUD.

The VOA will no longer be required to report to HUD when the program income on hand is under \$25,000 and income receipts for the year are under \$25,000.

In summary, the VOAs options are to continue with the existing program, expand the coverage area, or do other projects discussed.

Motion by Trustee Burkett and seconded by Trustee Ely, Kathy Dear, Program Manger for Stuart Brown Associates be authorized to prepare a proposed Village wide household survey for the VOA.

The motion was passed upon the following vote:

VOTE									
Mayor Richard Kosmerl	X	Yes		No		Abstain		Absent	
Trustee Brian Burton	X	Yes		No		Abstain		Absent	
Trustee Paul Burkett	X	Yes		No		Abstain		Absent	
Deputy Mayor Hugh Ely	X	Yes		No		Abstain		Absent	
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent	
VOTE TOTAL:	5	Yes	0	No	0	Abstain	0	Absent	
RESULTS	X	PASS					FAIL		

PERMISSION TO ADVERTISE BID FOR PERIMETER FENCE AT FREEDOM SUBSTATION

Motion by Trustee Burkett and seconded by Trustee Ely, Superintendent of Public Works Kilburn be granted permission to advertise the bid for a perimeter fence at the Freedom Substation.

The motion was passed upon the following vote:

VOTE								
Mayor Richard Kosmerl	X	Yes		No		Abstain		Absent
Trustee Brian Burton	X	Yes		No		Abstain		Absent
Trustee Paul Burkett	X	Yes		No		Abstain		Absent
Deputy Mayor Hugh Ely	X	Yes		No		Abstain		Absent
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent
VOTE TOTAL:								
	5	Yes	0	No	0	Abstain	0	Absent
RESULTS		X	PASS				FAIL	

NORTHRIDGE PHASE II PROJECT

Trustee Burkett asked the Board to consider a moratorium (a suspension of activity) for the Northridge Phase II Project for three years during which time the Board could gather data, perform studies, and determine results on issues such as management practices, occupant turnover, etc. Clerk/Treasurer Beiersdorf was instructed to contact the New York Conference of Mayors (NYCOM) for legal advice on moratoriums (e.g., what types of moratoriums can be implemented, restrictions, duration of moratoriums, etc.) and report back to the Board.

EXECUTIVE SESSION

Motion by Mayor Kosmerl, seconded by Trustee Ely, and unanimously carried the Board enter into executive session to discuss the following topics at 8:50pm:

- pending litigation

Motion by Trustee Burkett, seconded Trustee Ely, and unanimously carried the Board exit executive session at 9:05pm.

REPORTS RECEIVED

The following reports were received, reviewed, and placed on file:

- None.

ADJOURN

There being no further business to come before the Board the meeting duly adjourned at 9:20pm upon motion by Trustee Burkett and seconded by Trustee McGarvey.

Clerk/Treasurer