

The work session and regular meeting of the Village of Arcade (VOA) Board of Trustees, Wyoming County, New York was held on Tuesday, September 4, 2007 at 6:00pm 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, Police Chief John Laird, and Deputy Clerk/Treasurer Donna Miller

**ALSO PRESENT**

Margaret Morgan, Anita Stewart, Donna Stewart, Karen Norton, Trent Harrison, and Sandie Dutton

**PLEDGE TO ALLEGIANCE**

Mayor Kosmerl opened the meeting with the Pledge to Allegiance.

**USE OF VOA FACILITIES AND FEES**

The Board held a work session to discuss the use of VOA facilities and fees. No actions were taken on this topic and further discussions will take place at the board meeting scheduled for September 25, 2007.

**APPROVE MINUTES**

Motion by Trustee Burton and seconded by Trustee McGarvey, the minutes from the regular meeting held on August 21, 2007 be approved as presented by the Clerk.

The motion was passed upon the following vote:

<b>VOTE</b>								
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
<b>VOTE TOTAL:</b>	5	Yes	0	No	0	Abstain	0	Absent
<b>RESULTS</b>	<b>X</b>	<b>PASS</b>				<b>FAIL</b>		

**GRANT AUTHORIZATIONS**

Motion by Trustee Burkett and seconded by Trustee Ely, previously passed resolutions or motions authorizing Michael Doster (Mayor until April 1, 2007) to sign grant applications and related documents should be amended to authorize the current Mayor, Richard Kosmerl, permission to sign on behalf of the VOA.

The motion was passed upon the following vote:

<b>VOTE</b>								
Mayor Richard Kosmerl		Yes		No	X	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
<b>VOTE TOTAL:</b>	4	Yes	0	No	1	Abstain	0	Absent
<b>RESULTS</b>	<b>X</b>	<b>PASS</b>				<b>FAIL</b>		

**PERMISSION TO EXTEND SEASONAL AGREEMENT WITH DONALD NORTON**

This item was tabled until the meeting scheduled for September 25, 2007.

**SPECIAL MEETING TO AUDIT BILLS - 09/11/2007**

This item was no longer needed and was canceled.

**PERMISSION TO DESTROY RECORDS**

Motion by Mayor Kosmerl and seconded by Trustee Burton, Clerk/Treasurer Beiersdorf be granted permission to destroy obsolete correspondence having some legal, fiscal, or administrative value dated 2000 regarding returned checks in accordance with New York State Archives Records Retention and Disposition Schedule MU-1.

The motion was passed upon the following vote:

<b>VOTE</b>								
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
<b>VOTE TOTAL:</b>								
	5	Yes	0	No	0	Abstain	0	Absent
<b>RESULTS</b>		<b>X</b>	<b>PASS</b>				<b>FAIL</b>	

**PERMISSION TO ATTEND SHARED MUNICIPAL SERVICES INCENTIVE GRANT WORKSHOP**

Motion by Mayor Kosmerl and seconded by Trustee Burkett, Mayor, Board of Trustees, Superintendent of Public Works Kilburn, be granted permission to attend the **"Share = Improve"** workshop on the NYS Shared Municipal Services Incentive (SMSI) grant program on September 21, 2007 from 8:00am to 3:00pm at the Ramada Hotel and Conference Center, Getzville, NY. This workshop will provide information and direct technical assistance on the NYS SMSI grant program. The SMSI program has \$14 million available to support shared service initiatives. Specifically, Department of State staff will provide ideas and information on how communities can work together to access available grant funds, describe new forms of technical assistance that have been developed and work directly with participants to help shape proposals and draft applications. Case study results of prior shared service initiatives in Western New York will also be discussed with a distillation of lessons learned. Attendees will be reimbursed for travel and reasonable meal expenses.

The motion was passed upon the following vote:

<b>VOTE</b>								
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
<b>VOTE TOTAL:</b>								
	5	Yes	0	No	0	Abstain	0	Absent
<b>RESULTS</b>		<b>X</b>	<b>PASS</b>				<b>FAIL</b>	

**FY 2007-2008 BUDGET ADJUSTMENTS**

No FY 2007-2008 budget adjustments were required this period.

**AUDIT BILLS**

Motion by Trustee Burkett and seconded by Trustee Burton, the Village bills be audited and paid and that the Clerk be granted permission to transfer funds from the money market accounts to the checking accounts to cover such bills.

The motion was passed upon the following vote:

<b>VOTE</b>								
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
<b>VOTE TOTAL:</b>								
	5	Yes	0	No	0	Abstain	0	Absent
<b>RESULTS</b>		<b>X</b>	<b>PASS</b>				<b>FAIL</b>	

**MORATORIUM**

Upon recommendation by Trustee Burkett based on information obtained from the Attorney for the VOA, a request was made to adopt a 60-day temporary moratorium that would allow the Village time to assess utilities and roads. The temporary moratorium would include cluster development, town houses, multi-unit or apartment buildings or multi-family or planned residential development. No building permits or any form of authorization shall be permitted by the Zoning Board of Appeals or the Planning Board for the next 60 days. According to Trustee Burkett, the Attorney for the VOA recommends that the moratorium not exceed six months, as anything over six months may be challengeable as not doing purpose for the Village but considered a development stoppage.

Mayor Kosmerl suggested that Trustee Burkett provide a copy of the New York State Department of State publication titled, "Land Use Moratoria," directing the Attorney for the VOA to review specifically page 10, section titled "Drafting a Moratorium Law." Upon review, the Attorney for the VOA should provide a written opinion to the Village Board.

**VOA PARK CABIN FLOOR**

Mayor Kosmerl reported that Extreme Contracting will be coming to the VOA park cabin on Thursday, September 6, 2007 to make additional repairs to the recently installed laminate floor due to a buckling problem.

**POTENTIAL INTERMUNICIPAL ACTIVITIES**

In regards to the potential intermunicipal activities discussed during the August 21, 2007 board meeting, Mayor Kosmerl relayed information from Justice Sheri Bell-Beyer that as Village Justice she can not perform court outside the Village.

**EMPIRE ZONE COMMITTEE**

Mayor Kosmerl has scheduled Empire Zone Committee meetings for Tuesday, September 11<sup>th</sup> and 18<sup>th</sup>. The committee plans to have recommendations for the Village Board for the October 2, 2007 meeting.

**SKATEBOARD PARK**

Mayor Kosmerl reported that two separate citizens support the idea of a skateboard park and offered funds towards the park if one became a reality.

**EXECUTIVE SESSION**

Motion by Mayor Kosmerl, seconded by Trustee Ely, and unanimously carried the Board enter into executive session to discuss the following topic(s) at 7:45pm:

- contract negotiations on two separate subjects

Motion by Mayor Kosmerl, seconded by Trustee Ely, and unanimously carried the Board exit executive session at 7:59pm.

**BUDGET AMENDMENT**

Motion by Trustee Burkett and seconded by Mayor Kosmerl, the FY 2007-2008 budget be amended as follows because funds were received from Community Action for Wyoming County to fulfill the verbal commitment made by Northridge Homes to provide a community host impact donation.

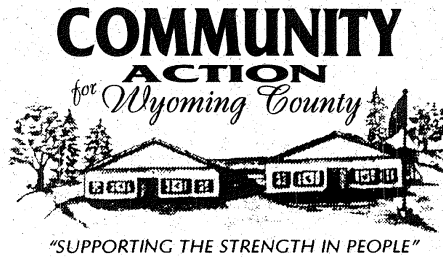
INCREASE REVENUE	INCREASE EXPENDITURE
001-4-2705-0100	001-5-1420-400-4220
Gifts and Donations	Legal Staff - Consultants
In the amount of <b>\$2,500.00</b>	

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
<b>VOTE TOTAL:</b>								
	5	Yes	0	No	0	Abstain	0	Absent

**Martin D. Mucher**  
Executive Director

**Lisa J. Neary**  
Finance Director

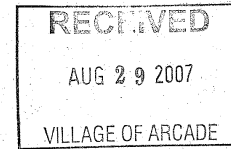


6470 Route 20A, Suite 1  
Perry, NY 14530-9799

Telephone: (585) 237-2600  
Fax Number: (585) 237-2696

August 29, 2007

Ms. Pam Beiersdorf  
Village Clerk  
Village of Arcade  
17 Church Street  
Arcade, NY 14009



Dear Ms. Beiersdorf:

Enclosed please find a check in the amount of \$2,500.00. This check is to fulfill the verbal commitment made by Northridge Homes to provide a community host impact donation.

Respectfully,

*Martin D. Mucher*  
Martin D. Mucher  
Executive Director

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Wyoming County Information & Referral (585) 237-2729 or 1-800-724-7932

**REPORTS RECEIVED**

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

- Streets & Parks Department (August 2007)

AUGUST 07 REPORT

1). Street Repairs:

- A). Put a fog seal on North street.
- B) Installed two lawn drains on Haskell ave.
- C). Painted crosswalks for crossing guards.

2). SIDEWALKS.

- A). West street
- B). Pearl street ( In two locations)
- C). Maple st
- D). Allen st
- E). Clough ave. ( two blocks).

4).PARK:

- A). Landscape blocks around flower garden and park sign.
- B). Painted horse shoe pits, score board, fence near horse shoe pits, Cabin, post in front of cabin, changed ropes.
- C). Parking blocks in place.

5). General Duties:

- A). Street sweeping
- B). Stop line and cross walks village streets.
- C).. Yardwaste

Any Questions Please call. Dan

**ADJOURN**

There being no further business to come before the Board the meeting duly adjourned at 8:15pm upon motion by Trustee Burkett and seconded by Mayor Kosmerl.

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Clerk/Treasurer