

The regular meeting of the Village of Arcade (VOA) Board of Trustees, Wyoming County, New York was held on Tuesday, October 2, 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, Police Chief John Laird, and Deputy Clerk/Treasurer Donna Miller

**ABSENT**

Clerk/Treasurer Pam Beiersdorf

**ALSO PRESENT**

Town of Arcade Assessor, Doug Ronan, Margaret Morgan, Village Justice Sheri Bell-Beyer, Judi Kaczmarek (Arcade Herald), Virginia Kaczmarek, and Paul Sanders.

**PLEDGE TO ALLEGIANCE**

Mayor Kosmerl opened the meeting with the Pledge to Allegiance.

**APPROVE MINUTES**

Motion by Trustee Burkett and seconded by Trustee Burton, the minutes from the work session and regular meeting held on September 25, 2007 be approved with the following amendment:

Page 8 of 11 - **SKATEBOARD PARK SURVEY**

Change the first sentence from "Trustee McGarvey distributed a copy of the skateboard park survey that has been developed by Pioneer Central School students and adults." to "Trustee McGarvey distributed a ***draft*** copy of the skateboard park survey that has been developed by Pioneer Central School students and adults."

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>		

**POSSIBLE TAX ASSESSMENT CHANGES**

Doug Ronan gave an informative presentation with regards to Senior Citizens and Veteran's exemptions. Currently only nine seniors are eligible for exemptions, others have missed exemption eligibility by very minimal monetary amounts. The sliding scale, being an income dependent exemption, would qualify a greater number of our senior citizens to take advantage of the exemption. Doug advised the Board that the sliding scale is already in use by the Town of Arcade and the Village could use the Town roll in order to identify eligible Senior residents. It was decided that the Village would move forward to enact the sliding scale exemption. The new law must be in effect prior to December 31, 2007. A draft law and a public hearing will be required. Mayor Kosmerl appointed Trustee Burkett and Deputy Clerk/Treasurer Miller to revise the current Village law and present the draft copy at he Board meeting of October 16, 2007.

Mayor Kosmerl suggested that the Firefighter's and Veteran's exemptions should also be revisited. Doug addressed both of these and talked about the Cold War exemption. Trustee Burkett requested Deputy Clerk/Treasurer Miller to obtain a copy of this exemption, which requires an honorable discharge and no set length of service. Per Trustee Burkett's suggestion, it was decided to leave Veteran's exemptions as they are until more research could be done.

**TEMPORARY/PART-TIME COURT/POLICE CLERK**

Justice Bell-Beyer and Chief Laird requested to hire Laurie A. Perkins for the temporary/part-time court/police clerk position as she offered greater flexibility and more Court experience than other candidates. Trustee Burkett suggested that Court Clerk Moore provide a vacation schedule of her remaining benefit time in order to plan hours for Laurie.

Motion by Trustee Burkett and seconded by Trustee McGarvey, Laurie A. Perkins be hired as requested by the Court and Police at \$10.50 per hour with 24 hours training time to be included in the originally budgeted 120 hours per year, starting at the Court's discretion, anytime after 10/3/2007.

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>		

**PURCHASE OF 2008 TRAILBLAZER**

Chief Laird requested permission to purchase a 2008 Trailblazer with an upgrade to a V-8 engine. The total price of the new vehicle would be \$21,972.00 and there is \$22,00.00 budgeted for a new vehicle. The Chief lists better acceleration, holds up better, and better re-sale as advantages of the V-8 over the V-6 engine. Also, there is one mile-per-gallon difference between the two. Chief Laird also notes that the present 2001 Blazer is still in good condition and now would be a good time to replace it.

Motion by Mayor Kosmerl and seconded by Trustee Burkett, Chief Laird be granted permission to proceed with the purchase of a 2008 Trailblazer with the V-8 package and sell the 2001 Blazer.

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>		

**INFRASTRUCTURE STUDY**

As discussed at the September 25, 2007 board meeting, Superintendent of Public Works Kilburn has obtained an estimate of \$7,500.00 for an infrastructure study to be completed by Clark-Patterson. Superintendent of Public Works Kilburn suggested that this expense be divided with the Sewer fund paying \$1,500.00 and Electric, Water and General each paying \$2,000.00.

Motion by Mayor Kosmerl and seconded by Trustee Burton, Superintendent of Public Works Kilburn be granted permission to proceed with the infrastructure evaluation by Clark-Patterson for a cost of no more than \$7,500.00 to be completed as soon as possible within a timeframe of six (6) months.

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>								
	X	<b>PASS</b>				<b>FAIL</b>		

**ENGINEERING PROCUREMENT CONSTRUCTION (EPC) AGREEMENT**

Motion by Trustee Burkett and seconded by Deputy Mayor Ely, Mayor Kosmerl be authorized to sign the engineering procurement construction agreement, which also needs to be notarized.

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>								
	X	<b>PASS</b>				<b>FAIL</b>		

**TOWN OF ARCADE AND TOWN OF FREEDOM FIRE CONTRACT CALCULATIONS**

Superintendent of Public Works Kilburn distributed the numbers he and Clerk/Treasurer Beiersdorf had calculated for the 2007-2008 fire contracts. Superintendent Kilburn suggested the Board review the numbers to be addressed at a future meeting.

**PERMISSION TO SIGN CONTRACT #M50115 EXTENSION**

Motion by Trustee Burkett and seconded by Deputy Mayor Ely, Mayor Kosmerl be authorized to sign the municipal parking lot grant contract extension which also needs to be notarized.

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>								
	X	<b>PASS</b>				<b>FAIL</b>		

**FY 2007-2008 BUDGET ADJUSTMENTS**

No budget adjustments were presented to the Board.

**AUDIT BILLS**

Motion by Mayor Kosmerl and seconded by Trustee Burkett, 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>								
	X	<b>PASS</b>				<b>FAIL</b>		

**PROPOSED LOCAL LAW 4-2007**

Motion by Trustee Burkett and seconded by Deputy Mayor Ely, to move forward with the process of adopting local law 4-2007, titled "A local law of the Village of Arcade providing for a moratorium on the approval of application relating to the construction of cluster residential development and planned unit residential development in the Village of Arcade."

The motion was passed upon the following vote:

<b>VOTE</b>								
Mayor Richard Kosmerl		Yes	X	No		Abstain		Absent
Trustee Brian Burton		Yes	X	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>								
	3	Yes	2	No	0	Abstain	0	Absent
<b>RESULTS</b>								
	X	<b>PASS</b>				<b>FAIL</b>		

**PUBLIC HEARING ON PROPOSED LOCAL LAW 4-2007**

Motion by Trustee Burkett and seconded by Deputy Mayor Ely, Deputy Clerk/Treasurer Miller be directed to schedule a Public Hearing on proposed local law 4-2007, titled "A local law of the Village of Arcade providing for a moratorium on the approval of application relating to the construction of cluster residential development and planned unit residential development in the Village of Arcade" on November 20, 2007 at 8:00PM.

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>								
	X	<b>PASS</b>				<b>FAIL</b>		

It was decided that attorneys for the VOA Kutzuba and DiFillippo be invited to attend the Board meeting of November 6, 2007 to answer any questions regarding proposed local law 4-2007. It was also decided that, if Mayor Kosmerl had not yet returned from his leave of absence, the attorneys would be asked to re-schedule for the board meeting of November 20, 2007.

**WRITTEN PERMISSION TO HANG MURAL AT 281 MAIN STREET**

Trustee McGarvey received written permission (attached) from Katie Domes to hang the donated mural on the side of her building located at 281 Main Street.

**SKATEBOARD PARK SURVEY**

Trustee McGarvey distributed a final copy of the skateboard park survey (attached) that has been developed by Pioneer Central School students and adults. It will be available in the near future at the school and on the Pioneer Central School website. Survey results are expected to be presented to the Village Board at the October 16<sup>th</sup> meeting.

**RESIDENT COMPLAINT REGARDING GARBAGE**

Village Resident, Paul Sanders, voiced concern about a rat problem he discovered while mowing his lawn. He stated a neighboring tenant moved out and the trash was placed out after garbage pick up that Friday so the debris would have been sitting out for a week, most likely attracting the rats. Mayor Kosmerl asked Superintendent of Publics Works Kilburn to check into the possibility of the Village getting covered trash containers in order to avoid future problems.

**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 9:34 pm upon motion by Trustee Burkett and seconded by Trustee McGarvey.

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Deputy Clerk/Treasurer

**SURVEY FOR YOUTH ACTIVITY**

What type of recreational community facility would you like to use:

Please check only one response:

pool \_\_\_\_\_ skateboard area \_\_\_\_\_ ice rink \_\_\_\_\_ other \_\_\_\_\_ (specify)

Should it be located in the Arcade Village park area:

Yes \_\_\_\_\_ No \_\_\_\_\_

Should there be specific times for use:

Yes \_\_\_\_\_ No \_\_\_\_\_

Should there be a usage fee:

Yes \_\_\_\_\_ No \_\_\_\_\_

Or - should there be a yearly membership fee:

Yes \_\_\_\_\_ No \_\_\_\_\_

For a skateboard area, should helmets and pads be required:

Yes \_\_\_\_\_ No \_\_\_\_\_

Should there be supervision/lifeguards:

Yes \_\_\_\_\_ No \_\_\_\_\_

Should parents/guardians/youth sign liability waivers:

Yes \_\_\_\_\_ No \_\_\_\_\_

If you use the facility, would you help to keep it clean:

Yes \_\_\_\_\_ No \_\_\_\_\_

Should there be an age limit:

Yes \_\_\_\_\_ No \_\_\_\_\_

Would you help in administrating any posted rules and guidelines:

Yes \_\_\_\_\_ No \_\_\_\_\_

Should this be availabe for other area communities/families?

Yes \_\_\_\_\_ No \_\_\_\_\_

Would you be willing to lend support for your choice at a village board meeting to be held on Tues. Oct. 16 @ 7:00pm:

Yes \_\_\_\_\_ No \_\_\_\_\_

(If yes, then please be at the village office on that date and the time specified. If no one shows, the project will not have a chance!)

Sept. 2, 2007

To: Arcade Beautification Committee

To Whom It May Concern,

It is with great pleasure, I give permission to the Arcade Beautification Committee to place the Arcade Mural on the west side of the building I own at 281 Main Street, Arcade.

Sincerely,  
Katie Domes