

The public hearing and regular meeting of the Village of Arcade (VOA) Board of Trustees, Wyoming County, New York was held on Tuesday, December 4, 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, Police Chief John Laird, and Deputy Clerk/Treasurer Donna Miller

**ALSO PRESENT**

Town of Arcade Assessor Doug Ronan, Justice Jack Tuttle, and Justice Sheri Bell-Beyer

**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 meetings held on August 20, 2007 be approved with the following amendments:

Page 5 of 10 - **COURT RELATED MATTERS**

Add the following statement:

"In discussing the amount allocated from the TOA to VOA for increased court cases and Court Clerk costs in 2007, Supervisor Berwanger requested that Clerk/Treasurer Beiersdorf submit an invoice to the TOA prior to 12/31/2007."

Page 10 of 10 – **VERIZON INVOICE FOR HANGING BANNERS ON THEIR POLES**

Add the following statement:

"As two of the banners were set by the Beautification Committee in the Town of Arcade, half of the cost should be billed to the Town Beautification Committee."

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>		

**CLERK OF THE JUSTICE, PART-TIME POSITION ADDITIONAL FUNDING ALLOCATED**

Motion by Mayor Kosmerl and seconded by Trustee Burkett, Police Chief Laird and Justices Bell-Beyer and Tuttle be authorized to retain Laurie Perkins, Clerk of the Justice part-time, for additional hours upto and including approximately 391 hours (plus or minus five percent (5%)). Funds for the additional hours shall come from the Town of Arcade (\$3,113) and FY 2007-08 court/police budgets (\$2,700). In addition, a progress report shall be given to the Board periodically.

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>		

**PERMISSION TO ADVERTISE BID FOR 2001 4-DOOR CHEVROLET 4WD BLAZER**

Motion by Trustee Burkett and seconded by Mayor Kosmerl, Police Chief Laird be granted permission to advertise the bid for the 2001 4-door Chevrolet 4WD 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>								
	X	<b>PASS</b>				<b>FAIL</b>		

**IEEP INSULATION PROGRAM**

The VOA in conjunction with the Independent Energy Efficiency Program (IEEP) the VOA will be implementing the Village Insulation Program (VIP). The program is designed to assist and motivate customers with electrically heated homes to improve the R-value of the insulation in the attic to R44. The VIP is another customer benefit program supporting residential customers (similar to the energy efficient lighting and ENERGY STAR® appliance rebate programs). IEEP will administer the program.

**SAFE ROUTES TO SCHOOL (SRTS) PROGRAM WORKSHOP**

Motion by Mayor Kosmerl and seconded by Trustee Burkett, Superintendent of Public Works Kilburn be granted permission to attend the Safe Routes to School (SRTS) Program Workshop on Tuesday, December 18, 2007 from 1:30pm to 3:30pm at the Batavia City Hall, Batavia, NY. The workshop has been scheduled to assist potential applicants and project sponsors with the process of applying for funding from this program. The workshop will include a 45 minute presentation about the program. As a good practice, the Board requests that upon return from the session, either a written statement or presentation at a board meeting must be made to the Board that summarizes what was discussed and demonstrates what was gained by participating in the session.

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>		

**CREATE CLERK POSITION**

Motion by Trustee Burkett and seconded by Trustee Ely a full-time **Clerk** position be created and Mayor Kosmerl be authorized to sign the Duties Statement for this position.

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>	

**WYOMING COUNTY OFFICE FOR THE AGING AGREEMENT**

Motion by Trustee Burkett and seconded by Trustee McGarvey, Mayor Richard Kosmerl be granted permission to sign Agreement entered into by the County of Wyoming, Acting by and through its' Office for the Aging and the VOA to use the Village park cabin for a nutrition site from January 1, 2008 to December 31, 2008. The facility will provide storage for paper products and supplies, snow removal, four hours availability 10:30am – 2:30pm on Tuesdays and Thursdays, VOA will supply all utilities, and wall space for a bulletin board. Conditions on behalf of Wyoming County are to clean tables, chairs, etc., keep work areas clean, supply own equipment for nutrition service, bag trash appropriately. The telephone at the park cabin will be maintained and paid for by the Office for the Aging as long as the site is utilized for meals. A certificate of liability insurance has been submitted to the Clerk/Treasurer.

**RECORDS EVALUATION RECOMMENDATIONS**

James Tammaro, Regional Advisory Officer for the New York State Archives performed an evaluation of Village records on Friday, November 30<sup>th</sup>. The evaluation identified needed areas of improvement for the overall records program and recommendations that can be used to support an application for grant funds through the Local Government Records Management Improvement Fund which will help the VOA respond to the challenges of managing records and information. In preparation of the grant application, the VOA must determine the records management project or problem that takes priority and then justify this decision.

Grant project categories:

- **Inventory and Planning**

- Records Inventory
- Records Survey and Program Planning
- Office Retention Scheduling

- **Active Records**

- Records that are most frequently used.
- Records Management Focus
- Needs Assessment
- Files Management
- Disaster and Business Recovery Planning
- Indexing and Access
- Imaging and Document Management
- Geographic Information Systems (GIS)
- fGovernment (enhance website)
- Records System (items not covered under another category [e.g., automated water reads])

- **Inactive Records**

Planning and Design  
Storage and Retrieval

- **Microfilming**

- **Historical Records**

Assessing Historical Records  
Storage Facility Improvements (intruder alarm system, fire detection system, fire suppression system, water detectors, etc.)  
Improving Access  
Preservation  
Outreach and Public Programs

**LOCAL GOVERNMENT RECORDS MANAGEMENT IMPROVEMENT FUND (LGRMIF) GRANT**

Motion by Trustee Burkett and seconded by Mayor Kosmerl, Superintendent of Public Works Kilburn and/or Clerk/Treasurer Beiersdorf be authorized to re-apply for the Geographic Information Systems (GIS) project category funded through the LGRMIF grant. In addition, a meeting shall be scheduled with James Tamaro, Regional Advisory Officer for the New York State Archives, to review the denied application from 2007 so that the application for 2008 can be improved.

**WYOMING COUNTY TO PRODUCE 2008 TAX ROLLS/BILLS**

Clerk/Treasurer Beiersdorf announced that the VOA will take advantage of Wyoming County Real Property Tax Services (WCRPTS) offer to produce the 2008 tax rolls and bills for the Village. The fee for this service is \$1.00 per parcel. According to the Board, no motion was needed for this item because funds had already been included in the FY 2007-08 budget.

**PUBLIC HEARING - PROPOSED LOCAL LAW 5-2007**

Mayor Kosmerl opened the public hearing to hear comments from citizens regarding the proposed local law 5-2007, titled, "Tax Exemption - Elderly."

**Doug Ronan, Town of Arcade Assessor** - Doug recommended that the VOA remove the proposed reference to medical and prescription drug expenses so that the local law matches that of the Town and clarified the table outlining the annual income limits.

There being no further comments or concerns, Trustee Burkett made a motion, seconded by Trustee Burton the Board close the public hearing regarding proposed local law 5-2007, titled, "Tax Exemption - Elderly" at 8:15pm.

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>		

**ADOPT LOCAL LAW 5-2007, CHAPTER 59, "TAX EXEMPTION - ELDERLY"**

Motion by Mayor Kosmerl and seconded by Trustee McGarvey, the Village Board reviewed the changes to Chapter 59, Local Law 5-2007 titled "Tax Exemption - Elderly," Clerk/Treasurer Beiersdorf duly advertised for the public hearing held on November 20, 2007, the Village Board considered such arguments as were presented for and/or against the adoption of Local Law 5-2007 including the removal of the proposed reference to medical and prescription drug expenses so that the local law matches that of the Town and the clarification of the annual income limits table, and hereby adopts Local Law 5-2007.

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

**ADVERTISE CHANGES TO ELDERLY TAX EXEMPTION LAW**

Motion by Mayor Kosmerl and seconded by Trustee McGarvey, Clerk/Treasurer Beiersdorf be directed to advertise in the Arcade Herald the changes to the elderly tax exemption law and advise senior citizens to check their eligibility.

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>		

**BUDGET AMENDMENT**

Motion by Trustee Burkett and seconded by Trustee McGarvey, the FY 2006-2007 budget be amended as follows because funds have been provided by an unanticipated revenues, due to insurance proceeds for the loss, theft, damage or destruction of real or personal property, used to repair or replace such property.

<b>INCREASE REVENUE</b>	<b>INCREASE EXPENDITURE</b>
007-4-6221-0100	007-5-0804-074-4330
Miscellaneous Electric Revenue	Repairs to Equipment Non-Office
In the amount of <b>\$562.28</b>	

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

**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>		

**FACILITY INSPECTIONS**

Effective January 1, 2008, facility inspections (except fire department facilities) will be the responsibility of the Streets and Parks department personnel.

**PLANNING BOARD VACANCY/APPOINTMENT**

Motion by Trustee Burkett and seconded by Trustee Ely, Tom Mason of Park Street, be appointed to the VOA planning board effective immediately to fulfill Mark Schultz's remaining term that expires on 11/18/2008. Clerk/Treasurer Beiersdorf is directed to notify Tom via a letter and copy Planning Board Chairman Paul Bijhouwer and the TOA Board.

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>		

**ANNUAL COURT AUDIT**

Every Village Justice is required to present his/her records and docket at least once a year to the Village to be examined by the auditing Board or by a Certified Public Account (CPA) or Public Accountant. Village Boards are required to perform the audit themselves or the Board can engage the services of an independent Public Accountant or CPA to audit the records. The Mayor Kosmerl asked the Village board for volunteers to perform the annual court audit rather than engaging services of an outside firm. Trustee Burkett and Trustee Burton have agreed to collectively perform the audit. If they fail to accomplish this task within their comfort level, it may be decided at a later date to engage the services of an outside firm.

**SPECIAL WORK SESSION SCHEDULED FOR 12/11/2007**

Mayor Kosmerl reminded the Board of the special work session scheduled for 12/11/2007 to discuss the future uses of the economic development loan program funds, the future of the old firehall, and any other business brought before the Board.

**CHANGE MEETING DATE**

Motion by Mayor Kosmerl and seconded by Trustee Burkett, Clerk/Treasurer Beiersdorf be directed to reschedule the regular meeting of Tuesday, January 1, 2008 to Tuesday, January 8, 2008 at 7:00pm due to the New Year's Day holiday.

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>		

**PUBLIC HEARING ON PROPOSED LOCAL LAW 1-2008**

Motion by Mayor Kosmerl and seconded by Trustee Burkett, Clerk/Treasurer Beiersdorf be directed to schedule a public hearing on proposed local law 1-2008, titled "Public Officer Indemnification" for January 8, 2007 at 7:00pm.

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

**EXECUTIVE SESSION**

Motion by Trustee Ely, seconded by Trustee Burton, and unanimously carried the Board enter into executive session to discuss the following topic(s) at 9:14pm:

- employment history of particular persons

Motion by Trustee Burkett, seconded by Trustee Ely, and unanimously carried the Board exit executive session at 9:34pm.

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

\_\_\_\_\_  
Clerk/Treasurer