

The public hearing and regular meeting of the Village of Arcade (VOA) Board of Trustees, Wyoming County, New York was held on Tuesday, February 19, 2008 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**

Carole Jones (Arcade Herald), Adam Zaremski (Arcade Herald), Margaret Morgan, Helen Bentley, Anita Stewart, Doug Ronan (Town of Arcade Assessor), Denny Heimborg (Northridge Homes), David Trent (Arcadia Development Group), George Hezel (Affordable Housing Unlimited), Marcus Conti (Student), Tawni Williams-Hoch (Student), Robert Shut (Student), and Paul Sanders

**PLEDGE TO ALLEGIANCE**

Mayor Kosmerl opened the meeting with the Pledge to Allegiance.

**PUBLIC HEARING - REVIEW THE FINAL SUBDIVISION PLAT SUBMITTED BY ARCADIA DEVELOPMENT GROUP, LLC**

Mayor Kosmerl opened the public hearing at 7:01pm to review the final subdivision plat submitted by Arcadia Development Group, LLC.

**Dave Trent**, President of Arcadia Development Group, introduced himself and requested final plat approval of Arcadia Heights - Phase I, twelve lots with road frontage on North Street and Cramer Drive.

**Mayor Kosmerl** - commented on the recommendations/conditions made by the Arcade Planning Board at their February 13, 2008 meeting:

- Certification by a registered land surveyor is needed.
- Items that need to be added::
  - A. Back lot lines for lots 11 and 12
  - B. Interior angles
  - C. Curves in property lines
  - D. Bearings or deflection angles
  - E. Easement for utilities
- Manhole No. 6 appears to be closer than 10 feet to the water line. The location should be shifted on the plan.
- On Sheet 5: There needs to be an explanation in front of lots one and two where a piece of property appears to be in the right-of-way or road. It is unclear what is happening to this piece of property. Who owns it now and who is going to own it? - Need clarification on this item.

**George Hezel** - commented that he wanted to ensure that Arcadia Heights property line clearly delineates Northridge property. He added that as a next door property owner he had nothing but gratitude.

There being no further comments or concerns, Trustee Burkett made a motion, seconded by Trustee McGarvey, the Board close the public hearing regarding the final subdivision plat submitted by Arcadia Development Group LLC at 7:15pm.

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

**NORTHRIDGE HOMES PROJECT - PHASE II**

George Hezel of Affordable Housing Unlimited approached the Board for support to submit an application to the NYS Division of Housing and Community Renewal by February 27, 2008.

The following resolution was offered by Mayor Kosmerl. There was no second, thus the resolution failed for lack of a second.

**RESOLUTION**

**WHEREAS**, the Wyoming County Community Action, Inc. (hereinafter, "WCCA") has sought the support of the Village of Arcade for development of a second phase of its North Street affordable housing complex; and

**WHEREAS**, WCCA has reduced the size and density of the second phase, as set forth in Schedule A attached hereto, after public hearing and discussion with the Mayor and Trustees of the Village; and

**WHEREAS**, WCCA has agreed to pay taxes and host community fees, as set forth in Schedule B attached hereto, for the second phase; and

**WHEREAS**, WCCA has agreed to extend necessary infrastructure and utilities to accommodate the site to be developed at the cost of the development; and

**WHEREAS**, WCCA has agreed to maintain at the cost of the development the private drive and all infrastructure and utility improvements for the life of the development;

**NOW THEREFORE**, in consideration of the various concession above mentioned and itemized in the attachments hereto, **IT IS HEREBY RESOLVED**,

**THAT** the Village of Arcade supports the second phase development as described in Schedule A; and

**THAT** the Village of Arcade accepts the schedule of taxes and host community fees as described in Schedule B; and

**THAT** the Village of Arcade will assist the development, as necessary, with proper placement of municipal utility and water lines into the development.

**SCHEDULE A - SCOPE OF PHASE II**

The scope of phase II of the Northridge development will be reduced to 18 unites, with 14 of those units being one and two bedroom units. The remaining 4 units will be three bedroom.

Since the road into the phase II development will be privately owned by the development, all cost of constructing, maintaining, repairing, and plowing will be the burden of the development.

The development will pay taxes, as required by law, under Section 581-a of the Real Property Tax Law of New York State.

The development will pay "host community fees" of \$3,500 per year for Phase II effective in 2010 and will continue to pay \$2,500 per year for Phase I which commenced in 2007 as per Schedule B.

The development will be built by Two Plus Four Construction Company.

The management of Phase II will be handled by Two Plus Four Management Company, and once Phase II is completed, Phase I management will also be handled by the same company.

A playground will be featured on land to the north of the site of Phase II development for use by occupants of both phases.

**SCHEDULE B - REAL PROPERTY TAXES**

Real Property taxes on the development will be paid in accordance with Section 581-a of the Real Property Tax law of New York State.

**HOST COMMUNITY FEES**

YEAR	PHASE I PAYMENT AMOUNT	YEAR	PHASE II PAYMENT AMOUNT
2007	\$2,500	2010	\$3,500
2008	\$2,500	2011	\$3,500
2009	\$2,500	2012	\$3,500
2010	\$2,500	2013	\$3,500
2011	\$2,500	2014	\$3,500
2012	\$2,500	2015	\$3,500
2013	\$2,500	2016	\$3,500
2014	\$2,500	2017	\$3,500
2015	\$2,500	2018	\$3,500
2016	\$2,500	2019	\$3,500
2017	\$2,500	2020	\$3,500
2018	\$2,500	2021	\$3,500
2019	\$2,500	2022	\$3,500
2020	\$2,500	2023	\$3,500
2021	\$2,500	2024	\$3,500

**BID OPENING - SURPLUS 2001 CHEVROLET BLAZER**

Bids for a surplus 2001 Chevrolet Blazer were opened with the above members and guests in attendance. The following bids were received:

BIDDERS	BID AMOUNT
Keith Phillippi Freedom, NY	\$3,601
Gary Spencer Arcade, NY	\$4,651
John Carpenter Sinclairville, NY	\$2,500
Daniel C. Detor East Concord, NY	\$2,019
Kenneth Smith Freedom, NY	\$1,426
Rhonda Stroh Franklinville, NY	\$2,037
Boberg Builders West Valley, NY	\$3,802
Hale Cobado Springville, NY	\$1,025
Mark Armbruster Hamburg, NY	\$3,400

Motion by Trustee Burkett and seconded by Trustee Burton, the bid(s) for the surplus 2001 Chevrolet Blazer be turned over to Police Chief Laird for review and evaluation. Trustee Burkett will research the market value of the vehicle.

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>		

**APPROVE MINUTES**

Motion by Mayor Kosmerl and seconded by Trustee Burkett, the minutes from the special meeting, public hearing and regular meetings held on February 5, 2008 be approved with the following amendment:

Page 3 of 22 - **CREATE POSITIONS**

Mayor Kosmerl asked that following be added:

Mayor Kosmerl reported that a letter was received from Justice Bell-Beyer, asking that the Court Clerk position job grade in civil service be changed to full time and that the hours be changed to 40 per week. Mayor Kosmerl responded to the Justice that the full time job position was a matter under negotiation with the Union and that the VOA could not unilaterally make such a change. Mayor Kosmerl reported that since last year Court Clerk Moore had asked CSEA to represent her and that the matter of part time versus full time was a negotiable item. The VOA can only deal with the Union on this matter. Since a proposed agreement for part time is open with the Union it cannot be changed outside of the collective bargaining process. In terms of the hours of Clerk time needed to support the Court, Mayor Kosmerl advised the Justice that issue should be discussed during the upcoming 2008-2009 budget work sessions when the VOA and Town would meet jointly to review Court needs. The Justices were directed to make input at those meetings.

The motion was passed upon the following vote:

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

**PERMISSION TO ATTEND TIME MANAGEMENT TRAINING SEMINAR**

Motion by Mayor Kosmerl and seconded by Trustee Burkett, Police Chief Laird, Police Sergeant Biscaro, Superintendent of Public Works Kilburn, Clerk/Treasurer Beiersdorf, Deputy Clerk/Treasurer Miller, Luann Lancaster, Lois Matuszak, Cheryl Parker, Mary Ann Hagner, Adam Paquet, Steve Burkett, Dan Laird, Don King, and Steve Pinter, be granted permission to attend the time management training seminar on March 19, 2008 from 8:00am to noon at Genesee Community College - Arcade Campus. The cost is \$20.00 per person. Agenda includes getting the most out of a 24-hour day, learn to align long-term goals with daily/weekly activities, identify unproductive time practices, how to use planning and prioritization effectively, and how to use time management skills to improve productivity. In addition, Clerk/Treasurer Beiersdorf be granted permission to close the Village Office from 7:00am to 1:30pm so that staff can attend the time management training seminar. Announcement of the closure will be in the Pennysaver, on the March utility bills, and on the front door of the Village Office. As a good practice, the Board requests that upon return from the seminar, 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 seminar.

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

**TAX REASSESSMENT REQUEST**

Arcade Apartment Partnership submitted an application for reassessment on January 15, 2008 as per NYS Real Property Tax Law 581-a for property located at 101, 201, and 301 Douglas Drive. Due to time element of filing, the request can not be accepted for the 2008 tax year since the deadline for applying was January 1, 2008.

Motion by Mayor Kosmerl and seconded by Trustee Ely, the Board supports the recommendation of the assessors to decline the reassessment application submitted by Arcade Apartment Partnership for property located at 101, 201, and 301 Douglas Drive. Trustee/Assessor Burkett shall write a letter explaining the ineligibility for this year and inform the partnership to re-apply for the next taxable year by filing the proper paperwork with Town Assessor, Doug Ronan by March 1<sup>st</sup> 2008.

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>		

**REVENUES DOWN - CONTROL EXPENSES IN POLICE DEPARTMENT**

Police Chief Laird explained that tickets are down approximately 200-300 over last year because the department was without two full time officers for a portion of the year. Police Chief Laird expressed he would curtail expenses and not allow any unnecessary spending.

**AWARD CLEANING CONTRACT BID**

Motion by Trustee Burkett and seconded by Trustee McGarvey, per recommendation by Superintendent of Public Works Kilburn, the cleaning contract be awarded to JM Cleaning of Delevan, NY at a cost of \$1,270 per month, effective March 1, 2008 to May 31, 2009.

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>		

**NOBLE - TRANSMISSION LINE ROUTE**

This item was postponed until a future meeting.

**PEDESTRIAN CROSSING AT A&A**

Mayor Kosmerl received a reply letter from Kevin O'Buckley, Department of Transportation Regional Director indicating that the DOT agrees that there are safety advantages to having a mid-block crossing adjacent to the downtown railroad crossing. Superintendent of Public Works Kilburn distributed a design plan for the installation of a mid-block crossing at this location. The DOT is also not opposed to the decorative crossing request as long as the crossing meets the requirements of the Manual on Uniform Traffic Control Devices (MUTCD) and the VOA agrees to maintain the crossing.

**OFFICIAL PAYMENTS SERVICE AGREEMENT**

Motion by Trustee Burkett and seconded by Trustee McGarvey, Mayor Kosmerl be granted permission to execute the electronic transaction processing agreement and Automated Clearing Housing (ACH) bank enrollment form by and between Official Payments Corporation (OPC) and the VOA upon final review by the Attorney for the VOA. OPC offers electronic check payment and processing services and credit/pin-less debit card payment transaction services through an Internet interface over the web and an interactive telephone voice response system. The VOA will not be offering electronic check services, therefore, references to it in the agreement have been denoted as not applicable (NA). MasterCard, Visa, Discover, and American Express credit cards will be offered.

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>		

**2009/2010 SNOW & ICE CONTRACT EXTENSION**

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

**RESOLUTION**

**WHEREAS**, the Village of Arcade entered into an Agreement No. D010645 entitled "Indexed Lump Sum Municipal Snow and Ice Agreement" between the New York State Department of Transportation (NYSDOT) and the Village of Arcade (VOA) dated October 25, 1996; and

**WHEREAS**, the term of the said Agreement is for a period of three years commencing July 1, 1996 and the said Agreement provides that the parties may at the end of each year of the term of the Agreement extend such term for an additional year; and

**WHEREAS**, the present term of the Agreement, as extended, expires June 30, 2009; and

**WHEREAS**, Section 7 of the said Agreement provides that the NYSDOT shall furnish the VOA with a suitable map for each term of the Agreement, or for any extended term thereof, modified to show the changes, if any, to the State Highways affected by this Agreement; and

**WHEREAS**, Section 9 of the said Agreement provided for an annual update of the estimated expenditure to be determined by the NYSDOT subject to the provisions of Section 9 at the time for extension of the Agreement; and

**WHEREAS**, Section 9 of the Agreement also provides for an adjustment to the actual payment amount based on the intensity and severity of the winter season;

**NOW, THEREFORE, Be It Resolved**, that Mayor Kosmerl be granted permission to enter into an Indexed Lump Sum Municipal Snow and Ice Agreement with the NYSDOT to extend the contract for a period of one year, now to expire on June 30, 2010. The estimated expenditure as specified in Section 9 of the aforementioned Agreement shall be \$4,040.68 per lane mile for 1.00 lane miles for the 2007/08 season and for the remainder of the term of the Agreement commencing July 1, 2007, unless changed by future update.

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 ATTEND SEI TRAINING**

Motion by Mayor Kosmerl and seconded by Trustee Burkett, Justice Sheri Bell-Beyer and Justice Jack Tuttle be granted permission to attend the user group meeting for court room program Service Education Inc. (SEI) on March 20<sup>th</sup>, 2008 at 10:00am at the Sheldon Town Court. There is no cost of the training. Travel to the training will be via personal vehicle and mileage will be reimbursed in accordance with IRS guidelines. As a good practice, the Board requests that upon return from the seminar, 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 seminar.

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>	

**WASTE MANAGEMENT INSERT IN VOA UTILITY BILLS**

Clerk/Treasurer Beiersdorf announced that the 2008 Waste Management holiday schedule and recycling guide will be inserted into VOA residents' March 2008 utility bills for reference.

**PERMISSION TO DESTROY RECORDS**

Motion by Mayor Kosmerl and seconded by Trustee Ely, Clerk/Treasurer Beiersdorf be granted permission to destroy the following records in accordance with New York State Archives Records Retention and Disposition Schedule MU-1:

- Building inspections prior to 2001 (building and property regulations section 1.[657] - 0 after no longer needed)
- Records disposition documentation prior to 2001 describing records disposed of and manner and date of disposition (archives/records management section 1.[38] - 6 years after final disposition of records)
- Check registers from 1953 to 2001 (fiscal section 4.[248] - 6 years after last entry)
- Electric/steam ledgers from 1950 to 1957 (electric and gas utility section 8.[194] - 50 years)

- General, water, and sewer department journal entries recording chronological entries of all fiscal transactions from 1916 to 2001 (fiscal section 3.[247] - 6 years after last entry)

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**

Motion by Mayor Kosmerl and seconded by Trustee Burkett, the budget adjustments be approved as presented by the Clerk (attached).

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>		

**AUDIT BILLS**

Motion by Mayor Kosmerl and seconded by Trustee Ely, 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>		

**RECREATIONAL FACILITY COMMITTEE**

Trustee McGarvey reported that the recreational facility committee meet on February 11, 2008 and discussed the size, location, cost, and funding opportunities for the proposed ice rink. Members have volunteered to visit existing recreational facilities in the area and will inquire about operations and maintenance.

**EFFICIENCY STUDY STATUS**

At the January 8, 2008 board meeting, Trustee Ely asked the Board to consider having an efficiency study done throughout the VOA to determine if employees are being utilized efficiently. Superintendent of Public Works Kilburn will provide a status on grant funding opportunities for this study at a future meeting.

**PROHIBITED BREED OF DOGS**

At the July 10, 2007 meeting Trustee Ely asked the Board if any consideration had ever been given to develop a local law that prohibited dogs by breed. Upon some research, Trustee Ely reported that some municipalities in the United States have prohibited dogs by breed, but doing so is subject to court challenge.

**LOW INCOME HOUSING**

At the February 5, 2008 meeting, Trustee Ely asked the Board to consider limiting future low income developments in the VOA because this type of property puts a strain on the VOAs tax dollars. Trustee Ely contacted the Attorney for the VOA who recommended that the VOA use factual information to support that the VOA can not absorb anymore projects that will have a financial impact on the Village. It was also recommended that the Village Board work closely with the Planning Board and Zoning Board of Appeals.

**SUMMER RECREATION PROGRAM**

Trustee Burton reported that the use of the Sardinia Town pool is unavailable and use of the Machias Town pool was unknown at this time. The recreation commission will meet in the near future to discuss swimming options.

**ANNUAL COURT AUDIT**

In accordance with the Uniform Justice Court Act, Section 2019-a, Trustee Burkett and Trustee Burton performed an audit of the court records on January 16, 2008 and distributed the audit checklists used in the review to each Board member for review.

Motion by Mayor Kosmerl and seconded by Trustee Ely, the Board acknowledges receipt of the annual audit checklists and furthermore acknowledges that the required audit was conducted on January 16, 2008.

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>		

**VOA BOARD MEETING POLICY, REV. 1**

Motion by Mayor Kosmerl and seconded by Trustee Burkett, the VOA Board Meeting Policy, Rev. 1 be approved as presented.

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>		

**NORTH STREET INFRASTRUCTURE REVIEW PRELIMINARY EXECUTIVE SUMMARY**

Superintendent of Public Works Kilburn distributed the North Street infrastructure review preliminary executive summary for review.

**NOTICE OF PETITION**

Mayor Kosmerl reported that the VOA received a copy of a letter to Lynn Knoop, CSEA that the notice of petition submitted to the NYS Public Employment Relations Board (PERB) was deficient.

**SPECIAL MEETING SCHEDULE**

Motion by Mayor Kosmerl and seconded by Trustee Burkett, per request by Brian Lane, President Local CSEA Unit, a special meeting shall be scheduled for Thursday, February 28, 2008 at 7:00am for 1 hour at the Sullivan Avenue garage to meet with Village employees.

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>	

**SCHEDULE BUDGET WORK SESSIONS**

Motion by Mayor Kosmerl and seconded by Trustee Burkett, the following budget work sessions were scheduled:

- Tuesday, February 26, 2008 from 6:00pm to 8:00pm
- Tuesday, March 4, 2008 from 6:00pm to 7:00pm
- Saturday, March 8, 2008 from 9:00am to 11:00am
- Tuesday, March 11, 2008 from 6:00pm to 8:00pm
- Thursday, March 13, 2008 from 6:00pm to 8:00pm
- Thursday, March 20, 2008 from 6:00pm to 8:00pm
- Tuesday, March 25, 2008 at 6:00pm to 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>	

**DEPARTMENT OF TRANSPORTATION (DOT) MILL AND FILL PROJECT**

Helen Bentley expressed her concerns about the DOTs proposed Route 39 mill and fill project.

**EXECUTIVE SESSION**

Motion by Mayor Kosmerl, seconded by Trustee Burkett, and unanimously carried the Board enter into executive session to discuss the following topic(s) at 9:45pm:

- employment history of a particular employee leading to possible disciplinary action
- financial history of a particular employee
- collective negotiations

Motion by Trustee Burkett, seconded by Trustee McGarvey, and unanimously carried the Board exit executive session at 10:46pm.

**REPORTS RECEIVED**

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

- Justice (January 2008)

**ADJOURN**

There being no further business to come before the Board the meeting duly adjourned at 10:47pm upon motion by Trustee Burton and seconded by Trustee McGarvey.

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Clerk/Treasurer

2-19-2008 6:12 PM

BUDGET ADJUSTMENT REGISTER

PAGE: 1

PACKET: 00045-PER BOARD DIRECTIVE

BUDGET CODE: CB-Current Budget

FUND ACCOUNT	DATE	DESCRIPTION	ADJUSTMENT	ORIGINAL BUDGET	PREVIOUS ADJUSTMENTS	NEW BUDGET	BUDGET BALANCE
-----							
001 5-5110-122-4000	2/19/2008	PER BOARD DIRECTIVE	3,816.00	3,000.00	0.00	6,816.00	0.35
		1999 FREIGHTLINER TRUCK #22					
001 5-5110-210-4000	2/19/2008	PER BOARD DIRECTIVE	1,713.00	500.00	788.00	3,001.00	111.89-
		2005 JHN DEERE 4115 TRCTR #210					
001 5-5142-114-4000	2/19/2008	PER BOARD DIRECTIVE	61.00	600.00	0.00	661.00	179.76-
		FRINK FLOW #14					
001 5-7550-100-1010	2/19/2008	PER BOARD DIRECTIVE	143.00	528.00	92.00	763.00	143.88-
		PERSONNEL SERVICES-OT					
001 5-8560-400-4690	2/19/2008	PER BOARD DIRECTIVE	520.00	2,500.00	0.00	3,020.00	555.00-
		MATERIALS/SUPPLIES/MAINT					
001 5-5410-400-4600	2/19/2008	PER BOARD DIRECTIVE	4,608.00-	26,500.00	10,101.00	31,993.00	3,248.84
		RESURFACING MATERIALS					
001 5-5410-100-1000	2/19/2008	PER BOARD DIRECTIVE	143.00-	6,000.00	0.00	5,857.00	480.07
		PERSONNEL SERVICES-REG					
001 5-5650-400-4600	2/19/2008	PER BOARD DIRECTIVE	1,000.00-	1,000.00	0.00	0.00	0.00
		RESURFACING MATERIALS					
001 5-7320-400-4430	2/19/2008	PER BOARD DIRECTIVE	502.00-	1,500.00	0.00	998.00	998.00
		EXP-YOUTH PROGRAM					
007 5-0731-420-4110	2/19/2008	PER BOARD DIRECTIVE	100.00	759.94	0.00	859.94	0.84
		INS-BLDG/EQUIP/LIABILITY/PROP					
007 5-0742-810-1000	2/19/2008	PER BOARD DIRECTIVE	1,817.00	500.00	0.00	2,317.00	433.59-
		TESTING CONSUMERS METERS-REG					
007 5-0741-520-1000	2/19/2008	PER BOARD DIRECTIVE	1,817.00-	32,000.00	0.00	30,183.00	5,922.50
		REMOVE/RESET METERS-REG					
007 5-0742-131-4690	2/19/2008	PER BOARD DIRECTIVE	100.00-	77,000.00	0.00	76,900.00	76,900.00
		MATERIALS/SUPPLIES/MAINT					
TOTAL IN PACKET--						0.00	

\*\*\* BUDGET DEFICIT WARNINGS \*\*\*

FUND ACCOUNT	NAME	BALANCE
001 5-5110-210-4000	2005 JHN DEERE 4115 TRCTR #210	111.89-

2-19-2008 6:12 PM

BUDGET ADJUSTMENT REGISTER

PAGE: 2

PACKET: 00045-PER BOARD DIRECTIVE

BUDGET CODE: CB-Current Budget

FUND ACCOUNT	DATE	DESCRIPTION	ADJUSTMENT	ORIGINAL BUDGET	PREVIOUS ADJUSTMENTS	NEW BUDGET	BUDGET BALANCE
-----							
Budget Adj. # 000045							
001 5-5142-114-4000		FRINK PLOW #14		179.76-			
001 5-7550-100-1010		PERSONNEL SERVICES-OT		143.88-			
001 5-8560-400-4690		MATERIALS/SUPPLIES/MAINT		555.00-			
007 5-0742-810-1000		TESTING CONSUMERS METERS-REG		433.59-			

TOTAL WARNINGS: 5

\*\*\* NO ERRORS \*\*\*

\*\*\* END OF REPORT \*\*\*

VENDOR NAME	AMOUNT	VENDOR NAME	AMOUNT
ABBOTT WELDING SUPPLY CO	\$ 2,236.36	J & M SCHAEFFER, INC.	\$ 5,095.78
ACTIVE IT DESIGN, LLC	\$ 1,127.50	JAMESTOWN SOAP & SOLVENT	\$ 195.77
ADVANCED BUS MACHINES INC	\$ 200.00	JOHN SIXT & SON, INC.	\$ 165.19
ADVANCED COLLISION, INC	\$ 2,141.40	KEL-KUR ELECTRIC, INC.	\$ 6,303.30
AFLAC NEW YORK	\$ 1,340.78	LAURA'S COUNTRY OVEN	\$ 35.55
AFLAC NEW YORK	\$ 25.00	LEXIS NEXIS #1008106	\$ 30.00
ALAN L. SCHWARTZ	\$ 4,731.25	MARTIN BROTHERS CHEVROLET	\$ 988.30
ALBERT J. MOGAVERO, CHAPTE	\$ 422.00	MATTHEW BENDER & CO INC.	\$ 139.65
ALCAD STANDBY BATTERIES	\$ 356.45	MEDTRONIC	\$ 121.89
AMER. PUBLIC POWER ASSOC.	\$ 3,508.63	METRO GROUP INC	\$ 103.80
ANIXTER INC	\$ 465.98	MEUA OF N.Y.S.	\$ 9,634.30
ARCADE HERALD	\$ 196.00	MONROE SYS FOR BUSINESS	\$ 46.68
ARCADE LUMBER & MILLWORK	\$ 995.56	MOORE MEDICAL CORP.	\$ 267.88
ARCADE POSTMASTER	\$ 1,411.72	NATIONAL FUEL GAS DISTRIB	\$ 424.85
ARCADE POSTMASTER	\$ 262.81	NY POWER AUTHORITY	\$ 128,689.62
ARCADE POSTMASTER	\$ 175.00	NYS & LOCAL RETIRE SYSTEM	\$ 1,910.37
AT&T	\$ 421.53	NYS CHILD SPRT PROCESSING	\$ 264.00
AUTOZONE	\$ 85.32	NYS CONFERENCE OF MAYORS	\$ 1,177.00
BANK OF NEW YORK	\$ 1,474.71	NYS DEPT OF PUBLIC SRVC	\$ 10,803.88
BENCHMARK ANALYTICS, INC	\$ 77.90	NYS INCOME TAX	\$ 3,194.97
BLUE CROSS & BLUE SHIELD	\$ 29,703.88	OFFICE OF STATE COMPTROLLE	\$ 2,406.75
BOB MCKERROW & SONS INC	\$ 6.00	OSEA	\$ 475.00
BROWN WOOD PRESERVING CO,	\$ 13,510.00	PARTS ASSOCIATES, INC.	\$ 91.83
BUTCHS AUTOMOTIVE SERV, KE	\$ 57.00	PIKE HARDWARE	\$ 606.95
C & G ELECTRICAL SUPPLY	\$ 1,134.49	PIONEER FORD/MERCURY INC.	\$ 34.25
CATTARAUGUS CO LABORATORY	\$ 140.00	POOLEY, INC	\$ 361.26
CDW GOVERNMENT INC	\$ 130.99	POWER MONITORS INC	\$ 6,760.21
CID DIVISION OF WASTE MANAG	\$ 849.06	RADIO SHACK	\$ 108.94
CINTAS CORPORATION #782	\$ 391.17	SIEMENS POWER TRANSMISSION	\$ 902.00
COTTRILLS PHARMACY, INC.	\$ 14.70	SPENCER, WALTER	\$ 30.80
CRABB OIL & PROPANE INC.	\$ 838.65	STUART C IRBY CO	\$ 138.11
CSEA	\$ 722.10	SUBURBAN ADULT SERVICES	\$ 1,380.83
CSEA BENEFIT UNIT	\$ 1,205.46	TIME WARNER CABLE	\$ 120.21
CSEA POLICE UNIT	\$ 173.28	TOMPKINS INSURANCE AGENCY	\$ 24,433.00
CURR A/C ELECTRIC	\$ 9,477.87	TOWN OF SARDINIA	\$ 1,417.40
CURR A/C SEWER	\$ 113.06	TRACTOR SUPPLY COMPANY	\$ 147.95
CURR A/C WATER	\$ 810.61	TRI-COUNTY SUPPLY INC	\$ 204.20
D & F TRAVEL, INC	\$ 900.00	UTZ TIRE SERVICE	\$ 84.00
DEPOSITORY TRUST AND CLEAR	\$ 11,456.28	VALLEY FAB &EQUIPMENT INC	\$ 192.00
DFT SELECT ONE	\$ 565.86	VERIZON	\$ 419.53
DIFILIPPO & FLAHERTY	\$ 41.67	VERIZON ONLINE	\$ 175.62
DOLORES M DAWLEY	\$ 540.00	VERIZON WIRELESS	\$ 112.53
EATON OFFICE SUPPLY	\$ 397.35	VILLAGE OF ARCADE	\$ 359.41
FASTENAL COMPANY	\$ 203.96	VILLAGE OF ARCADE	\$ 127.00
FEDEX GROUND, INC.	\$ 26.29	WESCO DIST. INC.	\$ 338.56
FISHER SCIENTIFIC COMPANY	\$ 10.88	WW GRAINGER, INC.	\$ 214.98
FLEET MAINTENANCE INC	\$ 611.38	WYO CO VILLAGE ASSN.	\$ 90.00
FM COMMUNICATIONS, INC	\$ 416.00	YORKSHIRE BATTERY & TIRE	\$ 110.65
GERNATT ASPHALT PROD INC	\$ 117.60	ZAHM & MATSON	\$ 377.90
GEXPRO G E SUPPLY	\$ 2,765.95	ZEE MEDICAL SERVICE CO.	\$ 86.70
GOTTOGO ELECTRIC	\$ 2,320.00	ZIMMER AUTO PARTS & SALES	\$ 569.52
GRIFFITH ENERGY	\$ 1,274.97	<b>TOTAL COLUMN 2</b>	<b>\$ 212,470.87</b>
HERITAGE-CRYSTAL CLEAN, LL	\$ 1,941.00		
HODGSON RUSS LLP	\$ 67.80		
HOPKINS, PHYLLIS	\$ 200.00	<b>OVERALL TOTAL</b>	<b>\$ 353,438.67</b>
HSBC BANK USA	\$ 1,272.69		
IEEP:IND ENERGY EFF PROG	\$ 16,570.49		
IRS - FEDERAL PAYROLL TAX P	\$ 18,001.68		
IRS - FEDERAL PAYROLL TAX P	\$ 331.73		
<b>TOTAL COLUMN 1</b>	<b>\$ 140,967.80</b>		