

The public hearing and regular meeting of the Village of Arcade (VOA) Board of Trustees, Wyoming County, New York was held on Tuesday, May 6, 2008 at 7:00pm there were:

PRESENT

Mayor Rich Kosmerl, Deputy Mayor Paul Burkett, Trustee Jim McGarvey, Trustee Brian Burton, Trustee Ken Rule, 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), John Biggie and Ed Smouse (API), Mike Driver and Todd Krotz (Blue Seal Feeds), Anita Stewart, Karen Norton, Sandie Dutton, Paul Sanders, and Mick Flannery

PLEDGE TO ALLEGIANCE

Mayor Kosmerl opened the meeting with the Pledge to Allegiance.

PUBLIC HEARING - PROPOSED LOCAL LAW A-2008

Mayor Kosmerl opened the public hearing at 7:00pm to hear comments from citizens regarding the proposed local law A-2008, titled, "Noise."

The original local law was developed in 1982 to prevent unreasonably loud, disturbing, and unnecessary noise and to reduce noise level within the VOA. The current law does not clearly define what sound level constitutes excessive noise, making it open to interpretation and opinion. This has caused confusion for anyone involved in a noise issue. Therefore, the Village Board decided to address this issue and drafted a revision accordingly. A letter was sent to local businesses in the Village inviting comments on the draft document and attendance at this public hearing.

John Biggie (API)

On April 23, 2008 between 9:15am and 10:00am sound level testing was performed at seven various points on the property by Hazard Evaluations, environmental consultants. Readings ranged from 60 to 70 dBA. Sound level peaks were recorded as high as 81 dBA due to traffic and bird calls from the wooded area behind the facility. As a comparison, OSHA documentation indicates that the rustle of a leaf in the wind will record 50 dBA and normal conversation is 60 dBA. API recognizes the VOAs desire to establish an acceptable sound level, however, it is believed that the proposed levels are excessively low and are unattainable by businesses within industrially zoned areas and even residential areas after 10:00pm as a window air conditioner would exceed the proposed levels.

Mayor Kosmerl

According to World Health Organization, school and playground records 55 dBA, sleep disturbance is 45 dBA, outdoor living ranges between 50-55 dBA, hearing impairment is 75dBA.

Trustee Burkett

Would you be willing to work with the VOA to determine acceptable levels?

John Biggie (API)

Yes.

Mike Driver (Blue Seal Feeds)

Blue Seal Feeds did not hire an outside consultant. However, on April 21, 2008 at 1:15pm to 1:45pm sound level testing was performed using an internal plant monitor to record levels at various points on the property. Readings ranged from 54-83. As noted, Blue Seal Feeds would exceed the proposed levels. Attaining the proposed levels would limit operations and most likely shut down 2nd and 3rd shift operations. Blue Seal Feeds understands there is a need for noise levels, however, feels that the proposed levels are way too restrictive for industry. Blue Seal Feeds representatives would also be willing to work with VOA to determine acceptable limits. It is believed that difference levels should be established for commercial versus residential. Mike commented that the VOA industrial substation recorded a level over 50 dBA.

Mick Flannery - Parkview Court

Living near the park, Mick reviewed the draft local law and would like to see some very specific words in the law relating to boom boxes, heavy base in cars, etc. Mick stated that he had done some preliminary research on the internet and found some sites that authorized law enforcement to act on such behaviors. He will email the URL to Clerk/Treasurer Beiersdorf for distribution to the Board.

Mayor Kosmerl

Stated that a quantitative measurement is needed in order to enforce.

Trustee Rule

Agreed that the law should contain separate levels between commercial and residential.

Trustee Burkett

Stated noise levels needs to be somewhat fluid.

Mayor Kosmerl

Reported that TPI recorded levels of 50 DBA and 56 dBA. The A&A Railroad is mandated by federal railroad regulations to product whistles and bells at crossing as safety procedure. Dry Creek reported ranges from 57-74 dBA.

Karen Norton

Agreed with public comments and added that the noise level around the basketball court gets pretty loud. She also inquired about the sound level of a barking dog.

Mayor Kosmerl

A large barking dog is 68 dBA, a dog kennel can be 104 dBA, a kitchen is 78 dBA, and the library can be 58 dBA.

There being no further comments or concerns, Trustee Burkett made a motion, seconded by Trustee McGarvey, the Board close the public hearing regarding proposed local law A-2008, titled, "Noise" at 7:32pm.

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	
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent	
Trustee Ken Rule	X	Yes		No		Abstain		Absent	
VOTE TOTAL:	5	Yes	0	No	0	Abstain	0	Absent	
RESULTS	X	PASS					FAIL		

SEEK CONSULTANT

Mayor Kosmerl directed Superintendent of Public Works Kilburn to seek a consultant that will work with the VOA to determine the methodology and measurement of levels, associated costs, and to report back to the Board.

ADOPT LOCAL LAW 3-2008, "NOISE" (CHAPTER 29)

No action was taken on this item.

CONCESSION STAND USAGE AT VILLAGE PARK

Ernie Floyd asked permission for the Arcade United Methodist Church to use the concession stand (electric stove and countertop) at the Village park during the 2008 fifties festival activities. They plan to serve refreshments from the concession stand and have a vendor cooking hot dogs on an outside grill. The concession stand would be used mainly to keep refreshments warm. There is no water in the concession stand, but the Church plans to have a facility available for washing hands.

Motion by Mayor Kosmerl and seconded by Trustee Burton, the Arcade United Methodist Church be granted permission to use the concession stand at the Village park during the 2008 fifties festival activities upon submission of the Use of Facilities Application and Agreement, certificate of insurance, and a \$100.00 deposit. No rental fee will be required.

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
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent
Trustee Ken Rule	X	Yes		No		Abstain		Absent
VOTE TOTAL:								
	5	Yes	0	No	0	Abstain	0	Absent
RESULTS		X	PASS				FAIL	

APPROVE MINUTES

Motion by Mayor Kosmerl and seconded by Trustee McGarvey, the minutes from the annual organizational meeting, public hearing, and regular meetings held on April 15, 2008 be approved with the following amendment:

Page 1 of 20 - PLEDGE TO ALLEGIANCE

Mayor Kosmerl opened the meeting with the Pledge to Allegiance.

changed to

Newly elected Trustee Ken Rule opened the meeting with the Pledge to Allegiance.

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
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent
Trustee Ken Rule	X	Yes		No		Abstain		Absent
VOTE TOTAL:								
	5	Yes	0	No	0	Abstain	0	Absent
RESULTS		X	PASS				FAIL	

GENERATED POWER SIREN AT ROUTE 98 NORTH FIRE HALL

Fire Chief Tom Beiersdorf approached the Board and asked permission to erect a siren (donated by the Attica fire department) at the Route 98 North fire hall. He was very specific that the siren would be used ONLY during a power outage and run on generator power. Chief Beiersdorf stated that the siren would NOT be tested daily. The request stems from a past power outage, where two separate 911 calls were received and no one from the fire department/rescue squad responded as they were unaware of the emergency.

Motion by Mayor Kosmerl and seconded by Trustee McGarvey, the Arcade fire department be granted permission to erect the siren for use only during a power outage provided the siren activates only when the generator is running.

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
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent
Trustee Ken Rule	X	Yes		No		Abstain		Absent
VOTE TOTAL:								
	5	Yes	0	No	0	Abstain	0	Absent
RESULTS		X	PASS				FAIL	

SIGN AT ROUTE 98 NORTH FIRE HALL

Fire Chief Tom Beiersdorf informed the Board that a committee had been formed to research options to purchase and erect a new sign at the Route 98 North fire hall similar to that at Saints Peter and Paul Church on Main Street. Tom explained that due to some zoning concerns, committee members talked with Bob Kutzuba who explained that because the fire department is a vital service of the community, the fire department is exempt from zoning laws. The desired location of the sign would be on A&A railroad property (east of the driveway on the building side of the A&A tracks). Per Tom, Bob agreed to prepare a lease agreement between the Village and the A&A Railroad. Mayor Kosmerl recommended that the committee develop a plan and take it to the planning board for review and asked that the plan remain within the required setbacks and sizes, as much as possible.

POLICE DEPARTMENT SPEED TRAILER

Police Chief Laird reported that the speed trailer has been functioning good.

AWARD BID - FUEL SUPPLY CONTRACT

Motion by Trustee Burkett and seconded by Trustee Burton, per recommendation by Superintendent of Public Works Kilburn, the VOA be authorized to use the Wyoming County fuel bid.

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
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent
Trustee Ken Rule		Yes		No	X	Abstain		Absent
VOTE TOTAL:								
	4	Yes	0	No	1	Abstain	0	Absent
RESULTS								
	X	PASS				FAIL		

AWARD BID - SOLID WASTE COLLECTION

Motion by Trustee Burkett and seconded by Mayor Kosmerl, per recommendation by Superintendent of Public Works Kilburn, the solid waste collection contract be awarded to Waste Management of Chaffee, NY at a cost of \$9,500.00 per month effective June 1, 2008 through May 31, 2010.

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
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent
Trustee Ken Rule	X	Yes		No		Abstain		Absent
VOTE TOTAL:								
	5	Yes	0	No	0	Abstain	0	Absent
RESULTS								
	X	PASS				FAIL		

LICENSE AGREEMENT BETWEEN VOA AND A&A RAILROAD

Further discussion took place about this topic. Superintendent of Public Works Kilburn was instructed to contact the Attorney for the VOA and ask if it is advisable to have a written agreement between the A&A railroad and the Friends of the A&A Railroad and the Rule family before the VOA entered into the lease agreement with the A&A Railroad.

PERMISSION TO ADVERTISE SURPLUS VEHICLES

Motion by Mayor Kosmerl and seconded by Trustee Burton, Superintendent of Public Works Kilburn be authorized to advertise the following surplus vehicles in the Arcade Herald and the Pennysaver.

- 2000 Chevrolet Pickup Truck (#78)
- 1994 Chevrolet Pickup Truck (#712)

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	
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent	
Trustee Ken Rule	X	Yes		No		Abstain		Absent	
VOTE TOTAL:									
	5	Yes	0	No	0	Abstain	0	Absent	
RESULTS		X	PASS				FAIL		

BUCKET TRUCK

Trustee Burkett reported that a new bucket truck will be bid in the fall 2008.

ENERGY CURTAILMENT SPECIALISTS PROGRAM

This topic will be considered for vote at the May 20, 2008 regularly scheduled meeting.

NOBLE ENVIRONMENTAL WINDFARM - ASSIGNMENT AGREEMENT

Motion by Trustee Burkett and seconded by Trustee Burton, Mayor Kosmerl be authorized to sign the assignment agreement between Noble Environmental Power LLC and Noble Bliss Windpark LLC. The VOA enters into this agreement for the limited purpose of acknowledging and consenting to the assignment and transfer of the Assigned Rights and Obligations from Noble Environmental Power LLC to Noble Bliss Windpark LLC and releases Noble Environmental Power LLC of any and all respective liabilities arising under and/or pertaining to the Assigned Rights and Obligations from and after the date the agreement.

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	
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent	
Trustee Ken Rule	X	Yes		No		Abstain		Absent	
VOTE TOTAL:									
	5	Yes	0	No	0	Abstain	0	Absent	
RESULTS		X	PASS				FAIL		

NOBLE ENVIRONMENTAL WINDFARM - SUPPORT SERVICES AND REIMBURSEMENT AGREEMENT (SSRA)

Motion by Trustee Burkett and seconded by Trustee McGarvey, Mayor Kosmerl be authorized to sign Amendment No. 3 to Support Services and Reimbursement Agreement between the VOA and Noble Environmental Power LLC and Noble Bliss Windpark LLC that states Noble shall deposit with the VOAs outside counsel the amount of \$100,000.00 to be used by the VOA to pay the Allowed Costs relating to wind electric generating projects other than the Bliss Project.

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
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent
Trustee Ken Rule	X	Yes		No		Abstain		Absent
VOTE TOTAL:								
	5	Yes	0	No	0	Abstain	0	Absent
RESULTS		X	PASS				FAIL	

ELECTRIC DEPARTMENT - 1ST PLACE IN THE APPA SAFETY CONTEST

Once again, the VOA

APPA 2007 SAFETY CONTEST

Superintendent of Public Works Kilburn announced that the VOA was awarded first place in the American Public Power Association's 2007 Safety Contest. Congratulations to all Electric Department employees!

PERMISSION TO BID SKID STEER AND SIDEWALK PLOW/MOWER

Motion by Trustee Burkett and seconded by Trustee McGarvey, Superintendent of Public Works Kilburn be authorized to prepare specifications and bid package to purchase a skid steer for the Electric department and for a two-year lease purchase of a sidewalk plow/mower for the Streets and Parks department.

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
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent
Trustee Ken Rule	X	Yes		No		Abstain		Absent
VOTE TOTAL:								
	5	Yes	0	No	0	Abstain	0	Absent
RESULTS		X	PASS				FAIL	

DEFENSIVE DRIVING COURSE CLARIFICATION

At the April 15, 2008 meeting a motion was passed that authorized office staff that have driven Village vehicles within the last six (6) months permission to attend the defensive driving course on April 24th and May 1st. In addition, it was discussed that office staff would be authorized to attend a defensive driving course at another facility (e.g., Genesee Community College, 55 Alive, etc.) and that the VOA would pay the cost of the course. However, it was not clear as to whether or not the staff would be allowed to attend the course during business hours. Clerk/Treasurer Beiersdorf asked for clarification on this topic.

Board members recognize that employees are authorized to drive VOA vehicles, however, some employees don't. Mayor Kosmerl and Trustee Burkett agreed that if employees have not demonstrated the willingness to drive VOA vehicles or have not driven VOA vehicles, then it would not be in the best interest for the VOA to pay for such employees to take the defensive driving course during business hours. However, when the opportunity arises and employees actually drive VOA vehicles, then a request to attend a defensive driving course should be brought before the Board for approval similar to any other type of education course attendance. Superintendent of Public Works Kilburn stated that there is no overall insurance benefit to the VOA for having 100% employee participation in a defensive driving course. Trustee Burkett stated that there needs to be a benefit to the VOA, not just a personal benefit to the employee, before authorization will be granted.

2008 TAX LEVY

The following resolution was offered by Trustee Burkett and seconded by Mayor Kosmerl:

RESOLUTION

A resolution levying the total taxes and other charges extended and levied against each parcel of real property shown on the assessment roll prepared by Clerk/Treasurer Beiersdorf and verified by the assessors for the 2008-2009 fiscal year.

RESOLVED, that there be levied and assessed against the real property of the Village of Arcade the following sums for village government and other charges for the fiscal year 2008-2009 with a tax rate of \$13.5763 per thousand of assessed valuation.

For General Fund.....	\$1,070,047.00
In Lieu of Taxes	\$54,827.00
For Delinquent Water Rents, Charges, & Interest	\$7,055.35
For Delinquent Sewer Rents, Charges, & Interest.....	\$2,617.37
Total Real Property Taxes & Other Charges on Roll.....	\$1,134,546.72

FURTHER RESOLVED, that service for all delinquent water customers outside the Village whose accounts remain unpaid as of May 31, 2008 be discontinued without further notice and Clerk/Treasurer Beiersdorf is hereby instructed to issue shut off orders to Superintendent of Public Works Kilburn to discontinue the service of said customers on May 31, 2008.

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
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent
Trustee Ken Rule	X	Yes		No		Abstain		Absent
VOTE TOTAL:	5	Yes	0	No	0	Abstain	0	Absent
RESULTS	X	PASS					FAIL	

2008 TAX WARRANT

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

RESOLUTION

TAX WARRANT

TO: Pam Beiersdorf, Clerk/Treasurer

YOU ARE HEREBY COMMANDED to receive and collect from the persons named in the tax roll hereunto annexed, the several sums stated in the last column hereof opposite their respective names, being a total of \$1,134,546.72.

For General Fund.....	\$1,070,047.00
In Lieu of Taxes	\$54,827.00
For Delinquent Water Rents, Charges, & Interest	\$7,055.35
For Delinquent Sewer Rents, Charges, & Interest.....	\$2,617.37
For Miscellaneous General Fund Accounts Receivable.....	\$0.00

For Miscellaneous Water Fund Accounts Receivable	\$0.00
For Miscellaneous Sewer Fund Accounts Receivable	\$0.00
For Tax Rebate	\$0.00
Total Real Property Taxes & Other Charges on Roll.....	\$1,134,546.72

YOU ARE FURTHER COMMANDED to receive and collect such sums without additional charge between June 1, 2008 and July 1, 2008, both inclusive; and thereafter to collect with such of the sums as have not been theretofore collected, an additional charge of five percent (5%) between July 2, 2008 and July 31, 2008 and an additional one percent (1%) for each month thereafter. No payments shall be accepted after October 31, 2008. Unpaid taxes will be re-levied January 1, 2009 by Wyoming County with an additional seven percent (7%).

YOU ARE FURTHER COMMANDED to collect the unpaid taxes, with interest as herein provided, and to impose a charge of \$2.00 to offset the expense of mailing notices of unpaid taxes.

YOU ARE FURTHER COMMANDED to return the tax roll and warrant on or before November 1, 2008, and at the same time deliver an account of the unpaid taxes to the Board of Trustees. The account must describe each parcel of real property upon which taxes are unpaid, the person(s) whose name the property is assessed, and the amount of unpaid tax.

YOU ARE FURTHER COMMANDED to publish a notice in the Arcade Herald newspaper, once a week for two (2) successive weeks, stating that the tax roll and warrant have been delivered to you for the collection of the taxes levied on such roll. The notice must designate that taxes will be collected at the Village of Arcade Office, 17 Church Street, Arcade NY from June 1 to an including July 1 from 7:00am to 4:00pm, except Saturdays, Sundays, and holidays. The notice must state the interested required to be added after July 1 as herein provided.

IN WITNESS WHEREOF: The Village of Arcade Board of Trustees has caused this tax warrant to be signed by its Mayor and Clerk/Treasurer of the said Village and the seal of the Village hereby be affixed, May 6, 2008.

SCHEDULE 2007-08 FISCAL YEAR END MEETING

Motion by Mayor Kosmerl and seconded by Trustee Burkett, Clerk/Treasurer Beiersdorf be authorized to schedule the 2007-08 fiscal year end special meeting for Friday, May 30, 2008 at 7:00am.

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
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent
Trustee Ken Rule	X	Yes		No		Abstain		Absent
VOTE TOTAL:	5	Yes	0	No	0	Abstain	0	Absent
RESULTS	X	PASS					FAIL	

UTILITY TERMINATION NOTICE POLICY

Clerk/Treasurer Beiersdorf advised the Board that she and Superintendent of Public Works Kilburn were developing an internal policy based on the Public Service Commission (PSC) regulations to standardize the requirements for establishing payment agreements including down payments and monthly installments, the termination process, and the reconnect process.

Motion by Mayor Kosmerl and seconded by Trustee Burton, the utility reconnect fees be increased to cover associated costs as follows: \$35.00 to \$65.00 during business hours and \$100.00 to \$195.00 for reconnects between 4:00pm and 9:00pm, effective immediately.

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
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent
Trustee Ken Rule	X	Yes		No		Abstain		Absent
VOTE TOTAL:								
	5	Yes	0	No	0	Abstain	0	Absent
RESULTS								
	X	PASS				FAIL		

NON-SUFFICIENT FUNDS (NSF) CHECKS

Clerk/Treasurer Beiersdorf asked the Board to establish a policy that stipulates the number of NSF checks acceptable from one customer before their account would be placed on and marked CASH ONLY (cash, money order, cashier's check, or credit card). Clerk/Treasurer Beiersdorf will develop a proposal for discussion at the May 20, 2008 regularly scheduled board meeting.

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:

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
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent
Trustee Ken Rule	X	Yes		No		Abstain		Absent
VOTE TOTAL:								
	5	Yes	0	No	0	Abstain	0	Absent
RESULTS								
	X	PASS				FAIL		

DFT SECURITY PROPOSAL

Motion by Mayor Kosmerl and seconded by Trustee Burkett, Clerk/Treasurer Beiersdorf be authorized to contract with DFT Security to install four (4) door announcers with two (2) sounders and two (2) panic alarms per security systems proposal, dated April 16, 2008. In addition, the monthly charge for central monitoring and dispatching services of \$9.95 per month be authorized.

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
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent
Trustee Ken Rule	X	Yes		No		Abstain		Absent
VOTE TOTAL:								
	5	Yes	0	No	0	Abstain	0	Absent
RESULTS								
	X	PASS				FAIL		

RE-ADVERTISE FOR SUMMER RECREATION DIRECTOR AND ADVERTISE FOR RECREATION STAFF

Motion by Trustee Burton and seconded by Mayor Kosmerl, Clerk/Treasurer Beiersdorf be directed to re-advertise for a summer recreation director (minimum 21 years of age) and to advertise for recreation staff (minimum 16 years of age) in the Arcade Herald and Pennysaver with applications due back to the VOA by June 2, 2008.

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	
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent	
Trustee Ken Rule	X	Yes		No		Abstain		Absent	
VOTE TOTAL:									
	5	Yes	0	No	0	Abstain	0	Absent	
RESULTS									
	X	PASS					FAIL		

ARCADE SUMMER RECREATION PROGRAM

Trustee Burton reported that Arcade summer recreation program is expected to start the week of June 30, 2008 and run through August 8, 2008. Holland Central School has agreed to allow Arcade recreation to use the Holland Middle School pool on Mondays, Wednesdays, and Fridays from 12:30pm to 2:30pm. Swimming would be for five weeks starting the week of July 7th. More details to follow.

FACILITY RENTALS - CERTIFICATE OF INSURANCE

Motion by Trustee McGarvey and seconded by Mayor Kosmerl, Clerk/Treasurer Beiersdorf be directed to accept a certificate of insurance equivalent letter from Encompass Insurance for rental of the fire hall shelter on May 11, 2008 by William Landahl.

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	
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent	
Trustee Ken Rule	X	Yes		No		Abstain		Absent	
VOTE TOTAL:									
	5	Yes	0	No	0	Abstain	0	Absent	
RESULTS									
	X	PASS					FAIL		

POLICE FEES

Trustee McGarvey asked the Board to consider imposing user fees for police services such as fingerprinting, records checks, etc. Trustee McGarvey will develop a proposal for future Board discussion.

COMPOST FEES

Trustee McGarvey proposes that the VOA impose a user fee for compost from the Wastewater Treatment Plant (WWTP). He and Superintendent of Public Works Kilburn shall work together to develop a fee schedule and to present it to the Board for discussion.

MONTHLY DEPARTMENTAL REPORTS REQUESTED

At the March 25th meeting, Trustee McGarvey requested that each department be required to submit a monthly report to the Board that identifies upcoming projects, projects in progress, or provides a status of completed projects. Trustee McGarvey commented that an April report was received by the Streets and Parks department but that no other department reports were received.

SALE OF OLD FIRE HALL ON LIBERTY STREET

Superintendent of Public Works Kilburn was directed to prepare a purchase agreement for sale of the old fire hall on Liberty Street with the following conditions, send the purchase agreement to the two interested parties, and a copy to the entire Board.

1. The Village of Arcade shall be allowed to dig up and remove the time capsule located in front of the fire hall in the appropriate year and that the time capsule not be disturbed until such time.
2. The Village of Arcade shall be allowed to remove the brass Veterans' plaque hanging on the face of the fire hall without destroying the building.
3. The youth center shall be allowed to remain on the second floor of the fire hall for a minimum of six (6) months from date of closing or December 31, 2008, whichever is greater (allowing time to relocate).
4. The Town of Arcade Clerk and Assessor's office remain on the first floor of the fire hall for a minimum of six (6) months from date of closing or December 31, 2008, whichever is greater (allowing time to relocate).
5. The Village of Arcade shall be allowed a minimum of six (6) months from date of closing or until December 31, 2008 to relocate Village items stored at the facility, whichever is greater.
6. The Alcoholics Anonymous (AA) group be allowed to remain at the fire hall for a minimum of six (6) months from date of closing or December 31, 2008, whichever is greater (allowing time to relocate). The VOA shall offer another facility for rent.
7. The VOA be allowed to remove the electronics for the siren located within fire hall within six (6) months from date of closing or December 31, 2008, whichever is greater.

2008-09 FISCAL YEAR HEALTH INSURANCE BROKER

Motion by Trustee Burkett and seconded by Mayor Kosmerl, the VOA shall hire Vanner Benefits, LLC from Amherst, NY as the VOAs 2008-09 fiscal year health insurance broker. There is no cost to the VOA as Vanner Benefits, LLC is paid a percentage by the insurance carrier from insurance premiums.

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	
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent	
Trustee Ken Rule	X	Yes		No		Abstain		Absent	
VOTE TOTAL:	5	Yes	0	No	0	Abstain	0	Absent	
RESULTS	X	PASS					FAIL		

OPEN EXISTING CSEA BARGAINING CONTRACTS

Motion by Trustee Burkett and seconded by Mayor Kosmerl, Mayor Kosmerl be authorized to present a letter to the CSEA bargaining units requesting their consideration to open the existing CSEA bargaining contracts (June 1, 2003 to May 31, 2008) Section 11.11, for the sole purpose of discussing health care.

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	
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent	
Trustee Ken Rule	X	Yes		No		Abstain		Absent	
VOTE TOTAL:	5	Yes	0	No	0	Abstain	0	Absent	
RESULTS	X	PASS					FAIL		

PERMISSION TO CLOSE VILLAGE OFFICE

Motion by Mayor Kosmerl and seconded by Trustee Burkett, Clerk/Treasurer Beiersdorf be directed to close the VOA office on Tuesday, May 13, 2008 from noon to 1:00pm. All department employees shall be asked to take lunch on a voluntary basis during this time as representatives from Vanner Benefits, LLC will present information about the proposed health care plan in the Village Board Room. Lunch will be provided for those that attend.

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	
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent	
Trustee Ken Rule	X	Yes		No		Abstain		Absent	
VOTE TOTAL:									
	5	Yes	0	No	0	Abstain	0	Absent	
RESULTS									
	X	PASS					FAIL		

SCHEDULE SPECIAL MEETING

Motion by Trustee Burkett and seconded by Mayor Kosmerl, Clerk/Treasurer Beiersdorf be directed to schedule a special meeting for Tuesday, May 13, 2008 from noon to 1:00pm to discuss health insurance or any other business brought before the Board.

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	
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent	
Trustee Ken Rule	X	Yes		No		Abstain		Absent	
VOTE TOTAL:									
	5	Yes	0	No	0	Abstain	0	Absent	
RESULTS									
	X	PASS					FAIL		

PERMISSION TO PURCHASE LUNCH

Motion by Mayor Kosmerl and seconded by Trustee Burkett, the Mayor and Trustees in a liaison position be granted permission to purchase a reasonable lunch once per year at their annual departmental meeting.

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	
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent	
Trustee Ken Rule	X	Yes		No		Abstain		Absent	
VOTE TOTAL:									
	5	Yes	0	No	0	Abstain	0	Absent	
RESULTS									
	X	PASS					FAIL		

WORK SESSIONS SCHEDULED

Motion by Trustee Burton and seconded by Mayor Kosmerl, Clerk/Treasurer Beiersdorf be directed to schedule work sessions to discuss proposed changes to the zoning local law or any other business brought before the Board as follows:

- Tuesday, July 29, 2008 from 7:00pm to 8:30pm
- Tuesday, September 30, 2008 from 7:00pm to 8:30pm

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
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent
Trustee Ken Rule	X	Yes		No		Abstain		Absent
VOTE TOTAL:								
	5	Yes	0	No	0	Abstain	0	Absent
RESULTS								
	X	PASS				FAIL		

EXECUTIVE SESSION

Motion by Mayor Kosmerl and seconded by Trustee McGarvey, the Board enter into executive session to discuss the following topic(s) at 9:55pm:

- collective negotiations

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
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent
Trustee Ken Rule	X	Yes		No		Abstain		Absent
VOTE TOTAL:								
	5	Yes	0	No	0	Abstain	0	Absent
RESULTS								
	X	PASS				FAIL		

Motion by Trustee Burkett and seconded by Trustee Burton, the Board exit executive session at 10:08 pm.

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
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent
Trustee Ken Rule	X	Yes		No		Abstain		Absent
VOTE TOTAL:								
	5	Yes	0	No	0	Abstain	0	Absent
RESULTS								
	X	PASS				FAIL		

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 10:08pm upon motion by Mayor Kosmerl and seconded by Trustee McGarvey.

Clerk/Treasurer

VENDOR	AMOUNT	VENDOR	AMOUNT
ABBOTT WELDING SUPPLY CO	\$ 78.20	FISHER SCIENTIFIC COMPANY	\$ 284.39
ACTIVE IT DESIGN, LLC	\$ 1,191.25	FORBES, EDITH E	\$ 90.00
ADVANCED COLLISION, INC	\$ 798.00	FOTRONIC CORPORATION	\$ 1,004.22
AFLAC NEW YORK	\$ 25.00	FREEDOM TIRE	\$ 90.00
AFLAC NEW YORK	\$ 1,332.10	GERNATT ASPHALT PROD INC	\$ 899.10
ALBERT J. MOGAVERO, CHAPTER	\$ 422.00	GRAY FOX PUB	\$ 2.00
ALBERT J. MOGAVERO, CHAPTER	\$ 422.00	GRIFFITH ENERGY	\$ 5,285.47
ALTEC INDUSTRIES INC	\$ 2,036.10	HERITAGE-CRYSTAL CLEAN, LLC	\$ 118.00
AmCHAR WHOLESALE, INC	\$ 281.39	HIGGINS, ROSI	\$ 100.00
AQUA SMART	\$ 624.18	INDUSTRIAL APPRAISAL CO.	\$ 570.00
ARCADE FIREMANS AUXILIARY	\$ 50.00	INTERACTIVE COMPUTER DESIGN	\$ 11,370.00
ARCADE FREE LIBRARY	\$ 5,250.00	IRS - FEDRAL PAYROLL TAX PA	\$ 18,462.53
ARCADE HERALD	\$ 69.54	IRS - FEDRAL PAYROLL TAX PA	\$ 18,312.13
ARCADE HISTORICAL SOCIETY	\$ 375.00	JAMIE GOODRICH	\$ 125.78
AT&T	\$ 479.74	JEDRZEK, DANIEL	\$ 1.40
AUTOZONE	\$ 517.95	JM CLEANING SERVICE	\$ 1,270.00
BANK OF NEW YORK	\$ 1,479.75	MARTIN BROTHERS CHEVROLET	\$ 2,902.79
BANK OF NEW YORK	\$ 1,519.79	MASON, JEFFREY	\$ 150.00
BEACON EQUIPMENT LEASING	\$ 90.00	MAYNARDS ELECTRIC SUPPLY	\$ 125.44
BEIERSDORF, PAMELA J	\$ 359.00	MEYERS HOME APPL INC	\$ 793.44
BELL-BEYER, SHERI	\$ 91.84	MILLER, DONNA	\$ 242.00
BENCHMARK ANALYTICS, INC	\$ 857.43	MONIN, COLLEEN	\$ 100.00
BENNETT MFG CO., INC	\$ 300.00	MUELLER SOUND	\$ 234.00
BLUE CROSS & BLUE SHIELD	\$ 28,612.88	NATIONAL FUEL GAS DISTRIB	\$ 1,283.11
BRASS SHURFINE	\$ 21.36	NATIONAL GRID	\$ 31,833.00
CHASE BANK	\$ 90,000.00	NEOPOST LEASING INC.	\$ 1,695.00
CID DIVSION OF WASTE MANAGE	\$ 9,008.81	NORTHERN SAFETY CO. INC.	\$ 55.94
CINTAS CORPORATION #782	\$ 306.55	NY POWER AUTHORITY	\$ 119,109.44
CLARK PATTERSON LEE	\$ 2,300.00	NYMPA	\$ 508,010.00
CLEAR CREEK LAND SURVEYOR	\$ 389.00	NYS & LOCAL RETIRE SYSTEM	\$ 2,740.84
CRABB OIL & PROPANE INC.	\$ 944.40	NYS & LOCAL RETIRE SYSTEM	\$ 1,447.59
CSEA	\$ 739.93	NYS CHILD SPRT PROCESSING	\$ 264.00
CSEA	\$ 739.93	NYS CHILD SPRT PROCESSING	\$ 264.00
CSEA BENEFIT UNIT	\$ 1,135.48	NYS INCOME TAX	\$ 3,195.59
CSEA BENEFIT UNIT	\$ 602.73	NYS INCOME TAX	\$ 3,207.05
CSEA POLICE UNIT	\$ 173.28	NYS SALES TAX	\$ 23,213.10
CSEA POLICE UNIT	\$ 173.28	O'CONNELL ELECTRIC CO. INC.	\$ 3,145.17
D & H EXCAVATING INC.	\$ 770.00	OFFICEMAX CONTRACT INC.	\$ 195.72
DAN HEINEMAN & SONS INC	\$ 400.00	OSEA	\$ 75.00
dE SIGN ART	\$ 195.00	OUTSOURCE RECEIVABLE MNGT	\$ 763.78
DEPOSITORY TRUST AND CLEARI	\$ 7,675.00	PEDERSEN POWER PRODUCTS	\$ 553.00
DFT SECURITY	\$ 11,058.40	PERFORMANCE TRANSMISSIONS	\$ 850.82
DFT SELECT ONE	\$ 568.38	PHYLLIS HOPKINS	\$ 100.00
DOLORES M DAWLEY	\$ 540.00	PIONEER FORD/MERCURY INC.	\$ 620.95
DOLORES M DAWLEY	\$ 540.00	PIONEER FORD/MERCURY INC.	\$ (620.95)
DONALD R. MAGILL	\$ 54.50	PIPE EYE SEWER SERVICES	\$ 8,100.00
EASTERN STATES SENTINEL	\$ 75.00	PLM	\$ 1,031.77
EATON OFFICE SUPPLY	\$ 463.54	QUILL CORP	\$ 80.12
FAIRPORT FORD	\$ 20,177.85	RADIO SHACK	\$ 396.84
FASTENAL COMPANY	\$ 370.65	ROBINSON SALES, INC	\$ 342.86
FEDEX GROUND, INC.	\$ 55.20	ROBINSON SALES, INC	\$ (342.86)
FIRST REHABILITATION LIFE	\$ 453.30		
TOTAL COLUMN 1	\$ 197,194.71	TOTAL COLUMN 2	\$ 774,143.57

VENDOR	AMOUNT	VENDOR	AMOUNT
SAIA COMMUNICATIONS INC	\$ 2,342.70		
SCHWEITZER ENG LAB INC.	\$ 685.72		
SOUTER & SONS PRINTING	\$ 95.00		
SOUTHERN TIER WEST	\$ 70.00		
SPENCER, IAN	\$ 42.65		
SPENCER'S SPORTING GOODS	\$ 8.00		
STUART C IRBY CO	\$ 4,930.50		
STUART C IRBY CO	\$ (4,930.50)		
TECHNICAL ASSISTANCE AND	\$ 16,139.67		
TRACTOR SUPPLY COMPANY	\$ 153.91		
TRI-COUNTY SUPPLY INC	\$ 24.00		
TUCKER, KEVIN	\$ 118.49		
TUTTLE, JACK	\$ 29.29		
UNIVAR USA INC.	\$ 1,308.46		
UTZ TIRE SERVICE	\$ 29.00		
VERIZON	\$ 66.30		
VERIZON ONLINE	\$ 29.99		
VERIZON WIRELESS	\$ 557.08		
VERY, DOROTHY	\$ 100.00		
VILLAGE OF ARCADE	\$ 359.41		
VILLAGE OF ARCADE	\$ 413.96		
VILLAGE OF ARCADE	\$ 127.00		
VILLAGE OF ARCADE	\$ 127.00		
WAWRZYNSKI, JEREMY	\$ 1.80		
WESCO DIST. INC.	\$ 5,276.29		
WEST PAYMENT CENTER	\$ 70.86		
WYO CO VILLAGE ASSN.	\$ 70.80		
YORKSHIRE BATTERY & TIRE	\$ 160.20		
ZEE MEDICAL SERVICE CO.	\$ 443.00		
ZURICH AMERICAN INS CO	\$ 286.80		
ZURICH AMERICAN INS CO	\$ (286.80)		
ZURICH AMERICAN INS CO	\$ 302.85		
TOTAL COLUMN 3	\$ 29,153.43		
OVERALL TOTAL	\$ 1,000,491.71		