

The regular meeting of the Village of Arcade (VOA) Board of Trustees, Wyoming County, New York was held on Tuesday, June 3, 2008 at 7:00pm there were:

PRESENT

Mayor Rich Kosmerl, Deputy Mayor 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), Joanne Offers, Paul Sanders, Bonnie Daunce (MaMa's Home Cookin), Ed Beck (at 7:50pm)

PLEDGE TO ALLEGIANCE

Mayor Kosmerl opened the meeting with the Pledge to Allegiance.

OPEN BIDS FOR SURPLUS 1994 AND 2000 CHEVROLET PICK-UP TRUCKS

This meeting having been duly advertised to receive bids for a surplus 1994 Chevrolet pick-up truck and a surplus 2000 Chevrolet pick-up truck, the above persons were in attendance. The following bids were received:

BIDDERS	BID AMOUNT
Gregory R. Szpara No address noted Phone number only	\$2,100.99 Bid for 2000 Chevrolet truck
Rae Owen Gooseneck Rd Delevan, NY	\$511.00 Bid for 1994 Chevrolet truck
Steve Pinter PO Box 914 Arcade, NY	\$3,656.00 Bid for 2000 Chevrolet truck \$611.00 Bid for 1994 Chevrolet truck
Matuzak's Blacktopping Genesee Rd Arcade, NY	\$3,310.00 Bid for 2000 Chevrolet truck

Motion by Deputy Mayor Burkett and seconded by Trustee Burton, the highest bids for both the 2000 and 1994 pickup trucks be accepted.

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 Deputy Mayor Burkett and seconded by Trustee McGarvey, the minutes from the regular meeting held on May 20, 2008 be approved with the correction noting the presence of Trustee Rule.

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 Deputy Mayor Burkett and seconded by Trustee McGarvey, the minutes from the special year end meeting held on May 30, 2008 be approved as presented by the Deputy Clerk/Treasurer.

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		

INDEPENDENT HEALTH CONSIDERATION

Deputy Mayor Burkett gave an overview and potential savings that could be realized of the Independent Health proposed insurance as it related to salaried and retired employees. This item will be re-addressed at the June 17, 2008 regularly scheduled board meeting. Independent Health Enrollment Applications should be completed for salaried and retired employees in preparation of the Boards consideration to transition to the Independent Health plan effective July 1, 2008.

SUCCESSFUL STAKE-OUT

Chief Laird announced the stake-out regarding the Prestolite copper thefts was successful and resulted in arrests.

FUEL SUPPLY CONTRACT BID

At the May 6, 2008 meeting, the Board approved a motion authorizing the VOA to use the Wyoming County fuel bid.

Motion by Deputy Mayor Burkett and seconded by Mayor Kosmerl, the May 6th motion awarding the bid to the Wyoming County contract shall be retracted.

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		

FUEL SUPPLY CONTRACT BID

Motion by Deputy Mayor Burkett and seconded by Trustee McGarvey, per recommendation by Superintendent of Public Works Kilburn, the VOA be authorized to use State Contract pricing for fuel.

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		

DOT UTILITY WORK AGREEMENT

This item was postponed until the June 17, 2008 regularly scheduled meeting because a sentence in the proposed agreement is not pertinent. Superintendent of Public Works Kilburn was instructed to secure an amended agreement.

BID FOR LIBERTY STREET FIRE HALL

A bid was received by Superintendent of Public Works Kilburn and opened at this meeting by Mayor Kosmerl. The bid was from Hilec, Inc. and included a check in the amount of \$1,000.00 as a good faith deposit. There was some discussion regarding the condition of the structure and what options should be pursued in order to sell the fire hall.

Motion by Mayor Kosmerl and seconded by Deputy Mayor Burkett, to reject the bid as it was not within the targeted range and to employ the same realtor used to acquire the market analysis.

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		

RESOLUTION FOR NOBLE AUTHORIZING FILING OF APPLICATION FOR CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED TO NYSPSC

This item was tabled until the June 17, 2008 regularly scheduled meeting.

NOBLE - CHECK RECEIVED

Superintendent of Public Works Kilburn made note that a check for \$345,000.00 was received from Noble in accordance with the Electric Services Agreement signed by the VOA and Nobel Environmental Power.

AUDIT BILLS

Motion by Trustee Burton and seconded by Mayor Kosmerl, 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		

HIRE RECREATION STAFF

Based on the recommendation of the Arcade Recreation Commission, Trustee Burton proposed that the following individuals be hired for the 2008 Arcade Recreation Program:

APPLICANT	POSITION	SALARY
Rob Hersh	Director	\$3,000.00
Johnna Matusik	Lifeguard	\$7.75 (full time at 32 hours/week)
Ashley Wheeler	Lifeguard	\$7.75 (full time at 32 hours/week)
Cala Galioto	Lifeguard	\$7.50 (full time at 32 hours/week)
Jordan Benkleman	Lifeguard	\$7.50 (full time at 32 hours/week)
Jaycie Scheiner	Lifeguard	\$7.50 (part time at 20 hours/week)
Dylyn Harrison	Recreation Assistant (Park Coordinator)	\$1,650.00
Michael Draper	Recreation Aide	\$7.50 (full time at 32 hours/week)
Mackenzie Pierce	Recreation Aide	\$7.50 (full time at 32 hours/week)
Shelby Wheeler	Recreation Aide	\$7.30 (full time at 32 hours/week)
Taylor Griffith	Recreation Assistant	\$7.15 (part time at 20 hours/week)
Justin Maher	Recreation Assistant	\$7.15 (part time at 20 hours/week)
Colby Benzel	Recreation Assistant	\$7.15 (part time at 20 hours/week)
Mariah Turk	Recreation Assistant	\$7.15 (part time at 20 hours/week)

Motion by Trustee Burton and seconded by Deputy Mayor Burkett, the aforementioned applicants be hired for the 2008 Arcade Recreation Program. Program dates are from June 30, 2008 - August 8, 2008 with no recreation activities on July 4, 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 SIGN-UPS

Motion by Trustee Burton and seconded by Deputy Mayor Burkett, Clerk/Treasurer Beiersdorf be authorized to advertize Arcade Summer Recreation sign-ups in the Arcade Pennysaver for the June 14, 2008 edition and in the Arcade Herald for the June 18, 2008 edition. Sign-ups will be in the Arcade Village Board Room on Saturday, June 21, 2008 from 9am-12pm (noon) and on Tuesday, June 24, 2008 from 6pm-8pm.

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 AND ATTICA TRACKS CROSSING MUNICIPAL PARKING LOT

Trustee Rule noted that driving over the A&A railroad tracks in the municipal parking lot are very rough on a vehicle. Superintendent of Public Works Kilburn will talk to George Ling on the subject.

SEEKING FUNDS FOR HOCKEY RINK

Deputy Mayor Burkett announced that he met with the Lion’s club to seek financial assistance in the refurbishing of the Village hockey rink indicating that the total cost should not be paid for with taxpayer’s money. Deputy Mayor Burkett also suggested that the VOA approach the more prosperous businesses in the VOA for assistance in this project.

WESTERN NEW YORK HERO

Mayor Kosmerl shared information regarding Time Warner’s Channel 13 and a new show called “All That Matters.” Each week Channel 13 will feature a Western New York Hero. The categories are:

- Above & Beyond** – individuals who demonstrate bravery, courage or go beyond the call of duty in some way.
- Arts Advocates** – individuals dedicated to furthering and enriching the arts in Western New York.
- Civic Energizers** – those who provide strong leadership and demonstrate vision in serving the community
- Improving Life** – Those who, using their talents and abilities make breakthroughs or discoveries which improve the lives of others.
- Investing in the Future** – Individuals working to foster, improve the lives of or protect the welfare of children in Western New York.

Nominations are being accepted through June 30, 2008. This correspondence will be displayed and nominations encouraged.

NOISE LOCAL LAW

Mayor Kosmerl re-addressed the issue of noise and acoustics. Superintendent of Public Works Kilburn noted he had a discussion with APIs consultant on the issue of noise. One of the recommendations made was to rent the equipment used to measure decibels. Superintendent Kilburn will arrange a meeting and invite representatives from Blue Seal and Taylor Pullman to attend. This will be re-visited at the June 17, 2008 Board meeting.

FABULOUS 50S INSURANCE

Superintendent of Public Works Kilburn has been working with Tompkins insurance to obtain coverage for the Fabulous 50s Festival. . There is a possibility that insurance for the 50s Festival could be covered under an existing Village policy or, if not, at a reasonable charge. Superintendent Kilburn expects to have more information and will re-visit at the June 17, 2008 Board meeting.

CREEK BANK EROSION AT 169 E. MAIN

Paul Sanders mows the yard for Helen Forrest and described loss of property due to the creek erosion behind her home. She has lost roughly thirty feet of property through the years and asked if the Department of Environmental Conservation could come and inspect. Superintendent of Public Works Kilburn will look into this request.

MUNICIPAL PARKING LOT CONCERNS

Bonnie Duance voiced concerns about the placement of the train display, access to the VOA municipal lot and lack of parking spaces. Superintendent Kilburn will review.

EXECUTIVE SESSION

Motion by Deputy Mayor Burkett and seconded by Trustee Rule, the Board enter into executive session to discuss the following topic(s) at 7:47pm:

- Collective Negotiations
- Legal Matter

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 Deputy Mayor Burkett and seconded by Mayor Kosmerl, the Board exit executive session at 8:08 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:

- Arcade Police Department (2007 Annual Report)
- Streets and Parks (May 2008)

ADJOURN

There being no further business to come before the Board the meeting duly adjourned at 8:09pm upon motion by Mayor Kosmerl and seconded by Deputy Mayor Burkett.

Deputy Clerk/Treasurer

VENDOR	AMOUNT
AT&T	\$540.62
ACTIVE IT DESIGN, LLC	\$1,000.00
ALMETER, HOLLY	\$720.00
ARCADE POSTMASTER	\$239.82
BEIERSDORF, PAMELA J	\$80.00
TAYLOR, ELAINE	\$100.00
WRIGHT, MICHELLE	\$65.00
BLUE CROSS & BLUE SHIELD	\$37,250.72
CINTAS CORPORATION #782	\$130.39
COLDEN ENTERPRISES	\$506.90
COMPLETE OFFICE SOLUTIONS	\$90.00
dE SIGN ART	\$92.00
EASTERN STATES SENTINEL	\$300.00
FORBES, EDITH E	\$90.00
FEDEX GROUND, INC.	\$27.50
FLEET MAINTENANCE INC	\$352.45
ROBERT KUTZUBA	\$1,400.00
LUBBOCK NATIONAL BANK	\$3,567.89
MATUSZAK'S BLACKTOPPING INC	\$13,749.20
MOORE MEDICAL CORP.	\$1,010.57
TECHNICAL ASSISTANCE AND	\$1,667.80
TRI-COUNTY SUPPLY INC	\$850.00
TRACTOR SUPPLY COMPANY	\$46.94
TOTAL	\$63,877.80