

The public hearing and regular meeting of the Village of Arcade (VOA) Board of Trustees, Wyoming County, New York was held on Tuesday, September 2, 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, and Police Chief John Laird

ABSENT

Deputy Clerk/Treasurer Donna Miller

ALSO PRESENT

Sandy Pirdy, Kathy Landahl, Bill Hicks, Joanne Offers, Tom Beiersdorf, and Don Meyers

PLEDGE TO ALLEGIANCE

Mayor Kosmerl opened the meeting with the Pledge to Allegiance.

PUBLIC HEARING - PROPOSED LOCAL LAW D-2008

Mayor Kosmerl opened the public hearing at 7:00pm to hear comments from citizens regarding the proposed local law D-2008, titled, "Tax Exemption - Cold War Veterans', Chapter 59-D."

Based on a newer State law on Veterans' exemption for Cold War Veterans' and per recommendation of Gary Cousins, director of Wyoming County Veteran's Service Agency the Board to developed a local law that allows qualified residents fifteen percent (15%) of its assessed value, not to exceed \$12,000 and a percentage of the property's assessment equal to one-half (1/2) of any service connected disability rating not to exceed \$40,000.

COMMENTS

Deputy Mayor Burkett - stated that he agrees with the local law, however, is opposed to the percent of exemption allowed as it is the same percentage allowed for Combat Veterans'.

There being no further comments or concerns, Deputy Mayor Burkett made a motion, seconded by Trustee McGarvey, the Board close the public hearing regarding proposed local law D-2008, titled, "Tax Exemption - Cold War Veterans'" at 7:02pm.

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	

ADOPT LOCAL LAW 3-2008, "TAX EXEMPTION - COLD WAR VETERANS'" (CHAPTER 59-D)

Motion by Mayor Kosmerl and seconded by Deputy Mayor Burkett, the Village Board reviewed Chapter 59-D, Local Law D-2008 titled "Tax Exemption - Cold War Veterans'," Clerk/Treasurer Beiersdorf duly advertised for the public hearing held on September 2, 2008, the Village Board considered such arguments as were presented for and/or against the adoption of proposed Local Law D-2008 and hereby adopts Local Law 3-2008. (See attached.)

Mayor Kosmerl directed Clerk/Treasurer Beiersdorf to forward a copy of the newly adopted local law to Gary Cousins.

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		

AWARD BID - WALK-IN HEAVY RESCUE TRUCK

Motion by Mayor Kosmerl and seconded by Trustee Burton, per recommendation by Fire Chief Tom Beiersdorf and the Arcade Fire Department truck committee, the walk-in heavy rescue truck be awarded to Response Vehicles Group, LLC of Rochester, NY in the amount of \$323,027.00. In addition, Clerk/Treasurer Beiersdorf is directed to contact Bond Counsel to plan for the financing of the aforesaid equipment with a fifteen (15) year payment term.

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		

AWARD BID - SNOW PLOW

Motion by Trustee McGarvey and seconded by Deputy Mayor Burkett, per recommendation by Superintendent of Public Works Kilburn, the one-way snow plow be awarded to Valley Fab and Equipment, Inc. of Boston, NY in the amount of \$6,905.00. The 2008-09 budget included \$6,000 for the acquisition of a new plow. Superintendent of Public Works Kilburn suggested that \$200.00 be taken from G/L account number 001-5-5110-200-2000 (Street Maintenance Equipment) and \$800.00 be taken from G/L account number 001-5-5142-115-4000 (Snow Removal Other Expenses) to cover the additional cost.

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 Mayor Kosmerl, the minutes from the regular meeting held on August 19, 2008 be approved as presented by the Clerk.

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	
Deputy Mayor 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		

UPCOMING EVENTS IN ARCADE

Sandy Pirdy advised the Board about upcoming events in the VOA.

On Monday, September 22, 2008, the "How Do They Do That Tour?" will be coming to the VOA. Two buses carrying approximately 125 people will be leaving Hamburg, NY, traveling to other municipalities in the area before arriving in the VOA. While in Arcade, folks will tour Creekside Fabrics & Quilts, Wolfe's Wine & Brew House, the A&A Railroad, and the Noble Environmental wind park in Bliss.

The Arcade Area Chamber of Commerce (AACC) along with area merchants have established for the first time an event called "Shop the Arcade Hop." The event will take place on Saturday, November 3, 2008. Event planners have arranged for the Wyoming County Transit Service (public transportation) to provide rides (for a fee) to shop at any merchant that signs up with the AACC for the event. A box lunch will be available along with games, entertainment, and a surprise guest appearance. The event is open to anyone that wants to have fun shopping.

On Friday, September 05, 2008, Creekside Fabrics & Quilts customers will be going on a bus trip to Longaberger Basket factory in Ohio, and stopping at some quilt and yarn shops too. They event was well received.

VOA businesses open on Sunday: Creekside Fabrics & Quilts, Wolfe's Wine & Brew House (in the Fall only), Downtown Domes, Marco's Pizza & Subs, Black Primitive, and Doogies Dogs and Cones, LLC.

The A&A Railroad has allowed area merchants to advertise on the train for free which has proven to be beneficial to the merchants.

DESTINATION DOWNTOWN CONFERENCE

Sandy Pirdy distributed information to the Board about an upcoming conference for business owners, local officials, and concerned residents who want to make their downtowns and businesses a destination. Sandy encouraged all Board Members to attend this one day conference on Tuesday, October 21, 2008 at the Genesee River Reception Center in Mount Morris, NY. Topics include: show me the money: grant opportunities in NY State, visual merchandising for the artistically challenged and financially deprived, beyond the façade, storefront sign regulations and incentives, signage: the underused killer resource, enhancing main street: making upper floors work again, and how to thrive in a slowing economy, etc.

CONSIDER ADDITIONAL PART-TIME POLICE OFFICER

Police Chief Laird asked the Board to consider adding a sixth part-time police officer and presented them with the associated costs. Mayor Kosmerl asked Police Chief Laird to prepare an alternative proposal for discussion at a future meeting to determine the impact of cutting hours and less coverage. Deputy Mayor Burkett asked how many hours are spent by VOA officers on the drug task force (regular hours and overtime hours). Hours spent on the drug task force takes away time that the officer(s) are available to work for the VOA.

JUVENILE JUSTICE FORMULA GRANT

Police Chief Laird asked for clarification on the scope of the annual contract signed with Ann McDonnell. The contract covers any and all grants that the VOA wants her to pursue. Police Chief Laird will contact her regarding the Juvenile Justice Formula Grant.

SALE OF PROPERTY

Police Chief Laird asked the Board for their recommendation on selling property (e.g., bicycles, unused supplies, equipment, or furniture, etc.). The Board suggested that each department provide a list of items for sale for review.

FRIENDS OF THE A&A RAILROAD PLAQUE

Superintendent of Public Works Kilburn advised the Board that the Friends of the A&A Railroad intended to place a plaque on the train display in the Municipal Parking Lot similar to the following:

This 1917 caboose is on loan from the family of Earl R. Rule. Mr. Rule purchased the caboose in 1980 from the Arcade & Attica Railroad. He spent many hours restoring the caboose so that people could enjoy and appreciate this historical piece of railroad history. Our thanks to the Rule family, who has allowed us to include this caboose in our railroad equipment display. Thanks also to the Village of Arcade for allowing us to have our display on their property.

Friends of the Arcade & Attica, volunteer organization to benefit the A&A

MILL AND PAVE DOWNTOWN

Per Superintendent of Public Works Kilburn and according to the NYS Department of Transportation (DOT), paving will take place this week on the section of downtown that has already been milled. The area between the railroad tracks will not be milled and paved until the tracks are replaced.

ANNUAL UPDATE DOCUMENT FILED FOR FY 2007-2008

Clerk/Treasurer Beiersdorf advised the Board that the annual update document for fiscal year end May 31, 2008 had been filed with the NYS Office of the State Comptroller and that a copy of such report was on file in the Village Clerk's office for public inspection. Mayor Kosmerl requested that the report be available on the VOA website.

TOWN OF ARCADE AND TOWN OF FREEDOM FIRE CONTRACTS FOR CALENDAR YEAR 2009

No action was taken on this item as the Town of Freedom notified Clerk/Treasurer Beiersdorf that the numbers they had previously submitted were incorrect. This item will be addressed at the September 16, 2008 regularly scheduled meeting.

VOA ZONING BOARD OF APPEALS MEMBER RE-APPOINTED

Motion by Trustee McGarvey and seconded by Trustee Rule, Paul Sanders of Clough Avenue, Arcade, NY be hereby re-appointed to the Zoning Board of Appeals (ZBA) Board for the term August 19, 2008 to April 2009 (annual meeting). Paul's five year term would expire in 2013.

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
Deputy Mayor 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 - TAX COLLECTION BY WYOMING COUNTY

The following resolution was offered by Mayor Kosmerl and seconded by Deputy Mayor Burkett.

RESOLUTION

WHEREAS, Wyoming County adopted Local Law No. 12 of the year 1994 Providing for the Collection of Certain Delinquent Village Taxes by the County of Wyoming; and

WHEREAS, any Village lying within Wyoming County may elect each year to have its delinquent Village taxes collected by Wyoming County in accordance with Section 1442 of the Real Property Tax Law of the State of New York; and

WHEREAS, any Village must request by resolution to have Wyoming County collect back taxes, said resolution to be adopted no earlier than September 1 of each year and a certified copy filed with the County Treasurer and the Clerk of the Board of Supervisors;

NOW, THEREFORE, BE IT RESOLVED, that the Village of Arcade elects to have its delinquent Village taxes collected by Wyoming County and that such list of unpaid taxes and certificate of delinquencies will be prepared and delivered to the Real Property Tax Department by November 15, 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	
Deputy Mayor 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 APPOINT ACCOUNT CLERK

Motion by Mayor Kosmerl and seconded by Deputy Mayor Burkett, per recommendation by Clerk/Treasurer Beiersdorf, Donna Miller be appointed to the Account Clerk position on a provisional basis at \$15.41/hr. effective the first Monday following the approval from the Wyoming County Civil Service Commission.

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	
Deputy Mayor 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 ADVERTISE DEPUTY CLERK/TREASURER

Motion by Mayor Kosmerl and seconded by Trustee Burton, upon Donna Miller's acceptance to the provisional Account Clerk position and receipt of her resignation from the Deputy Clerk/Treasurer position, Clerk/Treasurer Beiersdorf be authorized to advertise for the Deputy Clerk/Treasurer position.

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	
Deputy Mayor 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		

DEPUTY CLERK/TREASURER ADVERTISEMENT

Where to advertise the Deputy Clerk/Treasurer became a topic for discussion. It was decided that ads would be placed in the Arcade Herald, Pennysavers within a one (1) hour driving distance from Arcade, with the New York Conference of Mayors (NYCOM) (free service), the Department of Labor (free service), and WNYJobs.com (free service).

DEPUTY CLERK/TREASURER REVIEW COMMITTEE

Mayor Kosmerl named the following individuals to serve on the Deputy Clerk/Treasurer review committee: Deputy Mayor Burkett, Clerk/Treasurer Beiersdorf, Superintendent of Public Works Kilburn, and Mayor Kosmerl.

2008 NYCOM ANNUAL TRAINING SCHOOL CLERK/TREASURER COVERAGE

Clerk/Treasurer Beiersdorf advised the Board that her job responsibilities will be covered during her absence the week of September 15th to attend the 2008 NYCOM annual training school. Donna Miller will continue to issue handicapped tags or direct customers to Sandie Dutton, Arcade Town Clerk. As Deputy Registrar, Donna will continue to issue birth and death certificates. Donna will attend the September 16th board meeting and compile meeting minutes. Office staff will process daily credit card payments, make daily bank deposits, and open incoming mail. Mail will be date stamped received and invoices will be forwarded to the Accounts Payable Clerk for processing. Clerk/Treasurer Beiersdorf will continue to post daily payments and approve purchase requisitions electronically.

FY 2008-2009 BUDGET ADJUSTMENTS

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

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	
Deputy Mayor 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		

AUDIT BILLS

Motion by Mayor Kosmerl and seconded by Trustee Burton, the Village bills be audited and paid and that the Clerk be authorized 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	
Deputy Mayor 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		

REQUEST FROM ARCADE PLANNING BOARD - OPINION ON THE DEFINITION OF GARAGES

In a memo to the VOA Board dated August 15, 2008, the Arcade Planning Board (PB) while reviewing the Site Plan Application for Phase II of Northridge Homes found that there was not a definition of a garage included in the VOA Zoning Local Law. In the memo, the PB requested an opinion from the VOA Board regarding garages proposed in the Project.

Mayor Kosmerl researched VOA laws and determined that the Zoning Board of Appeals (ZBA) makes interpretations, not the VOA Board. Although there is nothing stopping VOA Board members from giving their opinions on carports and garages, Mayor Kosmerl doesn't want to jeopardize an applicants ability to get an interpretation from the ZBA. Northridge Phase II project participants should work with the PB to define their site plan. The PB will either approve or deny the application. If denied, Northridge would have the ability to appeal the decision to the ZBA.

Deputy Mayor Burkett stated that per Webster's dictionary, a carport is defined as an open shelter for cars. Trustee McGarvey stated that he agreed with Mayor Kosmerl. Trustee Burton defined a carport as having open sides and a garage as having closed sides. Trustee Rule stated that from the Northridge Phase II project drawings he reviewed, the supports were in the center. Carports in his experience had supports on the outside.

Deputy Mayor Burkett will include a definition for a garage and a carport in the revision to the Zoning Local Law that is being drafted.

PROPOSED VOA DEPARTMENT RE-ORGANIZATION

Deputy Mayor Burkett asked the Board for comments on the proposed departmental (except office) re-organization flowchart he distributed at a previous meeting. The proposal includes hiring a salaried supervisor to oversee the Electric Department employees. The proposal also calls for the Public Works supervisor to control and maintain VOA vehicles/equipment and assign vehicles/equipment to departments as needed. Deputy Mayor Burkett stated that the VOA needs to get away from every department having their own vehicles/equipment (e.g., backhoes, dump trucks, skid-steers, etc.). The VOA needs to better manage resources and share vehicles/equipment as a cost saving/avoidance measure. Trustee McGarvey added that he feels the VOA should share personnel too within departments. The discussions were preliminary as many details need to be worked through. Mayor Kosmerl commented that union employees should be asked to contribute ideas toward the structure and centralized vehicle/equipment brainstorming efforts as suggested in the University of Buffalo's report, "Assessment of Residents' Perspectives and Review of Village Government and Services," dated December 2002.

VILLAGE PARK HOCKEY RINK

Deputy Mayor Burkett indicated that the VOA allocated funds for improvements to the hockey rink but nothing has been done. The hockey season is fast approaching.

AREA IN BACK OF THE GRAY FOX

Deputy Mayor Burkett is chairing a committee to brainstorm uses for the area behind the Gray Fox Restaurant. One name was submitted for the area: Crystal Creekside Cove (or triple C for short). The first committee meeting is scheduled for Friday, September 5, 2008 at the Village Office.

Mayor Kosmerl advised the Board that he received a letter from Richard Lord, Chief of Mitigation Programs and Agency Preservation Officer of the NYS Emergency Management Office advising that there were some matters to be discussed regarding the paving on the acquired parcel. Specific details were not available.

JUSTICE WINDOW COVERAGE

In a motion made July 15, 2008, authorization was granted to close the Court office on Monday September 22; Tuesday September 23; and Wednesday September 24th will Clerk of the Justice Gillian Moore attended the 2008 NYS Association of Magistrates Court Clerks annual conference.

Motion by Mayor Kosmerl and seconded by Trustee McGarvey, Justice Sheri Bell-Beyer and Justice Jack Tuttle be authorized to utilize Clerk Laurie Perkins in September during Gill Moore's attendance at the annual conference in order to keep the Court office open.

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
Deputy Mayor 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			

501(C) (3) STATUS

At the August 19th meeting, Mayor Kosmerl suggested contacting Mike Heftka at the Wyoming County Business Center (the lead economic development agency in Wyoming County) for assistance. Mayor Kosmerl later learned that Land Development Control (LDC) was under the direction of Jim Pierce, Director Wyoming County Chamber of Commerce. Jim agreed to approach the attorney for the LDC and the LDC Board at their September 12, 2008 meeting for assistance with the 501(C) (3) matter.

LETTER FROM CONGRESSMAN TOM REYNOLDS

Mayor Kosmerl advised the Board that he received a letter from Congressman Tom Reynolds providing grant opportunities that may help secure funding for fire rescue vehicles. Superintendent of Public Works Kilburn was directed to work with Ann McDonnell to pursue current or future fire rescue grant possibilities.

THE BUFFALO NEWS ARTICLE

Mayor Kosmerl made the Board aware of a recent article in the Wednesday, August 27, 2008 edition of *The Buffalo News*, titled, "Was power overpriced by \$100 million?" Briefly the article stated that Federal energy regulators are investigating whether electricity tracing schemes caused ratepayers in NYS to pay hundreds of millions of dollars too much for their power. Refer to *The Buffalo News* website to read the complete article at <http://www.buffalonews.com/145/story/424308.html>.

REPORTS RECEIVED

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

- WWTP (August 2008) - See attached.
- Justice (July 2008)

ADJOURN

There being no further business to come before the Board the meeting duly adjourned at 8:31pm upon motion by Deputy Mayor Burkett and seconded by Mayor Kosmerl.

Clerk/Treasurer

Local Law – Chapter 59-D
Rev. 0
Page 1 of 1

CHAPTER 59-D

TAX EXEMPTION - COLD WAR VETERANS'

Be it enacted by the Board of Trustees of the Village of Arcade as follows:

- Section 59-1.** Purpose
- Section 59-2.** Eligibility
- Section 59-3.** Percent of exemption allowed
- Section 59-4.** Application for exemption
- Section 59-5.** Renewal
- Section 59-6.** Effective Date

SECTION 59-1. PURPOSE

Pursuant to the provision of Real Property Tax Law Section 458-b, real property in the Village of Arcade (VOA), owned by Cold War veterans' (active duty in the United States Armed Forces between September 2, 1945 and December 26, 1991 and honorably discharged or released from service), the spouse of such veteran, or the unremarried surviving spouse shall be limitedly exempt from Village taxation based on a percentage of assessed value.

SECTION 59-2. ELIGIBILITY

To obtain the Cold War veterans' exemption, the property must be the primary residency of the veteran or his/her unremarried surviving spouse unless such person is absent from the property due to medical reasons. In addition, the property must be used exclusively for residential purposes.

SECTION 59-3. PERCENT OF EXEMPTION ALLOWED

A qualified residential parcel may receive a maximum exemption equal to fifteen percent (15%) of its assessed value, not to exceed \$12,000.00 multiplied by the latest final state equalization rate for service during the Cold War and a percentage of the property's assessment equal to one-half (1/2) of any service connected disability rating not to exceed \$40,000.00 multiplied by the latest final state equalization rate.

SECTION 59-4. APPLICATION FOR EXEMPTION

This is NOT an automatic exemption. An initial application for such exemption must be made by the owner or all of the owners of the property on forms prescribed by the New York State Office of Real Property Services and filed with the Village Clerk by the taxable status date of January 1 of each year.

SECTION 59-5. RENEWAL

An annual renewal application must be filed with the Village Clerk to continue the exemption by the taxable status date of January 1 of each year.

SECTION 59-6. EFFECTIVE DATE

This Local Law shall take effect once filed with the Secretary of State or as noted below.

Local Law No. 3-2008
Adopted: 09/02/2008
Filed:

N:\Village Laws\Chapter 59D - Tax Exemption - Cold War Veterans\Chapter 59-D Cold War Veterans', Rev. 0.doc

VENDOR	AMOUNT
ABBOTT WELDING SUPPLY CO	\$ 103.32
ABRAM RENTAL	\$ 200.00
ACTIVE IT DESIGN, LLC	\$ 340.00
AFLAC NEW YORK	\$ 1,602.50
ALBERT J. MOGAVERO, CHAPTER 13	\$ 422.00
ALLEN, LEE	\$ 100.00
ALMETER, HOLLY	\$ 720.00
ALTEC INDUSTRIES INC	\$ 483.83
ASHFORD SMALL ENGINE REPAIR	\$ 676.00
AT&T	\$ 479.20
BAILEY, CYNTHIA	\$ 100.00
BANK OF NEW YORK	\$ 1,507.35
BCGOLFGUIDE.COM INC	\$ 2,475.00
BEACON EQUIPMENT LEASING	\$ 90.00
BRASS SHURFINE	\$ 189.79
CATTARAUGUS CO LABORATORY	\$ 120.00
CID DIVISION OF WASTE MANAGEMEN	\$ 9,500.00
CINTAS CORPORATION #782	\$ 287.24
CLEAR CREEK LAND SURVEYOR	\$ 138.00
COMPLETE OFFICE SOLUTIONS	\$ 223.00
COTTRILLS PHARMACY, INC.	\$ 15.50
CSEA	\$ 716.22
CSEA POLICE UNIT	\$ 159.27
D & H EXCAVATING INC.	\$ 1,173.22
dE SIGN ART	\$ 384.00
DFT SECURITY	\$ 695.00
DIFILIPPO & FLAHERTY	\$ 83.33
DOLORES M DAWLEY	\$ 540.00
E. R. RULE & SONS INC.	\$ 1,092.85
EJ PRESCOTT, INC	\$ 19,166.06
FASTENAL COMPANY	\$ 35.13
FAULT LINE OIL CORP	\$ 13.71
FRENCH, JAMES	\$ 100.00
GERNATT ASPHALT PROD INC	\$ 4,434.32
HANES SUPPLY	\$ 196.34
HERITAGE-CRYSTAL CLEAN, LLC	\$ 149.50
HODGSON RUSS LLP	\$ 953.80
HOLTS, BRIAN	\$ 100.00
HORNING, DONNA	\$ 100.00
INDEPENDENT HEALTH PREMIUMS	\$ 41,490.04
INTERACTIVE COMPUTER DESIGNS,	\$ 154.00
IRS - FEDERAL PAYROLL TAX PAYME	\$ 19,438.03
KIRCHNMEYER, MIKE	\$ 100.00
LIGHTHOUSE BAPTIST CHURCH	\$ 100.00
LINEMENS SUPPLY INC	\$ 1,351.91
LUBBOCK NATIONAL BANK	\$ 3,567.89
TOTAL COLUMN 1	\$ 116,067.35

VENDOR	AMOUNT
MARTIN BROTHERS CHEVROLET	\$ 153.24
MATTHEW BENDER & CO INC.	\$ 36.80
MATUSZAK'S BLACKTOPPING INC	\$ 4,200.00
MAYER, MARCIA	\$ 100.00
MEDINA WELL SERVICING, LTD	\$ 5,644.50
MEUA OF N.Y.S.	\$ 100.00
MOORE MEDICAL CORP.	\$ 277.03
MORRISON, SUSAN	\$ 100.00
NATIONAL FUEL GAS DISTRIB	\$ 13.65
NATIONAL GRID	\$ 71,753.65
NOBLE, ALBERT	\$ 1,571.34
NORTHERN SAFETY CO. INC.	\$ 213.66
NY POWER AUTHORITY	\$ 103,745.87
NYMPA	\$ 125,402.00
NYS & LOCAL RETIRE SYSTEM	\$ 2,540.20
NYS ASSOC CITY & VILLAGE	\$ 50.00
NYS CHILD SPRT PROCESSING	\$ 264.00
NYS CONFERENCE OF MAYORS	\$ 150.00
NYS DEPT OF PUBLIC SRVC	\$ 10,339.82
NYS INCOME TAX	\$ 3,459.62
NYS SALES TAX	\$ 13,057.62
O & C SURVEY EQUIP CORP	\$ 100.00
OFFICEMAX CONTRACT INC.	\$ 10.70
PHILS TV & APPLIANCES	\$ 460.00
PIERCE MANUFACTURING, INC	\$ 555.00
PIONEER FORD/MERCURY INC.	\$ 29.16
QUILL CORP	\$ 129.92
RICHARD-CIN SIGNS	\$ 330.00
RIGERMAN, EMILIE	\$ 100.00
ROBERT KUTZUBA	\$ 1,400.00
S.T.A.R.S.	\$ 170.00
SAIA COMMUNICATIONS INC	\$ 284.00
SOUTHWORTH-MILTON INC.	\$ 8,297.00
STEINER, DAN	\$ 100.00
STUART C IRBY CO	\$ 546.11
THOMAS PARTY RENTALS	\$ 120.00
TOMS ROUTE 16	\$ 10.00
TRI-COUNTY SUPPLY INC	\$ 63.32
TRI-COUNTY TOOL RENTAL	\$ 290.00
UNITED CHURCH OF CHRIST	\$ 100.00
UNIVAR USA INC.	\$ 1,215.66
UPS	\$ 12.27
USA BLUEBOOK	\$ 566.24
UTZ TIRE SERVICE	\$ 75.00
VADNEY, FRANK	\$ 100.00
VELLANO BROTHERS, INC	\$ 888.00
VERIZON WIRELESS	\$ 197.85
VILLAGE OF ARCADE	\$ 120.00
WD FELTZ DIESEL REPAIR	\$ 1,196.72
WEF MEMBERSHIP	\$ 85.00
WESCO DIST. INC.	\$ 3,742.15
WIEDEMANN, MARGARET	\$ 100.00
WOODRUFF CONSTRUCTION	\$ 4,726.54
WYOMING COUNTY CLERK	\$ 875.00
TOTAL COLUMN 2	\$ 370,168.64
OVERALL TOTAL	\$ 486,235.99

9-02-2008 11:51 AM

BUDGET ADJUSTMENT REGISTER

PAGE: 1

PACKET: 00054-PER BOARD DIRECTIVE 9/2/08

BUDGET CODE: CB-Current Budget

FUND ACCOUNT	DATE	DESCRIPTION	ADJUSTMENT	ORIGINAL BUDGET	PREVIOUS ADJUSTMENTS	NEW BUDGET	BUDGET BALANCE

Budget Adj. # 000053							
001 5-0001-999-0000	9/02/2008	PER BOARD DIRECTIVE	23,822.00-	696,100.00	0.00	982.00-	982.00-
		SUBSIDIARY EXPENSE CONTROL					
		** WARNING ** NEW BUDGET NEGATIVE					
001 5-0001-999-0000	9/02/2008	PER BOARD DIRECTIVE	51,100.00-	696,100.00	0.00	982.00-	982.00-
		SUBSIDIARY EXPENSE CONTROL					
		** WARNING ** NEW BUDGET NEGATIVE					
001 5-0001-999-0000	9/02/2008	PER BOARD DIRECTIVE	408,660.00-	696,100.00	0.00	982.00-	982.00-
		SUBSIDIARY EXPENSE CONTROL					
		** WARNING ** NEW BUDGET NEGATIVE					
001 5-0001-999-0000	9/02/2008	PER BOARD DIRECTIVE	192,000.00-	696,100.00	0.00	982.00-	982.00-
		SUBSIDIARY EXPENSE CONTROL					
		** WARNING ** NEW BUDGET NEGATIVE					
001 5-0001-999-0000	9/02/2008	PER BOARD DIRECTIVE	500.00-	696,100.00	0.00	982.00-	982.00-
		SUBSIDIARY EXPENSE CONTROL					
		** WARNING ** NEW BUDGET NEGATIVE					
001 5-0001-999-0000	9/02/2008	PER BOARD DIRECTIVE	21,000.00-	696,100.00	0.00	982.00-	982.00-
		SUBSIDIARY EXPENSE CONTROL					
		** WARNING ** NEW BUDGET NEGATIVE					
001 5-1110-100-1000	9/02/2008	PER BOARD DIRECTIVE	23,822.00	20,000.00	0.00	43,822.00	32,223.23
		PERSONNEL SERVICES-REG					
001 5-1325-100-1000	9/02/2008	PER BOARD DIRECTIVE	51,100.00	0.00	0.00	51,100.00	43,631.18
		PERSONNEL SERVICES-REG					
001 5-3120-100-1000	9/02/2008	PER BOARD DIRECTIVE	408,660.00	0.00	0.00	408,660.00	340,173.18
		PERSONNEL SERVICES-REG					
001 5-5110-100-1000	9/02/2008	PER BOARD DIRECTIVE	192,000.00	0.00	0.00	192,000.00	173,914.85
		PERSONNEL SERVICES-REG					
001 5-3410-100-1000	9/02/2008	PER BOARD DIRECTIVE	500.00	0.00	0.00	500.00	500.00
		PERSONNEL SERVICES-REG					
001 5-7140-100-1000	9/02/2008	PER BOARD DIRECTIVE	21,000.00	0.00	0.00	21,000.00	13,501.04
		PERSONNEL SERVICES-REG					
005 5-0005-999-0000	9/02/2008	PER BOARD DIRECTIVE	212,800.00-	212,800.00	0.00	0.00	0.00
		SUBSIDIARY EXPENSE					
005 5-8310-100-1000	9/02/2008	PER BOARD DIRECTIVE	35,000.00	0.00	0.00	35,000.00	27,584.69
		PERSONNEL SERVICES-REG					
005 5-8320-100-1000	9/02/2008	PER BOARD DIRECTIVE	45,000.00	0.00	0.00	45,000.00	38,988.44
		PERSONNEL SERVICES-REG					

9-02-2008 11:51 AM

BUDGET ADJUSTMENT REGISTER

PAGE: 2

PACKET: 00054-PER BOARD DIRECTIVE 9/2/08

BUDGET CODE: CB-Current Budget

FUND ACCOUNT	DATE	DESCRIPTION	ADJUSTMENT	ORIGINAL BUDGET	PREVIOUS ADJUSTMENTS	NEW BUDGET	BUDGET BALANCE
Budget Adj. # 000053 -----							
005 5-8340-100-1000	9/02/2008	PER BOARD DIRECTIVE	132,800.00	0.00	0.00	132,800.00	137,167.87
PERSONNEL SERVICES-REG							
006 5-0006-999-0000	9/02/2008	PER BOARD DIRECTIVE	203,000.00-	203,000.00	0.00	0.00	0.00
SUBSIDIARY EXPENSE CONTROL							
006 5-8110-100-1000	9/02/2008	PER BOARD DIRECTIVE	35,000.00	0.00	0.00	35,000.00	27,646.41
PERSONNEL SERVICES-REG							
006 5-8120-100-1000	9/02/2008	PER BOARD DIRECTIVE	9,500.00	0.00	0.00	9,500.00	6,796.70
PERSONNEL SERVICES-REG							
006 5-8130-100-1000	9/02/2008	PER BOARD DIRECTIVE	158,500.00	0.00	0.00	158,500.00	137,941.13
PERSONNEL SERVICES-REG							
007 5-0007-999-0000	9/02/2008	PER BOARD DIRECTIVE	500,000.00-	500,000.00	0.00	0.00	0.00
SUBSIDIARY EXPENSE CONTROL							
007 5-0731-420-1000	9/02/2008	PER BOARD DIRECTIVE	3,000.00	0.00	0.00	3,000.00	2,346.62
PERSONNEL SERVICES-REG							
007 5-0732-200-1000	9/02/2008	PER BOARD DIRECTIVE	500.00	0.00	0.00	500.00	500.00
PERSONNEL SERVICES-REG							
007 5-0736-007-1000	9/02/2008	PER BOARD DIRECTIVE	3,000.00	0.00	0.00	3,000.00	1,900.60
PERSONNEL SERVICES-REG							
007 5-0741-100-1000	9/02/2008	PER BOARD DIRECTIVE	200,000.00	0.00	0.00	200,000.00	189,194.14
DISTR SYS:GEN FOREMEN &RECORDS							
007 5-0742-110-1000	9/02/2008	PER BOARD DIRECTIVE	50,000.00	0.00	0.00	50,000.00	50,000.00
REPAIRS TO DIST SYS STRUCT-REG							
007 5-0751-210-1000	9/02/2008	PER BOARD DIRECTIVE	500.00	0.00	0.00	500.00	500.00
OP OF OVERHEAD ST LIGHTING-REG							
007 5-0752-100-1000	9/02/2008	PER BOARD DIRECTIVE	6,000.00	0.00	0.00	6,000.00	5,071.76
REPAIRS:OVRHD ST LIGHTING-REG							
007 5-0761-100-1000	9/02/2008	PER BOARD DIRECTIVE	38,000.00	0.00	0.00	38,000.00	37,067.84
SUPV:CUST ACCT & COLLECT-REG							
007 5-0781-100-1000	9/02/2008	PER BOARD DIRECTIVE	100,000.00	0.00	0.00	100,000.00	98,415.00
EXECUTIVE (MAYOR & TRUSTEES)							
007 5-0785-100-1520	9/02/2008	PER BOARD DIRECTIVE	99,000.00	0.00	0.00	99,000.00	83,290.52
VACATION NON-OFFICE							
TOTAL IN PACKET--						0.00	

9-02-2008 11:51 AM

BUDGET ADJUSTMENT REGISTER

PAGE: 3

PACKET: 00054-PER BOARD DIRECTIVE 9/2/08

BUDGET CODE: CB-Current Budget

FUND ACCOUNT	DATE	DESCRIPTION	ADJUSTMENT	ORIGINAL BUDGET	PREVIOUS ADJUSTMENTS	NEW BUDGET	BUDGET BALANCE
Budget Adj. # 000053 -----							

*** BUDGET DEFICIT WARNINGS ***

FUND ACCOUNT	NAME	BALANCE
001 5-0001-999-0000	SUBSIDIARY EXPENSE CONTROL	982.00-

TOTAL WARNINGS: 7

*** NO ERRORS ***

*** END OF REPORT ***

**WASTEWATER TREATMENT PLANT MONTHLY REPORT
AUGUST 2008**

Daily testing 60 hours
Lawn Maintenance 20 hours
Tank hosing 10 hours
Sludge pumping 10 hours
Belt filter press ran 2 days or 16 hours

Composting:

Pile 2008- 5 turned pile 3 times
 screened 133 yards of compost
Pile 2008- 6 turned pile 3 times
Disposed of 25 yards of finished compost

Miscellaneous:

Skim paved entrance driveway
Pumped and cleaned both sides of chlorine contact tank
Replaced oil booms on chlorine contact tank
Repaired bearings on compost shredder
Replaced recoil on compost shaker
Pumped out #1 digester and repaired airlift pump
Repaired concrete on under drain pumping pit