

The regular meeting of the Village of Arcade (VOA) Board of Trustees, Wyoming County, New York was held on Tuesday, September 16, 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, and Police Chief John Laird

ABSENT

Clerk/Treasurer Pam Beiersdorf

ALSO PRESENT

Donna Miller (recording Clerk), Anita Stewart, Margaret Morgan, Sandra Dutton, Joanne Offers, Carole Jones, Sandy Pirdy, Jace Drennan, Maranda Hartman, Derek Rule, Amber Pastorius

PLEDGE TO ALLEGIANCE

Mayor Kosmerl opened the meeting with the Pledge to Allegiance.

OPEN BID(S) - 37 FOOT BUCKET TRUCK

This meeting having been duly advertised to receive bids for a 37 foot bucket truck, the above persons were in attendance. The following bids were received:

| NAME AND ADDRESS | AMOUNT |
|--|---|
| Dueco, Inc. Waukesha, WI | \$89,419.00 With optional Sterling chassis add \$3,485.00 |
| Altec, Inc. Elizabethtown, KY | \$86,865.28 |
| North American Equipment Syracuse, NY | \$86,739.00 alt chassis 1 \$89,885.00 alt chassis 2 |

Motion by Trustee McGarvey and seconded by Deputy Mayor Burkett, the bid(s) for the 37 foot bucket truck be turned over to Superintendent of Public Works Kilburn for review, evaluation, and recommendation to 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 |
| 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 | |

OPEN BID(S) - ENGINEERING WORK FOR ARCADE CORRIDOR MANAGEMENT STUDY

This meeting having been duly advertised to receive bids for engineering work for Arcade corridor management study, the above persons were in attendance. The following bids were received:

| NAME AND ADDRESS | AMOUNT |
|--|-------------|
| Nussbaumer & Clarke Buffalo, NY | \$43,200.00 |
| TVGA Consultants Elma, NY | \$42,000.00 |
| Clark, Patterson, Lee Rochester, NY | \$43,000.00 |

Motion by Deputy Mayor Burkett and seconded by Trustee Burton the bid(s) for engineering work for Arcade corridor management study be turned over to Superintendent of Public Works Kilburn for review, evaluation, and recommendation to 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 | |
| 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 | | |

APPROVE MINUTES

Motion by Trustee Burton and seconded by Trustee McGarvey, the minutes from the public hearing and regular meeting held on September 2, 2008 be approved as presented by Clerk/Treasurer Beiersdorf.

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 | | |

ARCADE AND ATTICA IN THE NEWS

Sandy Pirdy announced that JT Robertson, a twelve year old boy from Cuba, NY, was awarded the “Extreme Home Makeover” TV show renovation of one car of the Arcade and Attica Railroad to accommodate disabled individuals so that they can ride the train. This was showcased on the TV show, “Good Morning America.” The unveiling of the train was scheduled for Thursday, September 18, 2008. Sandy explained that she would be going to all the Downtown Arcade Merchants on Wednesday, September 17th to ask them to spruce up their store fronts and would be coordinating the event with Trudy Lang of the Arcade and Attica Railroad. Sandy also announced that the train would be leaving the station at 10:00am on Thursday and that two talents from the TV show “Extreme Home Makeover” would be in attendance. The event is scheduled to be featured on “Good Morning America” on September 26, 2008. All agreed it was a wonderful way of gaining National exposure and it is a great event benefitting both the Arcade & Attica Railroad as well as the VOA. Mayor Kosmerl instructed Chief Laird to ensure there was sufficient staff for traffic control so there were no conflicts with road construction and traffic.

LOCATION FOR SKATEBOARDING

Police Chief Laird addressed the question of skateboarders and where they could be located rather than using the parking lot in back of the VOA offices. Deputy Mayor Burkett noted that this has been an on-going issue and suggested that perhaps a skateboarding facility could be combined with a future project. Superintendent of Public Works Kilburn noted that a grant had been submitted for the purpose of buying additional land. In addition, there was a member appropriation available that included \$30,000.00 to install an asphalt pad for a new basketball court and suggested a portion of this area could be set aside for skateboarding. Mayor Kosmerl directed Superintendent of Public Works Kilburn to investigate whether or not the appropriation could be modified so the area could be used for both a basketball court as well as a skateboarding area.

POSSIBLE EMERGENCY DETOUR

Police Chief Laird suggested that a permanent emergency detour be developed on VOA owned property between Sullivan Avenue and Deacon Drive. Superintendent of Public Works Kilburn said he and Police Chief Laird reviewed a tax map which suggested a road already existed between Sullivan and Deacon. Mayor Kosmerl directed Superintendent of Public Works Kilburn to further research this item.

SALE OF SURPLUS AND ABANDONED PROPERTY

Police Chief Laird initiated discussion of the sale of abandoned and surplus Village property. Deputy Mayor Burkett suggested a Saturday auction at the former site of the Crystal Inn, adding that this would be an ideal way to begin utilizing this area, which has been tentatively slated for other special events. Police Chief Laird mentioned that, among other items that could be auctioned are approximately 20 bicycles. Superintendent of Public Works Kilburn added that there are various computer items available for auction as well. Sandra Dutton suggested that a community garage sale be incorporated in this event. A limited number of tables on a first come, first served basis was also suggested. Upon further discussion, Mayor Kosmerl rescinded his motion to proceed with the sale on Saturday, October 18, 2008 allowing time to inspect the area and gain a better insight of the size of the location and how to proceed. Mayor Kosmerl directed Superintendent of Public Works Kilburn to compile a list of the items to be auctioned and have it available at the September 30, 2008 work session, where the event will be discussed again and more definitive plans will be made.

COMMENDATION LETTER

Police Chief Laird shared a letter from William Smith, Attica Chief of Police commending the VOA police force for their efforts in drug investigations and narcotic cases.

**ATTICA POLICE DEPARTMENT**

43 Exchange Street
Attica, New York 14011
(585) 591-088) 1 – Telephone
(585) 721-5276 – Cell Phone
(585) 591-3357 – Facsimile

William M. Smith
Chief of Police

Date: 9/12/08
To: Sheriff Heimann, Chiefs Laird, Case and Blythe
From: Chief William M Smith
Subject: Task Force Update

Sirs:

Just to give you an update on the activities of the Task Force for 2008. As you are aware we have been able, through grants to obtain additional funding for salaries as well as for the purchase of new surveillance, recording equipment as well as a laptop and printer. For 2008 we currently have logged 42 cases and charged 31 defendants with 68 Felonies and 6 defendants with 8 Misdemeanors. We have made 52 hand to hand undercover drug purchases from targets and executed 5 Search Warrants. We have seized 6 vehicles used to transport narcotics. We conducted two marijuana eradication operations with the State Police and Border Patrol which resulted in the seizure of 50 (5 foot plus) marijuana plants. growing throughout the county. Most of our undercover buys result in each defendant being charged with "B" Felonies. Our U/C officers have made purchases for Heroin , Cocaine, Oxycontin, Darvocet, Morphine, Fentanyl Patches, Ecstasy, Methadone, Mushrooms, Hydrocodone and Marijuana. The street value of these drugs we have seized is in excess of **\$91,000**.

Take note that these investigations are being conducted in every area on the county. Also note that our DA's office has done a fantastic job in getting favorable (from a police view) dispositions.

We have been recognized by other agencies as having a professional and efficient operation. We have conducted joint investigations with the N.Y. State Police (C-Net-Narco), Genesee County Drug Task Force, Erie County Sheriffs Narcotics and the Southern Tier Drug Task Force and the U.S. Border Patrol.

Finally, as I am sure you realize these types of investigations are time consuming and when dealing with informants can become frustrating. Additionally, part of our time is spend on travel from one area of the county to another. With that being said, the productivity of your officers doing this part time is short of amazing. I have been in this business for 35 years, 20 of it working narcotics cases, and I can assure you that what ever your agency is spending on this effort, your community is getting back four times that. Please feel free to share this information with your Board members as their support is pivotal to our success. Don't hesitate to contact me if you have any questions or concerns.

Fraternally,

REPORT ON FUEL SPENDING

As directed at the August 5, 2008 meeting, Superintendent of Public Works Kilburn provided a report of what has been spent for fuel through the month of August 2008. The report indicated that fuel costs were over budget and Mayor Kosmerl directed Superintendent of Public Works Kilburn to provide a more detailed analysis in the event that a budget adjustment is required.

TOWN OF ARCADE (TOA) AND TOWN OF FREEDOM (TOF) FIRE CONTRACTS FOR CALENDAR YEAR 2009

Motion by Deputy Mayor Burkett and seconded by Mayor Kosmerl, Clerk/Treasurer Beiersdorf be authorized and directed to prepare and forward the draft calendar year 2009 fire contracts between the VOA and the Towns of Arcade (\$59,975.00) and Freedom (\$37,351.00) to the respective Town and the Fire Department Chief as presented.

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 | | |

STORM RECOVERY

Superintendent of Public Works Kilburn reported that 22 - 25 VOA electric customers were affected by the storm that began at approximately 11:00pm on Sunday, September 14, 2008. Downed trees were cleared and electric outages were restored within a few hours and overall the recovery went well.

NORTH STREET INFRASTRUCTURE STUDY

Motion by Mayor Kosmerl and seconded by Trustee Burton, Clerk/Treasurer Beiersdorf be directed to schedule a work session on Tuesday, October 14, 2008 from 6:00pm to 8:00pm for the purpose of reviewing the North Street Infrastructure Study. Superintendent of Public Works Kilburn should arrange for a representative from Clark Patterson to be in attendance.

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 | | |

CONSIDER USE OF FACILITIES WAIVER - HOME CARE & HOSPICE FOUNDATION

Clerk/Treasurer Beiersdorf received a waiver request from Pam Witter, HomeCare & Hospice Foundation Development Manager, requesting that the Board waive the \$100 rental fee for the use of the Arcade Fire Hall meeting room and kitchen on December 6, 2008 for the Foundation's annual Tree of Life ceremony.

Motion by Trustee McGarvey and seconded by Mayor Kosmerl, Clerk/Treasurer Beiersdorf be authorized to waive the \$100 rental fee for the use of the Arcade Fire Hall meeting room and kitchen on December 6, 2008 for the HomeCare & Hospice Foundation's annual Tree of Life ceremony.

Before a vote was taken, Deputy Mayor Burkett offered an amendment to Trustee McGarvey's motion requiring Home Care and Hospice Foundation to provide proof of their not for profit status. Mayor Kosmerl seconded the amendment.

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 ATTEND DESTINATION DOWNTOWN CONFERENCE

Motion by Mayor Kosmerl and seconded by Deputy Mayor Burkett, members of the Village Board, Superintendent of Public Works Kilburn, Police Chief Laird, Clerk/Treasurer Beiersdorf, members of the Arcade Planning Board, and members of the Arcade Zoning Board of Appeals be authorized to attend the Destination Downtown Conference on Tuesday, October 21, 2008 from 9:00am to 4:00pm at the Genesee River Reception Center in Mount Morris, NY. The fee is \$35/person prior to October 10th or \$300 for 10 registrations from Arcade. Mileage reimbursement will be authorized providing attendees carpool. At least three people to a vehicle is mandatory for mileage reimbursement. Police Chief Laird and Superintendent of Public Works Kilburn are authorized to select an alternate to attend, if they are unable to 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 | |
| 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 | | |

FIRE DEPARTMENT MEMBERSHIP

Per a report from Debby Austin-LaCerais, Secretary, David Bray and Joseph DeMarco were voted into the fire department in August 2008. In addition, Mike Salzler resigned from the department as he moved out of the district.

Motion by Mayor Kosmerl and seconded by Trustee McGarvey, the Board approves the changes to the fire department membership as presented above.

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 | | |

EMPLOYEE RESIGNATION – DEPUTY CLERK/TREASURER

Donna Miller provided written notice of her resignation as Deputy Clerk/Treasurer effective September 5, 2008 at 11:59pm.

Motion by Mayor Kosmerl and seconded by Trustee McGarvey, the Board accepts, with regret, the resignation of Donna Miller from her position as 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 | |
| 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 | | |

FY 2008-2009 BUDGET ADJUSTMENTS

Motion by Mayor Kosmerl and seconded by Trustee Burton, the budget adjustments be approved as presented by the Clerk (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 McGarvey, 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 | |
| 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 | | |

VOA PARK HOCKEY RINK - FIX UP RINK DAY

Jace Drennan reported that a "fix up rink day" had been scheduled for Saturday, September 20, 2008. Members of the Arcade Hockey League and other volunteers would be cleaning up the rink and making repairs to safety concerns. Jace and Brian Burton (also a member of the Arcade Hockey League) stated that supplies and materials would cost approximately \$300.00.

VOA PARK HOCKEY RINK - HOLD HARMLESS WAIVER

Deputy Mayor Burkett expressed concerns regarding use of the hockey rink due to past history and requested more formal procedures be put into place to ensure proper usage in the future. Discussion included reserving the rink in advance (Jace stated that the League uses the rink each Sunday, 2pm - 10pm), proof of insurance (Trustee Burton commented that the VOA already insures the Hockey Rink) and requiring a deposit from each team should the League fail to keep the rink in good shape. Jace assured the Board that, as President of the Hockey League, he was making members more responsible for their actions.

Motion by Trustee Rule and seconded by Trustee McGarvey, Clerk/Treasurer Beiersdorf be directed to revise the Use of Facility policy to state that all members of organized, adult, amateur sports teams (including softball, baseball, and hockey) be required to sign and submit a VOA hold harmless wavier.

The motion was passed upon the following vote:

| VOTE | | | | | | | | |
|---------------------------|----------|-------------|---|----|---|-------------|---|--------|
| Mayor Richard Kosmerl | X | Yes | | No | | Abstain | | Absent |
| Trustee Brian Burton | | Yes | | No | X | 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: | 4 | Yes | 0 | No | 1 | Abstain | 0 | Absent |
| RESULTS | X | PASS | | | | FAIL | | |

VOA PARK HOCKEY RINK - RESERVATION REQUIRED SIGN

Mayor Kosmerl expressed the need to hang a sign at the Hockey Rink, stating that the facility must be reserved. (e.g., NOTICE - reservations required. Contact the Village Office (585) 492-1111)

VOA PARK HOCKEY RINK - RENTAL FEE

Motion by Mayor Kosmerl and seconded by Trustee McGarvey, Clerk/Treasurer Beiersdorf be directed to revise the Use of Facility policy to require organized, adult hockey leagues to pay a rental fee of \$50.00 per team. The fee along with the application, hold harmless waivers shall be presented to the Clerk/Treasurer within one week of the League start date.

The motion was passed upon the following vote:

| VOTE | | | | | | | | |
|---------------------------|----------|-------------|---|----|---|-------------|---|--------|
| Mayor Richard Kosmerl | X | Yes | | No | | Abstain | | Absent |
| Trustee Brian Burton | | Yes | | No | X | 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: | 4 | Yes | 0 | No | 1 | Abstain | 0 | Absent |
| RESULTS | X | PASS | | | | FAIL | | |

SPECIAL USE PERMIT STANDARDS

No action taken on this topic. Mayor Kosmerl suggested this be addressed while working on revisions to the Zoning Local Law.

MEMORANDUM OF AGREEMENT #1 POLICE UNIT (#9252-01)

Motion by Deputy Mayor Burkett and seconded by Trustee Burton, Mayor Kosmerl be authorized to execute Memorandum of Agreement #1 (MOA) by and between the Village of Arcade and the CSEA, Local 1000, Arcade Village Police Unit (#9252-01), Wyoming County Local 861 as presented.

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 | | |

MEMORANDUM OF AGREEMENT #1 GENERAL UNIT (#9252)

Motion by Deputy Mayor Burkett and seconded by Trustee Burton, Mayor Kosmerl be authorized to execute Memorandum of Agreement #1 (MOA) by and between the Village of Arcade and the CSEA, Local 1000, Arcade Village General Unit (#9252), Wyoming County Local 861 as presented.

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 | | |

TOA RISK EVALUATION SURVEY

The VOA received a letter from TOA Clerk, Sandie Dutton dated September 10, 2008 indicating that a risk evaluation survey had been conducted by Tompkins Insurance. Based on survey recommendations, Mayor Kosmerl directed Superintendent of Public Works Kilburn to investigate the costs involved to correct the items identified.

PURCHASE JUSTICES ROBES

Trustee McGarvey requested the hold on purchasing for the Justice be lifted in order to purchase new robes for Justice Bell-Beyer as they are on sale and the VOA would save \$100.00.

Motion by Mayor Kosmerl and seconded by Trustee Burton, the hold previously placed on purchasing a new robe for Justice Bell-Beyer be lifted and the purchase is hereby 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 | |
| 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 | | |

2009 SUMMER RECREATION PROGRAM PREPARATIONS

Trustee Burton advised the Board that he asked Rob Hirsch, Summer Recreation Director, to start compiling estimates for the 2009 Summer Recreation Program. Rob will be invited to attend a future board meeting.

TRACK CREDIT CARD PAYMENTS

Mayor Kosmerl directed Clerk/Treasurer Beiersdorf to track utility payments received by credit card to ascertain if the primary users of the third party credit card program are customers that are past due. Mayor Kosmerl cautioned not to violate any confidentiality, that he was only interested in the total numbers.

LETTER OF SUPPORT TO MICHAEL HEFTKA

Motion by Mayor Kosmerl and seconded by Deputy Mayor Burkett, Mayor Kosmerl be authorized to execute and send the letter of support regarding the Wyoming County Industrial Development Agency (IDA) rail initiative to Michael Heftka with changes discussed at this 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 | |
| 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 | | |

LETTER TO SUPERVISOR BERWANGER AND TOA BOARD

Motion by Deputy Mayor Burkett and seconded by Trustee McGarvey, Mayor Kosmerl be authorized to execute and send the letter regarding the 2009 TOA budget to Supervisor Berwanger and the TOA Board with changes presented at this 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 | |
| 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 | | |

SAFE ROUTES TO SCHOOL GRANT AWARDED

Mayor Kosmerl announced that the VOA had been awarded a reimbursable grant of \$388,000.00 as part of the Safe Routes to School program.

REPORTS RECEIVED

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

- Fire department (July and August 2008)
- Justice (August 2008)
- Water department (August 2008)
- Electric department (August 2008)
- Streets & Parks department (August 2008)

ADJOURN

There being no further business to come before the Board the meeting duly adjourned at 9:10 pm upon motion by Deputy Mayor Burkett and seconded by Trustee McGarvey.

Donna Miller, Recording Clerk

PAGE:

9-09-2008 6:13 PM

BUDGET ADJUSTMENT REGISTER

PACKET: 00055-PER BOARD DIRECTIVE
 BUDGET CODE: CB-Current Budget

| FUND ACCOUNT | DATE | DESCRIPTION | ADJUSTMENT | ORIGINAL BUDGET | PREVIOUS ADJUSTMENTS | NEW BUDGET | BUDGET BALANCE |
|----------------------|-----------|---|------------|-----------------|----------------------|------------|----------------|
| ----- | | | | | | | |
| Budget Adj. # 000054 | | | | | | | |
| 001 5-5110-200-2000 | 9/16/2008 | PER BOARD DIRECTIVE EQUIPMENT | 200.00- | 4,200.00 | 0.00 | 4,000.00 | 7,288.00- |
| 001 5-5142-115-4000 | 9/16/2008 | PER BOARD DIRECTIVE EVEREST WING PLOW #15 | 800.00- | 1,000.00 | 0.00 | 200.00 | 200.00 |
| 001 5-5142-200-2000 | 9/16/2008 | PER BOARD DIRECTIVE EQUIPMENT | 1,000.00 | 16,500.00 | 0.00 | 17,500.00 | 2,266.13- |
| 001 5-7140-100-1000 | 9/16/2008 | PER BOARD DIRECTIVE PERSONNEL SERVICES-REG | 21,000.00- | 0.00 | 21,000.00 | 0.00 | 7,498.96- |
| 001 5-7320-100-1000 | 9/16/2008 | PER BOARD DIRECTIVE PERSONNEL SERVICES-REG | 21,000.00 | 0.00 | 0.00 | 21,000.00 | 1,818.52 |
| TOTAL IN PACKET-- | | | | | | | 0.00 |

*** BUDGET DEFICIT WARNINGS ***

| FUND ACCOUNT | NAME | BALANCE |
|---------------------|------------------------|-----------|
| 001 5-5110-200-2000 | EQUIPMENT | 7,288.00- |
| 001 5-5142-200-2000 | EQUIPMENT | 2,266.13- |
| 001 5-7140-100-1000 | PERSONNEL SERVICES-REG | 7,498.96- |

TOTAL WARNINGS: 3

*** NO ERRORS ***

*** END OF REPORT ***

| VENDOR | AMOUNT | VENDOR | AMOUNT |
|--------------------------------|----------------------|---------------------------------|----------------------|
| ABBOTT WELDING SUPPLY CO | \$ 235.79 | IEEP:IND ENERGY EFF PROG | \$ 9,251.89 |
| ACTIVE IT DESIGN, LLC | \$ 1,365.00 | INDEPENDENT HEALTH | \$ 175.00 |
| ALBERT J. MOGAVERO, CHAPTER 13 | \$ 422.00 | IRS - FEDERAL PAYROLL TAX PAYME | \$ 21,413.48 |
| ALTEC INDUSTRIES INC | \$ 8,512.92 | IRS - FEDERAL PAYROLL TAX PAYME | \$ 31.40 |
| ANIXTER INC | \$ 2,211.53 | JM CLEANING SERVICE | \$ 1,270.00 |
| ARCADE LUMBER & MILLWORK | \$ 233.08 | JOHN SIXT & SON, INC. | \$ 22.80 |
| ARCADE POSTMASTER | \$ 1,485.95 | KNIGHT, DONALD | \$ 200.00 |
| ARCADE POSTMASTER | \$ 226.80 | MANUFACTURERS & TRADERS TRUST | \$ 27,786.65 |
| AUTOZONE | \$ 14.98 | MAPLE GROVE CORP | \$ 2,631.60 |
| BANK OF NEW YORK | \$ 1,523.49 | MARCOS PIZZA & SUBS | \$ 139.56 |
| BENCHMARK ANALYTICS, INC | \$ 705.26 | MARTIN BROTHERS CHEVROLET | \$ 45.06 |
| BLAIR SUPPLY CORP. | \$ 229.50 | MARTINA, CHRISTOPHER | \$ 192.16 |
| BLUE MOON PORTABLE TOILET | \$ 440.00 | MAYNARDS ELECTRIC SUPPLY | \$ 118.89 |
| BOEHMER TRANSPORTATION | \$ 2,250.00 | MEUA OF N.Y. S. | \$ 100.00 |
| BST ADVISORS, LLC | \$ 14,515.00 | MEYERS HOME APPL INC | \$ 495.70 |
| BUCKWHEATS FLORIST & | \$ 22.36 | MOORE MEDICAL CORP. | \$ 225.49 |
| BURDIC, JESSIE | \$ 6.29 | NYS & LOCAL RETIRE SYSTEM | \$ 6.16 |
| C & G ELECTRICAL SUPPLY | \$ 114.85 | NYS CHILD SPRT PROCESSING | \$ 264.00 |
| CATTARAUGUS CO LABORATORY | \$ 120.00 | NYS INCOME TAX | \$ 3,798.75 |
| CDI | \$ 453.15 | PERFORMANCE TOWING/REPAIR | \$ 75.00 |
| CINTAS CORPORATION #782 | \$ 288.16 | PHYSIO-CONTROL, INC | \$ 191.40 |
| COLDEN ENTERPRISES | \$ 6,350.26 | PIERCE MILLING INC. | \$ 555.20 |
| CSEA | \$ 716.22 | PIONEER TAX COLLECTOR | \$ 59,696.59 |
| CSEA BENEFIT UNIT | \$ 1,049.94 | PRUTSMAN, TONIA | \$ 145.57 |
| CSEA POLICE UNIT | \$ 161.82 | RAMSCO | \$ 2,287.08 |
| CURR A/C ELECTRIC | \$ 5,799.20 | SAIA COMMUNICATIONS INC | \$ 7,805.20 |
| CURR A/C SEWER | \$ 111.16 | SOUTER & SONS PRINTING | \$ 2,225.00 |
| CURR A/C WATER | \$ 910.61 | SOUTHWORTH-MILTON INC. | \$ 24,820.37 |
| D & F TRAVEL, INC. | \$ 825.00 | SUIT-KOTE CORPORATION | \$ 2,378.24 |
| D & H EXCAVATING INC. | \$ 54,621.52 | SZABO, LOUIS | \$ 350.00 |
| DAN HEINEMAN & SONS INC | \$ 37.97 | THE ZOOLOGICAL SOCIETY OF BUFF | \$ 634.00 |
| DFT SELECT ONE | \$ 554.14 | TIFCO INDUSTRIES | \$ 200.59 |
| DIFILIPPO & FLAHERTY | \$ 33.33 | TILL, EDWARD | \$ 40.63 |
| DISPLAY SALES INC. | \$ 4,673.00 | TIME WARNER CABLE | \$ 119.95 |
| DOLORES M DAWLEY | \$ 540.00 | TOMPKINS INSURANCE AGENCY | \$ 40,198.29 |
| DOWNTOWN GRAPHICS DBA | \$ 150.00 | TOMPKINS LEASING SERVICES | \$ 20,247.91 |
| EATON OFFICE SUPPLY | \$ 77.33 | TOTAL EQUIPMENT REPAIR | \$ 1,275.00 |
| ELIZA CO. INC. | \$ 128.00 | TRACTOR SUPPLY COMPANY | \$ 271.79 |
| EMEDCO, INC | \$ 167.01 | TRI-COUNTY SUPPLY INC | \$ 91.99 |
| FASTENAL COMPANY | \$ 111.77 | TRI-COUNTY TOOL RENTAL | \$ 1,930.00 |
| FEDEX GROUND, INC. | \$ 379.40 | UNITED UNIFORM CO INC | \$ 180.45 |
| FIRST STUDENT, INC | \$ 5,072.00 | USA BLUEBOOK | \$ 235.38 |
| FORBES, EDITH E | \$ 70.00 | UTZ TIRE SERVICE | \$ 445.82 |
| FORMS IN A WINK | \$ 316.65 | VELLANO BROTHERS, INC | \$ 203.93 |
| GERNATT ASPHALT PROD INC | \$ 2,136.43 | VERIZON | \$ 467.67 |
| HANSON, ROGER | \$ 98.44 | VERIZON ONLINE | \$ 29.99 |
| HILLSIDE CHILDREN'S CNTR | \$ 100.00 | VILLAGE OF ARCADE | \$ 120.00 |
| HODGSON RUSS LLP | \$ 1,625.60 | WARD & KUTZUBA | \$ 439.25 |
| HSBC BANK USA | \$ 870.92 | WESCO DIST. INC. | \$ 2,804.00 |
| TOTAL COLUMN 1 | \$ 123,063.83 | WILLIAM SCOTSMAN, INC | \$ 403.00 |
| | | WOODRUFF CONSTRUCTION | \$ 2,082.00 |
| | | ZAHM & MATSON | \$ 27.27 |
| | | ZIMMER AUTO PARTS & SALES | \$ 336.10 |
| | | TOTAL COLUMN 2 | \$ 241,483.25 |
| | | OVERALL TOTAL | \$ 364,547.08 |

WATER DEPARTMENT
7/28-8/31/2008

| ACCOUNT NAME | ACCOUNT # | Reg | OT | CO | Total |
|-------------------------|-----------------------|------------|-------------|----------|-------------------------|
| OpPump/Well/Sup | 005-5-8320-100-1000 | 99 | | | 99 |
| OpPump/Well/Sp OT | 005-5-8320-100-1010 | | 30 | | 30 OT weekend Wellhouse |
| Park St Mt Pump | 005-5-8320-100-0010 | | | | 0 |
| Main/Serv/Meter | 005-5-8340-100-1000 | 15.5 | | | 15.5 |
| Main/Serv/Meter OT | 005-5-8340-100-1010 | | | | 0 |
| Meter Reading (Wtr) | 005-5-8310-100-1000 | 24 | | | 24 |
| Meter Reading (Swr) | 006-5-8110-100-1000 | 23.5 | | | 23.5 |
| Backhoe #51 | 005-5-8340-151-1000 | 8 | | | 8 |
| Ford Dump #52 | 005-5-8320-152-1000 | | | | 0 |
| Chevy Van #54 | 005-5-8340-154-1000 | 12.5 | 0.5 | | 13 |
| Ford Dump #53 | 005-5-8340-153-1000 | | | | 0 |
| Ford Tractor #55 | 005-5-8340-155-1000 | | | | 0 |
| Sewer Jet #68 | 006-5-8120-068-1000 | | | | 0 |
| Upper Reservoir | 005-5-8340-100-1000 | 1 | | | 1 |
| Garage/Shop | 005-5-8340-100-1000 | 3 | | | 3 |
| Clearing ROW | 005-5-8340-100-1000 | | | | 0 |
| Church Street Well | 005-5-8320-101-1000 | | | | 0 |
| Sullivan Well | 005-5-8320-100-0020 | 1 | | | 1 |
| Sandusky Well | 005-5-8320-100-0030 | 7 | | | 7 |
| Springs/Well | 005-5-8320-100-0040 | | | | 0 |
| Lower Springs | 005-5-8320-100-0050 | 1 | | | 1 |
| Upper Springs | 005-5-8320-100-0060 | 1 | | | 1 |
| Mains Maint/Sewer Plant | 006-5-8120-100-1000 | 7 | | 2 | 9 Callout Doster/Sewer |
| Elec/Repair & Maint | 007-5-0787-100-1000 | | | | 0 |
| Village Snow | 001-5-5142-100-1000 | | | | 0 |
| Park | 001-5-7140-100-1000 | | | | 0 |
| Small Equipment | 005-5-8340-100-4810 | 2 | | | 2 |
| Comp Time Taken | 005-2-0602-0000 | 9 | | | 9 |
| Misc Wtr Repairs | Project #520 | 1.5 | | | 1.5 |
| UFPO Locates | Project #519 | 14 | | | 14 Locates 12 |
| Meter Installation | Project #518 | 3 | | | 3 |
| Repairs to San Swrs | Project #602 | | | | 0 |
| Work Orders: | | | | | 0 |
| Project #507 | ERT Meters | 38 | | | 38 |
| Project #524 | Aronson/Raise Meter | 3 | | | 3 |
| Project #521 | Leak 98S | | | | 0 |
| Project #515 | Park-Repl Wtr Main | 193.5 | 3 | | 197 |
| Project #517 | Repair Leaking Valves | 2 | | | 2 |
| Project #901 | NYS DOT Mill/Fill | 11 | | | 11 |
| Project #523 | Park St/Wtr Serv Leak | 4 | | | 4 |
| Lower Reservoir | 005-5-8340-100-1000 | 11 | | | 11 |
| School/Meetings | 005-5-8340-100-1150 | | | | 0 |
| Safety | 005-5-8340-100-1050 | | | | 0 |
| 2 Hr Vacation | 005-5-8340-100-1320 | | | | 0 |
| Holiday/Mil/Funeral | 005-5-8340-100-1420 | 8 | | | 8 Funeral Leave |
| Vacation | 005-5-8340-100-1520 | 88 | | | 88 |
| Sick | 005-5-8340-100-1620 | 8.5 | | | 8.5 |
| | | 600 | 33.5 | 2 | 636 |

Water Department
7/28-8/31/2008

Vacation
Funeral Leave
Sick
Well Houses
#515 Park Street-Waterline
Meter Reading-Water & Sewer
Locates
Call in locates for Park St
Chemicals
Water meter repairs
Install ERT meters
Topsoil-various locations
Mow & trim reservoirs
Mow & trim Sandusky
Repair Sullivan Well chlorine machine
Look @ new truck Unicell
Unload pipe & valve fitting-project 515
Water samples for county health departments
Main St-DOT job-work w/Keeler Const
Clean out sewer manhole-W Main St
Shut-offs
Aronson-meter pit change
Repair controller @ Park St pump house
Maintenance-Backhoe
Clean shop
Work on valves for Park St job
Order meter parts
Check upper & lower springs
Assemble parts for Park St job
Maintenance-small tools (cut off saw, etc)
Made sling for lifting valves
P/U parts for Park St job
Lift stations-West/North Sts.
Main St-DOT job-repair shut-off
Spoke w/people @ N St partnership-backflow & meter
Meet w/D&H at Industrial park lift station to check-never worked
Clean equipment
Repair flouride pump at spring

ELECT DEPT. REPORT 8/1-8/31/08

| | | |
|----------------------------------|----|-----------|
| SERVICES INSTALLED | 6 | 64.5 HRS |
| LOCATES | 47 | 25 HRS |
| SUB STATION CKS/REPAIRS | | 50 HRS |
| CALL OUTS | 6 | 51.5 HRS |
| MUTUAL AIDE (CASTILE WIRES DOWN) | | 24 HRS |
| CELEBRATIONS - FLAGS, BANNERS | | 25 HRS |
| CHRISTMAS LIGHTS ON BLDGS. | | 24.5 HRS |
| TREES REMOVED, TRIMMING | | 69 HRS |
| NEW TAP SWITCH | | 733.5 HRS |
| DISCONNECTS/RECONNECTS | | 28 HRS |

Summary Report
Electric Meter Dept
August 2008

| | | |
|--|-------|---|
| Meters read | 4300+ | |
| Connect / disconnect | 65 | |
| August Shutoff list non payment | 104 | |
| Meter complaint tests | 1 | |
| Meters replaced / reprogrammed (not related to tests) | | 2 |
| Meter annual tests | 7 | |
| Maintained lawn | | |
| Maintained pickup trucks | | |
| Office Maintained | | |
| Electrical Inspections | 3 | |
| New meter sets | 1 | |
| Assist with Banners / Flags | | |
| Assist with Mapping | | |
| Assist with Ethernet issues | | |

Larry Kilburn, P.E.
Supt. Public Works
Village of Arcade
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716-432-4623 cell
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P Please consider the environment before printing this email.

AUGUST 08 REPORT

1). Street Repairs:

- A). Finished top soiling North Ridge
- B). Set up detour for A&A railroad on Park st
- C). Skim Pave on Park st
- D). Skim paved entrance at sewer plant.

2). General duties:

- A). Picked up several loads of yardwaste
- B). Hauled Yardwaste out of our building area
- C). Hauled millings to the park, to fix up little league parking.

3). Park

- A). Mowed and weed eat park
- B). Checked park cabin several times.
- C). Moved picnic tables for civil war days
- D). Picked up hay and firewood after civil war days.

4). Misc.

- A). Top soiling tree areas from the stump removal
- B). Traffic counter on North st, we have been monitoring
- C). Brush hogged the ponds
- D). Painting of crosswalks and stop lines, we started.