

The regular meeting of the Village of Arcade (VOA) Board of Trustees, Wyoming County, New York was held on Tuesday, October 21, 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

ALSO PRESENT

Carole Jones (Arcade Herald), Margaret Morgan, Anita Stewart, Paul Sanders, Ray and Jennifer Kraft, Pioneer Central School Students Kyle Pettit and Rachel Kirsch, David Trent (Arcadia Heights Development Group, LLC), and Jeff Kirchmeyer (Kirchmeyer Construction)

PLEDGE TO ALLEGIANCE

Mayor Kosmerl opened the meeting with the Pledge to Allegiance.

APPROVE MINUTES

Motion by Deputy Mayor Burkett and seconded by Trustee Burton, the minutes from the regular meeting held on October 7, 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		

APPROVE MINUTES

Motion by Trustee Burton and seconded by Mayor Kosmerl, the minutes from the work session held on October 14, 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		

DRUG TASK FORCE REPORT

Police Chief Laird presented the Board with a letter (see attached) from Wyoming County Sheriff Farris Heimann reporting the Drug Task Force activities for the period October 1, 2007 through September 30, 2008.

BUCKLE UP NEW YORK (BUNY) CAMPAIGN - PROJECT #PT-6120092

Police Chief Laird announced that the VOA has been awarded \$3,196 to participate in the statewide BUNY campaign. The goal of the program is to increase seat belt usage in an effort to reduce serious injury or death from traffic crashes. The campaign runs from October 1, 2008 through September 30, 2009.

IN-CAR COMPUTERS

Deputy Mayor Burkett asked Police Chief Laird for a status on the in-car computers. Police Chief Laird reported that the VOA is waiting on NYS.

CONSIDER APPROVAL OF UPDATED POLICE DEPARTMENT RULES AND REGULATION

Motion by Deputy Mayor Burkett and seconded by Trustee McGarvey, the Police Department Rules and Regulations, dated 10/21/2008, be approved as presented by Police Chief Laird.

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 POST/ADVERTISE ELECTRIC DEPARTMENT LINEMAN TRAINEE

This item was postponed until a future meeting allowing the Board time to review financial data.

PERMISSION TO PURCHASE LOADER FOR WASTE WATER TREATMENT PLANT (WWTP)

At the August 5, 2008 meeting, Superintendent of Public Works Kilburn was granted permission to trade in the existing 2004 Case loader and purchase a new loader for the WWTP. At the August 19, 2008 meeting, Mayor Kosmerl was authorized as the official representative of the VOA to act in connection with the application for a State grant-in aid for a municipal waste reduction and/or recycling project.

Superintendent of Public Works Kilburn reported that although the grant application was signed and submitted by the VOA to the NYS Department of Environmental Conservation (DEC), the application has not yet been signed by the DEC which causes a perplexing situation. The NYS contract expires October 31, 2008.

Motion by Mayor Kosmerl and seconded by Deputy Mayor Burkett, Superintendent of Public Works Kilburn be granted permission to purchase the loader from NYS contract for the WWTP, if the DEC signs the grant application BEFORE October 31, 2008. If the DEC grant application is not signed before the NYS contract expires, Superintendent of Public Works Kilburn is hereby directed to postpone the purchase of the loader and report back to the Board for further direction.

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		

2007 CENTERS FOR DISEASE CONTROL (CDC) FLUORIDATION QUALITY AWARD WINNERS

Superintendent of Public Works Kilburn announced that the VOA Water Department received two (2) Fluoridation Quality Awards for 2007 from the CDC for the Arcade and Sandusky water supplies. These awards recognize the daily efforts of the water plant personnel in properly monitoring the fluoride in the water system and reliably maintaining the fluoridation equipment in continuous operating conditions. Congratulations to the Water Department personnel!

NEW YORK POWER AUTHORITY (NYPA) AGREEMENT

Superintendent of Public Works Kilburn advised the Board of a letter from NYPA's Director of Marketing Analysis and Administration dated October 14, 2008, in which 550 kilowatts of hydropower will be withdrawn from fifty preference customers effective in November 2008, including 10 kilowatts from the VOA. The purpose for this change is to accommodate load of an industrial development customer located within the Village of Boonville.

SIDEWALK BUMP OUTS AT A&A RAILROAD CROSSING

Superintendent of Public Works Kilburn reported that according to Paul Attoma, NYSDOT Region 4, the sidewalk bump out section was necessary for a crosswalk to be placed at the A&A railroad crossing to provide and meet American's with Disabilities Act Accessibility Guidelines (ADAAG) requirements. Furthermore, Mr. Attoma told Superintendent of Public Works Kilburn that the A&A group specifically requested a crosswalk at this location. Upon review by the DOTs Traffic and Safety Division, the request was honored. In summary, there was no other alternative but to construct the sidewalk bump out sections. In a separate email, Todd Clark, NYSDOT, commented that once the final edge lines are striped the bump outs will have a less obtrusive feel to motorists as the bump outs will no longer be acting as a physical merge.

LEFT TURN LANE AT ROUTE 39 AND ROUTE 98 SOUTH (LIBERTY STREET) INTERSECTION FOR WEST BOUND TRAFFIC

Superintendent of Public Works Kilburn reported that according to an email from Todd Clark, NYSDOT, the Traffic and Safety Division investigated the need for a dedicated left turn lane at the Route 39 and Route 98 South (Liberty Street) intersection for west bound traffic and decided not to create the dedicated left turn lane at this location at this time. Mr. Clark commented that as time passes and the traveling public gets acquainted with the new striping configuration the DOT believes that traffic will learn to use the west bound thru lane only and bypass using the left turn lane as a thru lane as they progress through the intersection knowing they must merge back again ahead. Mr. Clark concluded that the DOT will continue to watch this location for further modification, if necessary.

CONSIDER APPROVAL OF SALARIED EMPLOYEE POLICY

Motion by Deputy Mayor Burkett and seconded by Trustee Burton, the Board hereby approves the Salaried Employee Policy, Rev. 3, 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
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	

CHANGE MEETING DATE

Motion by Mayor Kosmerl and seconded by Trustee Rule, the regular meeting of Tuesday, November 4, 2008 be changed to Monday, November 3, 2008, starting at 7:00pm.

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	

SURPLUS PROPERTY SALE

Mayor Kosmerl reported that the VOA realized \$374.00 in proceeds from the surplus property sale held on October 18, 2008. Unsold cellular telephones will be donated to the US troops and items of little or no value will be disposed of properly.

APPOINT DEPUTY CLERK/TREASURER

Motion by Mayor Kosmerl and seconded by Trustee Rule, Jennifer Kraft of Clark Road, Arcade, NY be appointed as Deputy Clerk/Treasurer effective November 10, 2008 or a subsequent date to allow an ample notice to her employer at a salary of \$35,007.00 with no increase until June 1, 2009. In addition, the residency requirement be hereby waived as Jennifer lives within the Arcade Electric District and approximately six (6) road miles from the Village Office.

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		

APPOINT DEPUTY REGISTRAR OF VITAL STATISTICS FOR DISTRICT 6020 (VILLAGE OF ARCADE)

Motion by Mayor Kosmerl and seconded by Deputy Mayor Burkett, Jennifer Kraft be appointed as Deputy Registrar of Vital Statistics for District 6020 (Village of Arcade) whose duty it shall be to act in the absence or inability of the Registrar, effective November 10, 2008 through April 2009. The Deputy shall accept such appointment, by completing form DOH-1556, "Notification of Appointment of Registrar of Vital Statistics," and be subject to the provisions of Public Health Law and all rules and regulations governing registrars.

AUDIT BILLS

Motion by Mayor Kosmerl and seconded by Deputy Mayor 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	
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 ARCADIA HEIGHTS DEVELOPMENT GROUP- PVC PIPE VERSUS DUCTILE IRON (DI) PIPE (CONTINUED)

David Trent, President of Arcadia Heights Development Group, LLC, along with Project contractor, Jeff Kirchmeyer of Kirchmeyer Construction asked the Board to reconsider authorizing the installation of PVC pipe instead of the standard DI pipe at the Arcadia Heights Development Project on North Street and Cramer Drive. Mr. Kirchmeyer shared his recent experiences installing PVC with the Board. After hearing the arguments by Mr. Trent and Mr. Kirchmeyer and comments from the Board, Mayor Kosmerl suggested that the Board consider the installation of PVC pipe at the Arcadia Heights Development with a system development charge for future unanticipated failures. In addition, Superintendent of Public Works Kilburn was instructed to prepare a draft revision to the Water Department installation standards.

ARCADIA FIRE DEPARTMENT'S (AFDs) 1994 CHEVROLET UTILITY VAN (VEHICLE #4)

At the July 23, 2008 special meeting, AFD Chief, Tom Beiersdorf described the departments current vehicle (#4), a 1994 Chevrolet utility vehicle, as a safety concern, insufficient, and as rapidly rusting apart. The plan includes relocating the equipment stored on this vehicle to the proposed heavy rescue truck. Based on discussions at the October AFD Officer's Meeting, Trustee McGarvey reported that there are several pros and cons regarding keeping this vehicle. However, to date, no final determination has been made whether to keep the vehicle or not. Trustee McGarvey reminded the Board that this vehicle was donated to the AFD, not purchased by the VOA or funded through fire contracts with the TOA or TOF.

WATER LEAK DETECTION UNIT

Trustee Rule reported that the Water Department wants to buy a water leak detection unit that uses highly sensitive microphone sensors and a computer to calculate where a leak is by comparing the leak sounds for two sensors. Operators would input pipe material, diameter, and length. In the Spring 2008, the cost for the equipment was approximately \$12,000 and the software was roughly another \$2,000.

VILLAGE PARK STREET HOCKEY RINK

Trustee Burton updated the Board that the playing surface had been restriped, the inside boards had been entirely repainted, the goals had been painted and netting replaced, and garbage cans had been placed around the rink.

2008-2009 FISCAL YEAR EXPENSES/REVENUES

Mayor Kosmerl recalled that post 911 when the stock market crashed the NYS Comptroller raised mandatory pension contributions. Because of the current condition of the stock market, Mayor Kosmerl instructed Superintendent of Public Works Kilburn, Police Chief Laird, and Clerk/Treasurer Beiersdorf to review department budgets and identify cost avoidances and/or income improvements in preparation for future recovery payments to the pension fund.

REPORTS RECEIVED

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

- Meter Department (September 2008) (attached)

ADJOURN

There being no further business to come before the Board the meeting duly adjourned at 8:54pm upon motion by Deputy Mayor Burkett and seconded by Trustee McGarvey.

Clerk/Treasurer



Wyoming County Sheriff



Sheriff Farris S. Heimann

FHEIMANN@WYOMINGCO.NET

151 North Main St., Warsaw, N.Y. 14569

Ph: (585) 786-8989 Fax: (585) 786-8961

Jail: (585) 786-8808

Undersheriff Paul R. Donnelly

PDONNELLY@WYOMINGCO.NET

October 6, 2008

Chief John Laird
Arcade Police Department
17 Church Street
Arcade, NY 14009

Dear Chief Laird,

I am pleased to include a report recently prepared by Chief Smith showing the activities of the Task Force during the grant period of October 1, 2007 through September 30, 2008. I think you will find it most impressive.

When the Task Force was first formed, I had never dreamed it would be so successful, particularly working on a part-time basis. I am ecstatic with the results and must once again praise the efforts and coordination of Chief Smith.

Please share this information with your respective boards. This information is extremely important, especially in light of today's economic conditions. I believe this report will show your boards the necessity to continue this program as a collective effort across the county.

As always, I know Bill and/or I will make ourselves available anytime we are needed to make any type of presentation to your Village officials. Thank you for your continued support in this worthwhile effort.

Sincerely,

A handwritten signature in cursive script that reads "Farris".

Farris S. Heimann
Sheriff

WYOMING COUNTY DRUG TASK FORCE

Activity Report – Grant Period 10-01-07 to 09-30-08

- Misdemeanor Arrests.....8
- Felony Arrests.....40
- Weapons Seized.....4 handguns
2 shotguns
- Narcotic Buys.....74
- Drugs Seized including Street Value:

425 oz Marihuana @\$200/ounce	\$85,000
175 grams Cocaine @\$110/gram	19,250
5 grams Heroin @\$140/gram	700
10 Fentanyl Patches	250
5 Methadone Tablets	125
11 Oxycontin Tablets	220
190 Hydrocodone Tablets	5,700
27 Vidcodin Tablets	675
14 Ecstasy Tablets	280
15 Morphine Tablets	300
2 Strips of LSD (acid)	200
1 oz. Mushrooms	400
• Total Street Value of Drugs Seized	\$113,100
- Assets Seized:
 - Cash - \$848.00
 - 1997 Subaru; estimated value \$2,500
 - 1993 Cadillac; estimated value \$3,500
 - 1999 Dodge Pickup; estimated value \$5,000
 - 1993 Buick; estimated value \$1,000
 - 1998 Chevrolet; estimated value \$800
- Post Arrest debriefings.....32
- Investigations Initiated.....56

Unit activities consisted of surveillance of numerous suspected drug dealers and their homes, interviewing possible informants, conducting undercover drug purchases, executing search warrants while working joint drug cases with the State Police, Genesee County Drug Task Force, Southern Tier Drug Task Force and the Livingston and Erie County Sheriff's Offices.

VENDOR	AMOUNT	VENDOR	AMOUNT
ABBOTT WELDING SUPPLY CO	\$ 383.95	LAURA'S COUNTRY OVEN	\$ 17.97
ALBERT J. MOGAVERO, CHAPTER 13	\$ 422.00	MARCOS PIZZA & SUBS	\$ 29.55
ALTEC INDUSTRIES INC	\$ 104.82	MARTIN BROTHERS CHEVROLET	\$ 62.25
ARCADE LUMBER & MILLWORK	\$ 1,006.02	MATUSZAK, LOIS	\$ 100.00
ARCADE POSTMASTER	\$ 1,486.88	MATUSZAK, LOIS	\$ 57.42
ARCADE POSTMASTER	\$ 196.56	METRO GROUP INC	\$ 59.70
AUSTIN LOCKSMITHING	\$ 304.50	MEUA OF N.Y.S.	\$ 150.00
AWWA	\$ 325.00	MEYERS, RICHARD	\$ 210.93
BANK OF NEW YORK	\$ 1,519.98	MITCHELL, MICHELLE	\$ 100.00
BATAVIA NEWSPAPERS CORP	\$ 235.48	NYS CHILD SPRT PROCESSING	\$ 264.00
BEACON EQUIPMENT LEASING	\$ 90.00	NYS INCOME TAX	\$ 3,624.82
BENCHMARK ANALYTICS, INC	\$ 440.75	NYS INCOME TAX	\$ 5.00
BLUE MOON PORTABLE TOILET	\$ 210.00	NYS SALES TAX	\$ 11,694.28
BOHRK, CATHERINE	\$ 53.83	OFFICE OF STATE COMPTROLLER	\$ 3,792.00
BRASS SHURFINE	\$ 5.48	PARKER, CHERYL	\$ 9.50
CATTARAUGUS CO LABORATORY	\$ 140.00	PIONEER FORD/MERCURY INC.	\$ 33.31
CINTAS CORPORATION #782	\$ 510.04	SAIA COMMUNICATIONS INC	\$ 8,509.97
COMPLETE OFFICE SOLUTIONS	\$ 47.00	SOUTER & SONS PRINTING	\$ 250.00
CRABB OIL & PROPANE INC.	\$ 18,842.69	SOUTHWORTH-MILTON	\$ 59,277.00
CRAFT CLOTHES, INC	\$ 208.50	STUART C IRBY CO	\$ 763.25
CROWNE PLAZA	\$ 725.88	SUIT-KOTE CORPORATION	\$ 2,927.07
CSEA	\$ 731.94	TIME WARNER CABLE	\$ 119.95
CSEA POLICE UNIT	\$ 173.28	TLW TRANSPORT, INC	\$ 203.46
CURR A/C ELECTRIC	\$ 4,711.92	TOMS ROUTE 16	\$ 21.00
CURR A/C PETTY CASH	\$ 200.00	TORGE, HELEN	\$ 100.00
CURR A/C SEWER	\$ 101.66	TRACTOR SUPPLY COMPANY	\$ 223.50
CURR A/C WATER	\$ 784.61	TRI-COUNTY SUPPLY INC	\$ 163.22
dE SIGN ART	\$ 185.00	TRI-COUNTY TOOL RENTAL	\$ 4,669.70
DFT SELECT ONE	\$ 566.69	UNITED ALLOY INTL CO.	\$ 92.89
DISPLAY SALES INC.	\$ 56.00	UPS	\$ 13.78
DOLORES M DAWLEY	\$ 540.00	UPSTATE REBAR	\$ 6,530.00
DUBAY ELECTRIC	\$ 150.00	USA BLUEBOOK	\$ 195.93
DYTCHKOWSKYJ, DAN	\$ 205.93	UTZ TIRE SERVICE	\$ 55.00
E.R. RULE & SONS INC.	\$ 769.08	VALLEY FAB & EQUIPMENT INC	\$ 6,961.16
EATON OFFICE SUPPLY	\$ 116.28	VERIZON	\$ 4.32
EJ PRESCOTT, INC	\$ 259.37	VERIZON WIRELESS	\$ 97.84
FULLER, TARA	\$ 135.76	VILLAGE OF ARCADE	\$ 120.00
GALLS INC.	\$ 175.05	WARD & KUTZUBA	\$ 196.00
GOODYEAR WHOLESALE TIRE	\$ 1,079.52	WOODRUFF CONSTRUCTION	\$ 994.49
HALEY CONCRETE INC	\$ 3,012.00	ZAHM & MATSON	\$ 577.80
HODGSON RUSS LLP	\$ 46.60	ZEE MEDICAL SERVICE CO.	\$ 160.55
HOWLETTS INC	\$ 15.00	ZIMMER AUTO PARTS & SALES	\$ 811.25
HSBC BANK USA	\$ 1,051.26	ZUECH ENVIRONMENTAL SRVCS	\$ 800.00
IEEP:IND ENERGY EFF PROG	\$ 10,413.45		
INDEPENDENT HEALTH	\$ 175.00	TOTAL COLUMN 2	\$ 115,049.86
IRS - FEDRAL PAYROLL TAX PAYME	\$ 20,306.06		
IRS - FEDRAL PAYROLL TAX PAYME	\$ 33.48	OVERALL TOTAL	\$ 190,010.13
JAMESTOWN SOAP & SOLVENT	\$ 378.50		
JM CLEANING SERVICE	\$ 1,270.00		
JOHN SIXT & SON, INC.	\$ 57.47		
TOTAL COLUMN 1	\$ 74,960.27		

Summary Report September 2008
Meter Dept

Meters read 4300+
Connect / disconnect 160
Sept Shutoff list non payment 107
Bad checks shut offs 2
Meter complaint tests 4
Meters replaced / reprogrammed (not related to tests)
Reprogrammed 7
Replaced 3 Commercial
Replaced 1 Residential
Meter annual tests 47
Maintained lawn
Maintained pickup trucks
Office Maintained
Electrical Inspections 2
New meter sets 1
Assist with Mapping