

The regular meeting of the Village of Arcade (VOA) Board of Trustees, Wyoming County, New York was held on Tuesday, May 5, 2009 at 7:00pm there were:

PRESENT

Mayor Paul Burkett, Trustee Hugh Ely, Trustee Joanne Offers, Trustee Jay May, Trustee Ken Rule, Superintendent of Public Works Larry Kilburn, Clerk/Treasurer Pam Beiersdorf, Police Chief John Laird, and Deputy Clerk/Treasurer Jennifer Kraft

ALSO PRESENT

William Erick, Carole Jones (Arcade Herald), Jeff Mason, and Jim and Deb McGarvey

PLEDGE OF ALLEGIANCE

Mayor Burkett opened the meeting by asking William Erick to lead the Pledge of Allegiance.

CERTIFICATE OF APPRECIATION

Mayor Burkett presented a certificate of appreciation to James McGarvey (Trustee April 2007 - April 2009). The certificate states: *"A Certification of Appreciation for outstanding efforts and accomplishments which have been of great benefit to the Village of Arcade. Your community spirit and interest have helped make our Village a better place in which to live."*

APPROVE MINUTES

Motion by Trustee Offers and seconded by Trustee Ely, the minutes from the annual organizational meeting, public hearings, and regular meeting held on April 21, 2009 be approved as presented by Clerk/Treasurer Beiersdorf.

The motion was passed upon the following vote:

VOTE								
Mayor Paul Burkett	X	Yes		No		Abstain		Absent
Trustee Hugh Ely	X	Yes		No		Abstain		Absent
Trustee Jay May		Yes		No	X	Abstain		Absent
Trustee Joanne Offers	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		

PART-TIME POLICE OFFICER POSITION

Police Chief Laird reported that he has conducted three interviews for the part-time police officer position and hopes to recommend a name for hiring at the May 19, 2009 regular board meeting.

RESOLUTION - SALE OF LIBERTY STREET FIRE HALL

The following resolution was offered by Trustee May and seconded by Trustee Rule:

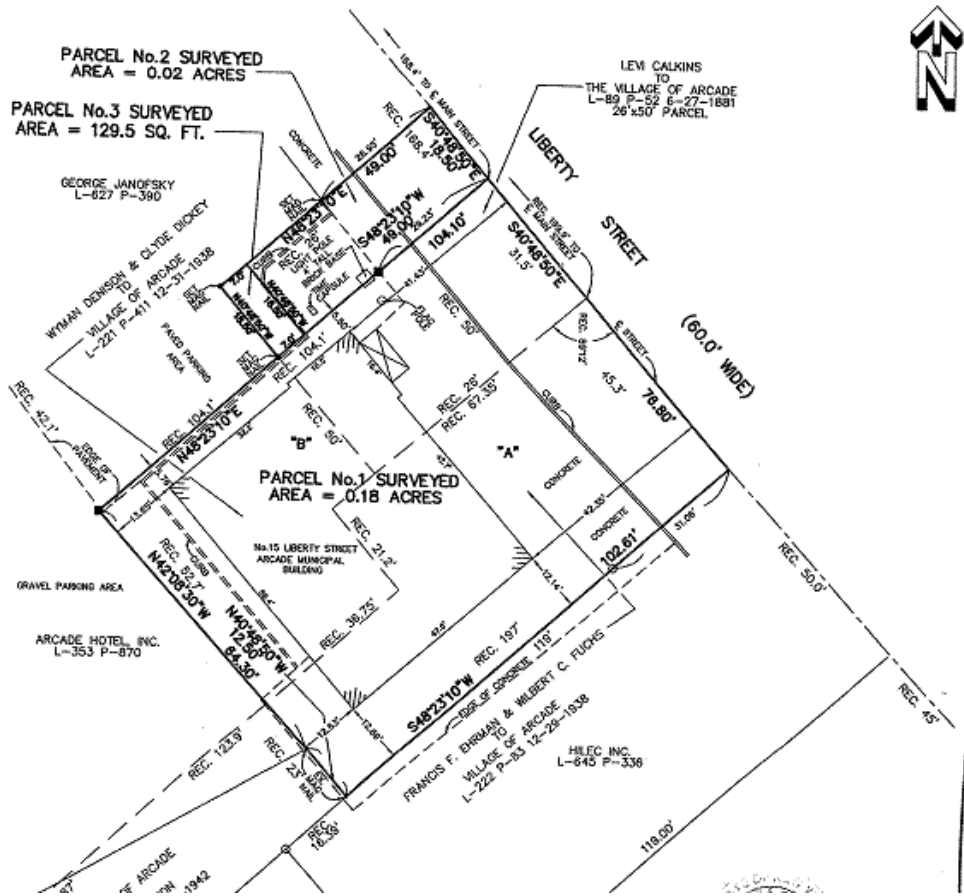
RESOLUTION

WHEREAS, the Village of Arcade has agreed to sell the building and land commonly known as the Old Fire Hall or Municipal Building to the Arcade Historical Society, and

WHEREAS, in reviewing the title to the property it was discovered that the deed of the parcel where the time capsule is located was not recorded, and

WHEREAS, all affected parties have agreed upon a solution whereby Janofsky will convey by deed that parcel identified as Parcel 2 and that the Village will convey to Janofsky any rights they have to the strip of land identified as Parcel 3,

NOW THEREFORE BE IT RESOLVED, that the Mayor of the Village of Arcade is hereby authorized to sign any documents required to convey the Deed of the Old Fire Hall to the Arcade Historical Society.



The motion was passed upon the following vote:

VOTE							
Mayor Paul Burkett	X	Yes		No		Abstain	Absent
Trustee Hugh Ely	X	Yes		No		Abstain	Absent
Trustee Jay May	X	Yes		No		Abstain	Absent
Trustee Joanne Offers		Yes		No	X	Abstain	Absent
Trustee Ken Rule	X	Yes		No		Abstain	Absent
VOTE TOTAL:	4	Yes	0	No	1	Abstain	0
RESULTS	X	PASS				FAIL	

PERMISSION TO ADVERTISE BIDS FOR CONCRETE, GRAVEL, AND MISCELLANEOUS MATERIALS FOR THE RING BUS PROJECT

Motion by Mayor Burkett and seconded by Trustee Ely, Superintendent of Public Works Kilburn be hereby authorized to advertise bids for concrete, gravel, and miscellaneous materials for the ring bus project.

The motion was passed upon the following vote:

VOTE							
Mayor Paul Burkett	X	Yes		No		Abstain	Absent
Trustee Hugh Ely	X	Yes		No		Abstain	Absent
Trustee Jay May	X	Yes		No		Abstain	Absent
Trustee Joanne Offers	X	Yes		No		Abstain	Absent
Trustee Ken Rule	X	Yes		No		Abstain	Absent
VOTE TOTAL:	5	Yes	0	No	0	Abstain	0
RESULTS	X	PASS				FAIL	

PERMISSION TO ADVERTISE BIDS FOR STREETS AND PARKS DEPARTMENT DUMP TRUCK

Motion by Mayor Burkett and seconded by Trustee May, Superintendent of Public Works Kilburn be hereby authorized to advertise bids for the Streets and Parks Department dump truck.

The motion was passed upon the following vote:

VOTE									
Mayor Paul Burkett	X	Yes		No		Abstain		Absent	
Trustee Hugh Ely	X	Yes		No		Abstain		Absent	
Trustee Jay May	X	Yes		No		Abstain		Absent	
Trustee Joanne Offers	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 REPLACE STREETS AND PARKS DEPARTMENT LOADER

Motion by Mayor Burkett and seconded by Trustee Offers, Superintendent of Public Works Kilburn be hereby authorized to contact the vendor and express the VOAs intention to replace the Streets and Parks Department loader after June 1, 2009.

The motion was passed upon the following vote:

VOTE									
Mayor Paul Burkett	X	Yes		No		Abstain		Absent	
Trustee Hugh Ely	X	Yes		No		Abstain		Absent	
Trustee Jay May	X	Yes		No		Abstain		Absent	
Trustee Joanne Offers	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 BIDS FOR CLEANING CONTRACT

Motion by Mayor Burkett and seconded by Trustee May, Superintendent of Public Works Kilburn be authorized to advertise bids for cleaning contract.

The motion was passed upon the following vote:

VOTE									
Mayor Paul Burkett	X	Yes		No		Abstain		Absent	
Trustee Hugh Ely	X	Yes		No		Abstain		Absent	
Trustee Jay May	X	Yes		No		Abstain		Absent	
Trustee Joanne Offers	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 BIDS FOR 2010 FORD FUSION HYBRID

Discussions took place regarding the purchase of a 2010 Ford Fusion hybrid to replace a 2007 Ford F150 4x4 Supercrew cab pickup truck. The hybrid is estimated to get 45 miles per gallon and may be paid for by the Independent Energy Efficiency Program (IEEP) since it is considered an energy efficiency vehicle. This purchase would be subject to competitive bidding because the 2010 Ford Fusion hybrid is not available on NYS Contract.

Motion by Mayor Burkett and seconded by Trustee Ely, Superintendent of Public Works Kilburn be authorized to advertise bids for a 2010 Ford Fusion hybrid.

The motion was passed upon the following vote:

VOTE									
Mayor Paul Burkett	X	Yes		No		Abstain		Absent	
Trustee Hugh Ely	X	Yes		No		Abstain		Absent	
Trustee Jay May	X	Yes		No		Abstain		Absent	
Trustee Joanne Offers	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 TAX LEVY

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

RESOLUTION

WHEREAS, Real Property Tax Law §1420 mandates that the Board of Trustees levy the tax for the ensuing year by May 15th; and

WHEREAS, the Board of Trustees has adopted a budget for the period June 1, 2009 through May 31, 2010 showing an amount to be raised by taxation; and

WHEREAS, the taxable assessed value of the Village for the period June 1, 2009 through May 31, 2010 has been set forth in the final assessment roll and verified by the assessor; and

BE IT RESOLVED, that Clerk/Treasurer Beiersdorf be hereby authorized and directed to extend and carry out upon the roll the amount to be levied against each parcel of real property with a tax rate of \$13.6744 per thousand of assessed valuation.

For General Fund.....	\$1,033,785.00
For Omitted Taxes	\$1,200.00
In Lieu of Taxes	\$82,175.00
For Delinquent Water Rents, Charges, & Interest	\$1,478.32
For Delinquent Sewer Rents, Charges, & Interest.....	\$1,420.99
Total Real Property Taxes & Other Charges	\$1,120,059.31

The motion was passed upon the following vote:

VOTE									
Mayor Paul Burkett	X	Yes		No		Abstain		Absent	
Trustee Hugh Ely	X	Yes		No		Abstain		Absent	
Trustee Jay May	X	Yes		No		Abstain		Absent	
Trustee Joanne Offers	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 AMENDMENT

Motion by Mayor Burkett and seconded by Trustee Offers, the FY 2008-2009 budget be amended as follows because unanticipated revenues have been received from Wyoming County for seized assets.

INCREASE REVENUE	INCREASE EXPENDITURE
001 4-2809-0100	001 5-3120-200-2000
Other Public Safety	Police Dept. - Equipment
In the amount of \$102.50	

The motion was passed upon the following vote:

VOTE									
Mayor Paul Burkett	X	Yes		No		Abstain		Absent	
Trustee Hugh Ely	X	Yes		No		Abstain		Absent	
Trustee Jay May	X	Yes		No		Abstain		Absent	
Trustee Joanne Offers	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 Trustee Rule and seconded by Trustee Ely, 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 Paul Burkett	X	Yes		No		Abstain		Absent	
Trustee Hugh Ely	X	Yes		No		Abstain		Absent	
Trustee Jay May	X	Yes		No		Abstain		Absent	
Trustee Joanne Offers	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 FUNDING RESERVES AS ESTABLISHED IN THE FY 2008-09 BUDGET

This item was tabled until a future meeting.

CONSIDER ATTENDANCE AT EMERGENCY SERVICES REVOLOVING LOAN BOARD MEETING

Motion by Mayor Burkett and seconded by Trustee Ely, Superintendent of Public Works Kilburn or any other board member be hereby authorized to attend the NYS Emergency Services Revolving Loan board meeting on May 19, 2009 at 10:00am in Albany, NY. Use of a VOA vehicle for travel to the meeting, reasonable meal reimbursements, and lodging expenses not to exceed one night are also authorized.

The motion was passed upon the following vote:

VOTE									
Mayor Paul Burkett	X	Yes		No		Abstain		Absent	
Trustee Hugh Ely	X	Yes		No		Abstain		Absent	
Trustee Jay May	X	Yes		No		Abstain		Absent	
Trustee Joanne Offers	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		

MUNICIPAL ADMINISTRATION OF A VOLUNTEER FIRE DEPARTMENT WORKSHOP

Trustee Offers reported that there is no interest by the Arcade Fire Department Officers to host a municipal administration of a volunteer fire department workshop offered by NYCOM. No action was taken on this item.

VILLAGE PARK CABIN INSPECTIONS

Mayor Burkett reported that currently the Village park cabin is cleaned on a weekly basis by a contractor and is inspected after rentals by the Streets and Parks Department personnel. Mayor Burkett believes that investigating different options for cleaning and inspections are worthwhile. Trustee Offers will explore options and report back to the Board.

PROCUREMENT POLICY/PURCHASE ORDER SYSTEM

Mayor Burkett appointed Trustee May (Chairman) and Trustee Ely to a committee to evaluate the Village's existing procurement policy and purchasing system. The objective of the committee is to ensure the act of purchasing is performed in the most efficient manner and to ensure purchasing controls are in place and observed. Clerk/Treasurer Beiersdorf was instructed to obtain a copy of Wyoming County's procurement procedure for the committee.

ANNUAL JUSTICE AUDIT

Mayor Burkett appointed Trustee Offers and Trustee May to a committee to perform the annual justice audit. Committee members were instructed to schedule the audit with Justice Bell-Beyer and Justice Tuttle.

SALARIED EMPLOYEE POLICY

Mayor Burkett appointed a committee consisting of he as Chairman and Trustee Offers to review the Salaried Employee Policy. Trustee Rule commented that guidelines on compensatory time are vague.

CELL PHONE POLICY

Mayor Burkett appointed Trustee Ely (Chairman), Trustee Offers, and Jim McGarvey to a committee to review the Cellular Telephone Policy.

PERMISSION TO ADVERTISE 2009 SUMMER RECREATION PROGRAM SIGN-UPS

Motion by Mayor Burkett and seconded by Trustee Rule, Clerk/Treasurer Beiersdorf be authorized to advertise the 2009 summer recreation program sign-ups in the Arcade Herald and Pennysaver, not to exceed one publication each.

The motion was passed upon the following vote:

VOTE									
Mayor Paul Burkett	X	Yes		No		Abstain		Absent	
Trustee Hugh Ely	X	Yes		No		Abstain		Absent	
Trustee Jay May	X	Yes		No		Abstain		Absent	
Trustee Joanne Offers	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		

HEAVY RESCUE TRUCK DELIVERED

Trustee Offers reported that the new 2009 International heavy rescue truck has been delivered and is currently getting the communication radios installed.

WASPS AT VILLAGE PARK CABIN

Trustee Ely reported numerous wasps were seen inside the Village park cabin and asked that Streets and Parks Department personnel be notified to exterminate.

CATTARAUGUS CREEK EROSION CONCERNS

Mayor Burkett reported that he spoke with Senator Dale Volker regarding the Cattaraugus Creek erosion concerns and he promised his support.

ECONOMIC DEVELOPMENT / SMALL CITIES LOAN PROGRAM

Mayor Burkett reported that he, Trustee Ely, and Superintendent of Public Works Kilburn met with a representative from the Housing and Urban Development (HUD) office in Buffalo, NY to discuss the terms and conditions of the Village's economic development / small cities loan program.

MEETING WITH CAPITAL CROSSING REPRESENTATIVES

Mayor Burkett reported that a meeting has been scheduled with Capital Crossing representatives, Wyoming County Board of Supervisors Chairman, Doug Berwanger, Trustee May, Superintendent of Public Works Kilburn, and he for Tuesday, May 12, 2009 to discuss the future of the Emkay Trading facility and property.

MEETING WITH ARCADIA HEIGHTS REPRESENTATIVES

Mayor Burkett reported that a meeting has been scheduled with Arcadia Heights representatives, Trustee Ely, Superintendent of Public Works Kilburn, and he to discuss the North Street and Cramer Drive project.

TREES IN CLEAR CREEK

Bill Erick expressed his concern of downed trees in Clear Creek. Superintendent of Public Works Kilburn responded that the Village routinely cuts and removes the trees.

EXECUTIVE SESSION

Motion by Trustee Rule and seconded by Trustee Ely, the Board enter into executive session to discuss the following topic(s) at 8:06pm:

- employment history of a particular person
- the proposed acquisition, sale, or lease of real property
- employment history of a particular person

The motion was passed upon the following vote:

VOTE								
Mayor Paul Burkett	X	Yes		No		Abstain		Absent
Trustee Hugh Ely	X	Yes		No		Abstain		Absent
Trustee Jay May	X	Yes		No		Abstain		Absent
Trustee Joanne Offers	X	Yes		No		Abstain		Absent
Trustee Ken Rule	X	Yes		No		Abstain		Absent
VOTE TOTAL:	5	Yes	0	No	0	Abstain	0	Absent
RESULTS	X	PASS				FAIL		

Motion by Trustee Ely and seconded by Mayor Burkett, the Board exit executive session at 9:20pm.

The motion was passed upon the following vote:

VOTE								
Mayor Paul Burkett	X	Yes		No		Abstain		Absent
Trustee Hugh Ely	X	Yes		No		Abstain		Absent
Trustee Jay May	X	Yes		No		Abstain		Absent
Trustee Joanne Offers	X	Yes		No		Abstain		Absent
Trustee Ken Rule	X	Yes		No		Abstain		Absent
VOTE TOTAL:	5	Yes	0	No	0	Abstain	0	Absent
RESULTS	X	PASS				FAIL		

REPORTS RECEIVED

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

- Streets and Parks (April 2009)

ADJOURN

There being no further business to come before the Board the meeting duly adjourned at 9:20pm upon motion by Trustee May and seconded by Trustee Ely.

Clerk/Treasurer

VENDOR	AMOUNT	VENDOR	AMOUNT
ACTIVE IT DESIGN, LLC	\$ 1,088.75	NATIONAL FUEL GAS DISTRIB	\$ 18.93
AFLAC NEW YORK	\$ 1,516.64	NATIONAL GRID	\$ 55,919.32
ALBERT J. MOGAVERO, CHAPTER 13	\$ 422.00	NATL BUSINESS FURNITURE	\$ 313.00
ALBERT J. MOGAVERO, CHAPTER 13	\$ 422.00	NORTH EAST SCIENTIFIC	\$ 124.97
ARCADE AREA AQUATIC CLUB	\$ 100.00	NYS & LOCAL RETIRE SYSTEM	\$ 2,646.86
ARCADE FREE LIBRARY	\$ 5,250.00	NYS CHILD SPRT PROCESSING	\$ 264.00
ARCADE HISTORICAL SOCIETY	\$ 375.00	NYS INCOME TAX	\$ 3,614.50
AT&T	\$ 451.63	NYS INCOME TAX	\$ 3,353.28
BANK OF NEW YORK	\$ 1,647.25	NYS UNEMPLOYMENT INSURANCE	\$ 2,073.56
BANK OF NEW YORK	\$ 1,619.66	OFFICEMAX INC.	\$ 807.95
BELL-BEYER, SHERI	\$ 41.80	OSEA	\$ 960.00
BENCHMARK ANALYTICS, INC	\$ 106.60	PADGETT THOMPSON	\$ 199.00
BISON TURF EQUIPMENT	\$ 130.65	PREVITY'S AUTO WRECKING	\$ 23.88
CARRIER CONTROLS II	\$ 184.00	R.C. FIRE EQUIPMENT INC.	\$ 531.90
CDW GOVERNMENT INC	\$ 45.88	RESCUE 1	\$ 222,644.50
CID DIVSION OF WASTE MANAGEMEN	\$ 9,500.00	SAIA COMMUNICATIONS INC	\$ 2,872.80
CINTAS CORPORATION #782	\$ 225.50	SOUTER & SONS PRINTING	\$ 850.00
CSEA	\$ 755.26	SOUTHERN TIER WEST	\$ 35.00
CSEA	\$ 755.26	SPENCER, DEBBI	\$ 100.00
CSEA BENEFIT UNIT	\$ 1,251.24	SPENCER, SHANNON	\$ 100.00
CSEA POLICE UNIT	\$ 153.67	TOTAL EQUIPMENT REPAIR	\$ 630.00
CSEA POLICE UNIT	\$ 147.78	TRI-COUNTY SUPPLY INC	\$ 30.90
DAN HEINEMAN & SONS INC	\$ 90.56	TRI-COUNTY TOOL RENTAL	\$ 930.00
dE SIGN ART	\$ 465.00	TYLER TECHNOLOGIES	\$ 332.00
DFT COMMUNICATIONS/SECURITY	\$ 31.90	VERIZON	\$ 59.65
DFT COMMUNICATIONS/SECURITY	\$ (31.90)	VERIZON ONLINE	\$ 29.99
DFT COMMUNICATIONS/SECURITY	\$ 31.90	VILLAGE OF ARCADE	\$ 70.00
DOLORES M DAWLEY	\$ 540.00	VILLAGE OF ARCADE	\$ 70.00
DOLORES M DAWLEY	\$ 540.00	WILLIAM SCOTSMAN, INC	\$ 343.00
EATON OFFICE SUPPLY	\$ 25.00	WILLIAMSON LAW BOOK CO	\$ 306.53
FASTENAL COMPANY	\$ 360.49	WYO CO VILLAGE ASSN.	\$ 95.00
FLUID KINETICS, INC.	\$ 2,225.00	ZEE MEDICAL SERVICE CO.	\$ 174.50
HENNEBERGER, DAN	\$ 200.00	ZUECH ENVIRONMENTAL SRVCS	\$ 350.00
HOFFMAN, PATRICIA	\$ 100.00		
INDEPENDENT HEALTH PREMIUMS	\$ 22,177.34	TOTAL COLUMN 2	\$ 300,875.02
INDUSTRIAL APPRAISAL CO.	\$ 3,944.00		
IRS - FEDRAL PAYROLL TAX PAYME	\$ 19,152.53	OVERALL TOTAL	\$ 398,000.78
IRS - FEDRAL PAYROLL TAX PAYME	\$ 17,621.31		
JAMESTOWN SOAP & SOLVENT	\$ 81.26		
KOESTER ASSOC INC	\$ 919.04		
LICENSE ONLINE, INC	\$ 888.25		
MAPLE GROVE ENTERPRISES	\$ 390.00		
MARTIN BROTHERS CHEVROLET	\$ 495.88		
MASON, JEFFREY	\$ 150.00		
MILLER, DONNA	\$ 412.24		
MOORE MEDICAL, LLC	\$ 125.39		
TOTAL COLUMN 1	\$ 97,125.76		