

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

Carole Jones (Arcade Herald), Court Clerk Gillian Moore, Paul Sanders, and Justice Sheri Bell-Beyer

PLEDGE OF ALLEGIANCE

Trustee May opened the meeting with the Pledge of Allegiance.

TOWN OF ARCADE (TOA) REAL PROPERTY REVALUATION

TOA Supervisor, Doug Berwanger called Clerk/Treasurer Beiersdorf before the meeting and advised that he was unable to attend the meeting as originally scheduled and requested that this item be postponed until the regular meeting scheduled for August 4, 2009.

2009 JUSTICE COURT ASSISTANCE PROGRAM (JCAP) GRANT APPLICATION

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

RESOLUTION

WHEREAS, the New York State (NYS) Unified Court System established the Justice Court Assistance Program (JCAP) in 1999 to provide State assistance to Town and Village Courts, and

WHEREAS, the NYS Unified Court System is accepting applications for the 2009 JCAP grant, and

WHEREAS, the maximum JCAP award is \$30,000 per municipality, and

WHEREAS, the grant may be used for a variety of purposes, including, but not limited to, new or updated automation, office and security equipment, furniture, and courtroom renovations, and

WHEREAS, the deadline for application is August 1, 2009, and

WHEREAS, the VOA Board of Trustees understands that any funds awarded pursuant to an application shall be used only in accordance with all rules and regulations governing the JCAP, and

WHEREAS, the VOA Board of Trustees also understands that any goods and/or services purchased with any JCAP funds shall be obtained in accordance with acceptable procurement practices established by the VOA including competitive bidding, and

WHEREAS, the VOA Board of Trustees acknowledges that no funds awarded pursuant to an application shall be used to compensate justices or non-judicial staff or to reduce or otherwise supplant funding provided by the Village to its justice court, and

NOW THEREFORE BE IT RESOLVED, that VOA Board of Trustees hereby authorizes court personnel to make application and/or apply for a joint JCAP grant application with the Town of Arcade; and

BE IT RESOLVED, that the court personnel be authorized to apply up to the maximum amount available for the items listed below, and

BE IT FURTHER RESOLVED, that the Mayor of the Village of Arcade is hereby authorized to sign the 2009 JCAP application or any documents relating to the submission of the grant application.

LIST OF ITEMS REQUESTED ON THE 2009 JCAP GRANT APPLICATION

Item Description	Estimated Cost
Printing calculator	\$68.74
Label printer	\$104.99
3 additional video surveillance cameras	\$3,795.00
Electric door release buttons/keypad	\$1,195.00
Hallway door	\$2,856.84
5 executive chairs	\$1,708.95
Ganging clips used to connect rows of chairs securely together (HON Model 1004)	\$300.00
Remove false floor & raise bench	\$4,995.00
Carpet	\$4,687.17
Replace light above police cars	\$409.00
Total	\$20,120.69

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		

APPROVE MINUTES

Motion by Trustee Offers and seconded by Mayor Burkett, the minutes from the regular meeting held on July 7, 2009 be approved as presented by Deputy Clerk/Treasurer Kraft.

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		

PROPOSED CHANGES TO PARKING LOCAL LAW (CHAPTER 34)

Police Chief Laird reported that he performed an experiment with no cars parked along Main Street between Park Street and the A&A railroad tracks, another with one vehicle parked in spot #1, another with one vehicle parked in spot #2. After consulting with Superintendent of Public Works Kilburn and Trustee Ely, a decision was made to further the experiment to allow parking of one vehicle in spot #1 (closest to the A&A railroad tracks) for approximately one week. The Board unanimously agreed to have the Parking Local Law (Chapter 34) revised to allow parking of one vehicle in spot #1.

Based on residents request, Mayor Burkett asked Board members if they had any interest in closing off Park Street to Main Street, making Park Street a one-way street from Main Street; vehicles traveling north on Park Street would turn onto Mill Street to Liberty Street then onto Main Street. The consensus of the Board was a definite no.



NYS DEPARTMENT OF TRANSPORTATION (NYSDOT) RESURFACING PROJECT ON MAIN STREET

Mayor Burkett instructed Superintendent of Public Works Kilburn to contact the NYSDOT regarding any possible corrective actions that can be taken in the area on Main Street between Liberty Street and Church Street due to the traffic pattern changes made during the resurfacing project and the installation of the bump outs. This stretch of Main Street becomes easily congested when vehicles traveling west on Main Street are waiting to turn onto Park Street or into M&T Bank drive thru window.

STATUS OF GRANTS

Superintendent of Public Works Kilburn distributed a revised spreadsheet that is being maintained to track the status of grants.

STREAMBANK EROSION ASSESSMENT - CATTARAUGUS AND CLEAR CREEKS

Superintendent of Public Works Kilburn reported his receipt of the Streambank Erosion Assessment on Cattaraugus and Clear Creeks conducted and prepared by Wyoming County Soil and Water Conservation District. The assessment concentrated on the eastern portion of the VOA. The recommendations provided in the report are general recommendations with the understanding that each site will require further evaluation, survey, and design by qualified consultants and/or engineers in order to provide a reasonable cost estimate. Superintendent of Public Works Kilburn was instructed to have a color copy of the report made that will be sent along with a letter requesting support from Mayor Burkett to Senator Dale Volker. Mayor Burkett instructed Superintendent of Public Works Kilburn to update the residents that came before the Board in early 2009 on the progress/status of their concerns regarding this subject.

2010 SINGLE AXLE TRUCK CAB AND CHASSIS

The Board awarded the 2010 single axle truck cab and chassis at the July 7, 2009 meeting to the low bidder, Fleet Maintenance. The original bid specifications specified the bid should contain the largest engine available at the time. Since the bid was awarded, Fleet Maintenance representatives informed Superintendent of Public Works Kilburn that a more powerful engine became available for an additional charge of \$737.10 (NYS contract pricing).

Motion by Mayor Burkett and seconded by Trustee May, Superintendent of Public Works Kilburn be hereby authorized to amend the purchase of the Streets and Parks single axle truck with the Cummings 300hp engine at an additional charge of \$737.10.

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	

BSTs FINANCIAL REVIEW HIGHLIGHTS

Clerk/Treasurer Beiersdorf acknowledged her staff for their hard work that prepared the VOA for BSTs annual financial review. "I am proud of both their individual and collective contributions to what I expect will conclude as a successful review." BST representatives analyzed the May 31, 2009 fiscal year end account balances for General, Water, Sewer, Electric, and Trust and Agency funds, tested the VOAs internal controls, and reviewed and provided assistance as needed with the compilation of the Municipal Electric Utility Annual Report and the Annual Financial Review Update Document for the NYS Office of the State Comptroller. A report that depicts with results of their test work will be distributed to Board members once it becomes available.

Mayor Burkett added that he had a meeting with BST certified public accountant, Will Reynolds, who commented that electric fund revenues should remain in the electric fund and not be dispersed to the other funds within the VOA. Mr. Reynolds commented that the electric fund rate of return is sufficient so no rate increase should be forecast in the near future. This is a favorable result of the Noble Environmental funding. Mr. Reynolds also suggested that a review of the electric fund financials be compiled comparing results with and without Noble Environmental funding to obtain future projections for the next five (5) years. Mayor Burkett reported that BST will submit a proposal to perform the study for Board consideration.

PERMISSION FOR SUMMER RECREATION PARK SLEEP OVER

Motion by Mayor Burkett and seconded by Trustee Offers, the Arcade Recreation program be authorized to hold their annual campout and sleep over in the Village Park on August 6th to August 7th, 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		

2009 NYCOM ANNUAL FALL TRAINING SCHOOL

Motion by Trustee Offers and seconded by Trustee May, Clerk/Treasurer Beiersdorf and Deputy Clerk/Treasurer Kraft be hereby authorized to attend the 2009 NYCOM annual fall training school. The training is being held September 21 through September 24, 2009 at the Albany Crowne Plaza, Albany, NY. NYCOM member registration costs are \$240.00 per person. Hotel accommodations at the Albany Crowne Plaza are \$265.00 per day per person and include the cost of all meals. This event offers sessions and training events on a wide variety of topics specializing in municipal law, government operations, employee relations, and local finance issues. NYS agencies and divisions of the NYS Office of the State Comptroller will be available to assist local officials throughout the entire conference for one-on-one consultations. The fall training school also provides a great opportunity to network with other Clerk/Treasurer's and exchange ideas and information about common concerns around NYS. Clerk/Treasurer Beiersdorf and Deputy Clerk/Treasurer Kraft have developed a plan demonstrating there will be sufficient staff coverage that would allow both of them to attend the conference for the week.

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		

GOVDEALS INC. SELLERS AGREEMENT

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

RESOLUTION

WHEREAS, GovDeals, Inc. provides a means for sellers to list items for sale and for potential buyers to bid upon these items via an Internet-based auction system; and

WHEREAS, the VOA seeks the services of an on-line auction service to dispose of surplus property; and

WHEREAS, GovDeals, Inc. agrees to provide access to a web-based application used to maintain information about assets, training and support services, a customer support desk, and marketing of on-line auction services; and

WHEREAS, GovDeals, Inc. does not charge for listing, annual, or setup fees; and

WHEREAS, GovDeals, Inc. charges a fee of seven and one-half percent (7.5%) of the winning bid, but not less than \$5.00 for a single auction items that does not yield a greater than \$100,000 winning bid; and

WHEREAS, terms of the Sellers agreement shall commence on the date signed and will continue for a period of twelve (12) months and will automatically extend for additional one-year periods unless otherwise terminated upon sixty (60) days written notice by either party; and

WHEREAS, entering into the Seller Agreement will enable the VOA to sell high and low end items from vehicles to office equipment; and

WHEREAS, after an item has been declared surplus property, VOA staff are authorized to use GovDeals to dispose of said property;

NOW THEREFORE BE IT RESOLVED, that the Mayor of the VOA be hereby authorized to execute the Sellers Agreement with GovDeals, Inc. pending approval from the Attorney for the Village of Arcade.

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 Offers 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		

SALARIED EMPLOYEE POLICY, REV. 4, DRAFT

This item was postponed until the regular meeting scheduled for August 18, 2009.

PROCUREMENT POLICY, REV. 4, DRAFT

Trustee May reported that he met with employees from the Electric and Water departments regarding the proposed changes to the procurement policy. Trustee May explained that the changes are to clarify the sequence of procuring goods and services and should be the framework within which the VOA standardizes procurement processes to ensure maximum efficiency and value.

ELECTRIC DEPARTMENT TRUCK REPLACEMENT

Trustee May asked for clarification on the theory to replace the 2007 Ford F15 pickup truck (vehicle #74) in the near future with a car rather than to surplus the oldest department vehicle, a 2001 Chevrolet Silverado pickup truck (vehicle #712) and rotate the trucks appropriately throughout the Electric department. Mayor Burkett explained that the theory for vehicle replacement developed by the prior Board members was to design trucks for resale. The idea was to purchase trucks through NYS contract with re-sellable features (4-doors, 4WD, cloth seats, power options, snow plow package, etc.), keep them for thirty to thirty-six (30-36) months during which time the Village would not incur maintenance costs, then surplus the truck with the expectation of recouping a reasonable rate-of-return. Mayor Burkett added that the 2007 Ford F15 pickup truck (vehicle #74) was the first of three pickup trucks purchased under the existing replacement plan and that the current Board will need to determine the process going forward.

AIRCRAFT WARNING MARKERS

Trustee Offers relayed the Arcade Fire Department Officers' appreciation to the VOA Electric department employees for installing the aircraft warning markers (large, orange globes) on the overhead power lines near the Fire Departments Curriers Road entrance making the lines visible to flight crews during emergency air medical transport operations.

2009 SUMMER RECREATION SIGN-UPS / FEES

Trustee Offers reported that the Town of Arcade (TOA) Board agreed to reduce the penalty for TOA residents 2009 summer recreation late sign ups from \$210 per child to \$80 for one child and \$130 for two or more children and authorized Clerk/Treasurer Beiersdorf to reimburse TOA residents accordingly that paid the \$210 per child late fee.

2009 SUMMER RECREATION CONCERNS

Trustee Offers reported that a meeting was held with the recreation directors and the recreation commission to discuss a concern that had been expressed by a parent of a child in the summer recreation program. The issue has been addressed and measures have been taken to alleviate the problem in the future.

DRIVEWAY APRON CONSTRUCTION AND REPAIR

Extensive discussions ensued among Board members about the construction and repair of driveway aprons. Mayor Burkett suggested that Superintendent of Public Works Kilburn draft a local law on the construction and repair of driveway aprons similar to the existing local law on sidewalk construction and repair that clearly identifies the roles and responsibilities of the property owner and the VOA.

STORAGE OF BASEBALL EQUIPMENT AT VILLAGE PARK CABIN

The storage of baseball equipment at the Village park cabin was a topic of discussion. Superintendent of Public Works Kilburn was asked research the feasibility of an alternate storage facility.

ARCADIA HEIGHTS PROJECT

Trustee Ely asked for an update on the Arcadia Heights Project. Superintendent of Public Works Kilburn reported that Arcadia Heights Group LLC representatives remain delayed on the PVC pipe vs ductile iron pipe concerns. Superintendent of Public Works Kilburn scheduled a meeting with Arcadia Development representatives for the week of July 27, 2009.

FABULOUS 50s FESTIVAL VOLUNTEERS NEEDED

Trustee Ely advised the Board that the fabulous 50s festival committee is in desperate need of volunteers to help park vehicles on Friday, July 24, 2009 and Saturday, July 25, 2009 during the festival events.

UNAUTHORIZED DUMPING

Trustee Ely expressed his concerns that non-Village taxpayers are dumping yard waste at the Streets and Parks garage on Mill Street. Superintendent of Public Works Kilburn was instructed to erect a no unauthorized dumping sign.

CELLULAR TELEPHONE POLICY, REV. 1, DRAFT

Trustee Ely reported that the revision to the cellular telephone policy is ongoing.

DECORATIVE CROSSWALK

Mayor Burkett asked Superintendent of Public Works Kilburn for an expected completion date for the decorative crosswalk.

WASTEWATER TREATMENT PLANT (WWTP) COMPOST

Mayor Burkett reported that the WWTP Foreman has been identified as the contact person for compost. Customers should be directed to call the WWTP at 585.492.1127 and to leave a message as needed. The foreman was instructed to maintain a list of customers requesting compost and to contact the customer directly when compost becomes available. Customers will still be instructed to pay for compost prior to receipt at the Village office.

EXECUTIVE SESSION

Motion by Trustee Offers and seconded by Trustee Ely, the Board enter into executive session to discuss the following topic(s) at 8:26pm:

- matters leading to the discipline 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 Mayor Burkett and seconded by Trustee Rule, the Board exit executive session at 9:07pm.

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:

- Justice (June 2009)

ADJOURN

There being no further business to come before the Board the meeting duly adjourned at 9:07pm upon motion by Trustee May and seconded by Trustee Offers.

Clerk/Treasurer

VENDOR	AMOUNT	VENDOR	AMOUNT
ABBOTT WELDING SUPP	\$ 140.70	OSEA	\$ 100.00
ALBERT J. MOGAVERO,	\$ 422.00	PIONEER FORD/MERCUR	\$ 103.60
ARCADE LUMBER & MIL	\$ 1,094.17	RADIO SHACK	\$ 25.98
ARCADE POSTMASTER	\$ 1,543.08	S & S WORLDWIDE INC	\$ 472.74
ARCADE POSTMASTER	\$ 209.44	SARATOGA HILTON	\$ 895.00
ARCADE POSTMASTER	\$ 437.66	SELPHS FIRE SERVICE	\$ 764.25
BANK OF NEW YORK	\$ 1,692.13	SIMAR ENTERPRISES,	\$ 1,851.53
BENCHMARK ANALYTICS	\$ 545.30	STUART C IRBY CO	\$ 239.93
BENZEL, TINA	\$ 130.00	TIME WARNER CABLE	\$ 122.95
BERTRAND CHAFFEE HO	\$ 86.59	TOMPKINS INSURANCE	\$ 244.00
BIGHAM, HOWARD	\$ 100.00	TRACTOR SUPPLY COMP	\$ 119.68
BISON TURF EQUIPMEN	\$ 115.53	TRI-COUNTY TOOL REN	\$ 1,625.00
BLUE MOON PORTABLE	\$ 175.00	TYLER TECHNOLOGIES	\$ 1,100.00
C & G ELECTRICAL SU	\$ 27.25	UTZ TIRE SERVICE	\$ 24.00
CATTARAUGUS CO LABO	\$ 120.00	VERIZON	\$ 184.63
CINTAS CORPORATION	\$ 361.95	VERIZON WIRELESS	\$ 98.14
CSEA	\$ 693.26	VILLAGE OF ARCADE	\$ 70.00
CSEA POLICE UNIT	\$ 139.53	WILLIAMSON LAW BOOK	\$ 90.50
CURR A/C ELECTRIC	\$ 4,693.19	ZIMMER AUTO PARTS &	\$ 219.96
CURR A/C SEWER	\$ 120.96	ZUECH ENVIRONMENTAL	\$ 350.00
CURR A/C WATER	\$ 1,040.61		
DFT COMMUNICATIONS/	\$ 564.49	TOTAL COLUMN 2	\$ 8,701.89
DIFILIPPO & FLAHERT	\$ 141.67		
DOLORES M DAWLEY	\$ 540.00	OVERALL TOTAL	\$ 260,603.42
FASTENAL COMPANY	\$ 1,247.93		
FIRST REHABILITATIO	\$ 304.09		
FORBES, EDITH E	\$ 70.00		
FORMS IN A WINK	\$ 325.24		
GAGNON, MARK	\$ 290.00		
GRAINGER, INC.	\$ 687.36		
HALEY CONCRETE INC	\$ 25,491.00		
HORRIGAN, DIANE	\$ 100.00		
HP	\$ 7,132.00		
HSBC BANK USA	\$ 259.95		
IEEP:IND ENERGY EFF	\$ 9,566.80		
INDEPENDENT HEALTH	\$ 610.00		
IRS - FEDRAL PAYROL	\$ 21,669.27		
JAMESTOWN SOAP & SO	\$ 1,737.45		
JOHN SIXT & SON, IN	\$ 325.75		
JUSTICE, AMBER	\$ 250.00		
KISTNER CONCRETE PR	\$ 936.00		
KOESTER ASSOC INC	\$ 304.76		
MAPLE GROVE CORP	\$ 265.00		
MARTIN BROTHERS CHE	\$ 32.49		
METRO GROUP INC	\$ 183.60		
NGT DBA COVERALL SE	\$ 1,344.88		
NY POWER AUTHORITY	\$ 95,703.14		
NYMPA	\$ 49,975.00		
NYS INCOME TAX	\$ 4,068.84		
NYS SALES TAX	\$ 8,659.01		
NYS UNEMPLOYMENT IN	\$ 5,192.46		
NYSAMCC INC	\$ 35.00		
TOTAL COLUMN 1	\$ 251,901.53		