

The work session of the Village of Arcade (VOA) Board of Trustees, Wyoming County, New York was held on Tuesday, September 15, 2009 at 6:00pm there were:

PRESENT

Mayor Paul Burkett, Trustee Hugh Ely, Trustee Joanne Offers, Trustee Jay May, Trustee Ken Rule, Superintendent of Public Works Larry Kilburn, and Clerk/Treasurer Pam Beiersdorf

ABSENT

Police Chief John Laird and Deputy Clerk/Treasurer Jennifer Kraft

WORK SESSION

The purpose of the work session was to discuss proposed changes to the zoning local law. Discussions concentrated on proposed changes submitted by Zoning Officer Marv Zielonka.

The regular meeting of the Village of Arcade (VOA) Board of Trustees, Wyoming County, New York was held on Tuesday, September 15, 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, and Police Chief John Laird

ABSENT

Deputy Clerk/Treasurer Jennifer Kraft

ALSO PRESENT

Gail/Pat Palmerton and Pioneer Central School Government Class student Jeff Whitaker

PLEDGE OF ALLEGIANCE

Mayor Burkett opened the meeting with the Pledge of Allegiance.

REQUEST FOR FLOOD MAP REVISION

Haskell Avenue residents, Gail and Pat Palmerton, approached the Board and asked for assistance to get the National Flood Insurance Program map revised. The Palmerton's reported that a mapping error was made during the last revision in 1992 that placed their property in the Special Flood Hazard Area and requires them to carry flood insurance. Mayor Burkett instructed Superintendent of Public Works Kilburn to contact representatives at the Federal Emergency Management Agency (FEMA) for instructions on the process to accomplish the map revision.

APPROVE MINUTES

Motion by Trustee Offers and seconded by Trustee Ely, the minutes from the work session, public hearing, and regular meeting held on September 1, 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	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		

GENESEE COMMUNITY COLLEGE (GCC) STUDENT INTERN

Motion by Mayor Burkett and seconded by Trustee May, permission be granted to Laurie Unterburger to do her intern requirement with the Arcade Police Department and Village and Town of Arcade Justice Courts. Laurie is a Bliss resident and is currently enrolled in a criminal justice program at Genesee Community College (GCC). She is expected to gain approximately 40-60 hours of practical experience and will be shown procedures, patrol, and clerical responsibilities. Permission is granted pending receipt of a certificate of liability insurance from GCC.

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		

STATUS OF GRANTS

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

STREETS AND PARKS DEPARTMENT SINGLE AXLE DUMP TRUCK FINANCING OPTIONS

Motion by Mayor Burkett and seconded by Trustee Offers, authorization be granted for the issuance of a bond anticipation note with the Bank of Castile in the principal amount of \$50,000 plus legal costs, together with accrued interest at a rate not to exceed two percent (2%) and final maturity not to exceed a one (1) year term for the purpose of financing the Streets and Parks Department single axle 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 SIGN MUNICIPAL ALTERNATE FUEL VEHICLE PROGRAM LOAN AGREEMENT

The Board decided against entering into the municipal alternate fuel vehicle program loan agreement by and between the Power Authority of the State of New York and agreed to pay for the 2009 Ford Fusion hybrid in full (\$24,500) through the Independent Energy Efficiency Program (IEEP).

TOWN OF ARCADE AND TOWN OF FREEDOM FIRE CONTRACTS FOR CALENDAR YEAR 2010

Mayor Burkett appointed a committee consisting of he as Chairman and Trustee Offers to assist with the compilation of data for the Town of Arcade and Town of Freedom fire contracts for the calendar year 2010.

PERMISSION TO ATTEND CATTARAUGUS COUNTY MAGISTRATES ASSOCIATION DINNER MEETING

Motion by Trustee Offers and seconded by Trustee Rule, Clerk of the Justice Gillian Moore be hereby authorized to attend the Cattaraugus County Magistrates Association meeting being held on Wednesday, September 30, 2009 from 6:30pm to 9:00pm in Little Valley, NY. Topics to include Managing Court Records and Employing and Discharging of Court Clerks. The meeting cost is \$8.00. Mileage will be reimbursed according to the resolution passed at the 2009 annual organizational meeting. No authorization to back-fill the shift was granted.

The motion was passed upon the following vote:

VOTE								
Mayor Paul Burkett		Yes	X	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:								
	4	Yes	1	No	0	Abstain	0	Absent
RESULTS								
	X	PASS				FAIL		

PERMISSION TO ATTEND NYS JUDICIAL INSTITUE INTERACTIVE WEBCAST

A request was presented to the Board for Clerk of the Justice Gillian Moore's permission to attend the NYS Judicial Institute Vehicle and Traffic Law: The Ins and Outs Webcast on Tuesday, October 27, 2009 from 6:15pm to 8:45pm in Little Valley, NY. Topics include: Section 1806 of the V&T Law, Plea Bargaining Do's and Don'ts, Pre-trial Motions, Trial Procedure, Sentencing, Suspensions, and Surcharges. There is no registration cost for the training, however, mileage and overtime were requested.

Mayor Burkett called for a motion, however, no motion was forthcoming. Gillian Moore's request to attend the NYS Judicial Institute Interactive Webcast was hereby denied. Discussions concluded that the training topics were geared more for the Judges. In addition, the Board was not interested in paying overtime to Ms. Moore.

GRAND JURY SUMMONS

Clerk of the Justice Gillian Moore was summonsed to report on October 13, 2009 for grand jury. The Board considered the costs associated with authorizing Laurie Perkins to back-filling the shift, but determined no window coverage would be approved.

FY 2009-10 BUDGET AMENDMENT

Motion by Trustee Offers and seconded by Mayor Burkett, the FY 2009-10 budget be amended as follows because funds have been received from an insurance recovery.

INCREASE REVENUE	INCREASE EXPENDITURE
001 4-2680-0100	001 5-3120-418-4000
Insurance Recovery	2009 Chevy SUV
In the amount of \$1,088.47	

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 May and seconded by Trustee Offers, 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		

REASONABLE LUNCH REIMBURSEMENTS

At the August 18, 2009 regular meeting, a motion passed authorizing attendance at the Notary Public class on Tuesday, September 15, 2009 at the Wyoming County Business Center, Perry, NY. Lunch reimbursement was not originally included in this motion, however, the Board unanimously agreed that Superintendent of Public Works Kilburn, Police Chief Laird, and Clerk/Treasurer Beiersdorf have the authorization to approve reasonable lunch reimbursement in their management role providing funds are included in the budget.

LETTER OF SUPPORT REGARDING EROSION CONCERNS ALONG CATTARAUGUS CREEK

Mayor Burkett reported that letters were sent to residents directly impacted by the erosion along Cattaraugus and Clear Creeks.

ZONING OFFICER APPOINTMENT (10/2009 - 04/2010)

Mayor Burkett announced he extends Marv Zielonka's appointment as Zoning Officer through April 5, 2010.

Motion by Trustee Rule and seconded by Trustee May, the Zoning Officer appointment listed above be approved as presented by Mayor Burkett.

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		

CHANGE MEETING DATE AND SCHEDULE WORK SESSION

Motion by Mayor Burkett and seconded by Trustee Ely, the regular meeting of Tuesday, November 3, 2009 be changed to Wednesday, November 4, 2009, starting at 7:00pm and that a work session be scheduled to precede the regular meeting at 6:00pm to discuss proposed changes to the zoning local law.

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		

CSEA EMPLOYEE BENEFIT FUND MEMORANDUM OF AGREEMENT (MOA)

The Village received a MOA from CSEA Employee Benefit Fund seeking Board consideration to execute an agreement with CSEA Employee Benefit Fund to provide retired members of the CSEA bargaining unit the option of participating in the CSEA Employee Benefit Fund Retiree Dental plan. Clerk/Treasurer Beiersdorf was instructed to forward a copy of the MOA to the Attorney for the VOA for review and comment. This item will be considered at the October 6, 2009 regular meeting.

WYOMING COUNTY MAGISTRATES ASSOCIATION DUES

Mayor Burkett received a request from the Wyoming County Magistrates Association for a \$20 contribution towards the associations budget. The Board agreed to make the \$20 contribution, which will be presented to the Board for approval at the October 6, 2009 regular meeting.

ARCADE PLANNING BOARD RESIGNATION

Motion by Trustee Offers and seconded by Trustee May, the Board accepts, with regret, the resignation of Daniel Meyers from his position on the Arcade Planning Board. Clerk/Treasurer Beiersdorf was instructed to send Dan a thank you letter in appreciation for his time on the planning board.

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		

ARCADE PLANNING BOARD TEMPORARY APPOINTMENT

Mayor Burkett announced his temporary appointment of Richard Kosmerl to serve on the Arcade Planning Board effective immediately, until a permanent replacement is appointed.

Motion by Mayor Burkett and seconded by Trustee Ely, the temporary appointment listed above be approved as presented by Mayor Burkett.

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		

CELLULAR TELEPHONE POLICY, REV. 1

Motion by Mayor Burkett and seconded by Trustee Rule, the Cellular Telephone Policy, Rev. 1 be approved as presented.

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		

100th ANNIVERSARY OF VOA ELECTRIC DEPARTMENT

Trustee Ely reported that a meeting has been scheduled for September 22, 2009 at 7:00pm in the Village Board Room to discuss celebratory events scheduled for October 3, 2009.

POLICE IMPOUND LOT

Mayor Burkett appointed a committee consisting of he as Chairman, Trustee Rule, and Police Chief Laird to consider the location for a police impound lot.

REPORTS RECEIVED

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

- Justice (July 2009 and August 2009)

ADJOURN

There being no further business to come before the Board the meeting duly adjourned at 9:05pm upon motion Trustee Rule and seconded by Trustee May.

Clerk/Treasurer

VENDOR	AMOUNT	VENDOR	AMOUNT
ABBOTT WELDING SUPPLY CO	\$ 261.49	NGT CORP T/A COVERALL SERVICE	\$ 1,010.00
ALBERT J. MOGAVERO, CHAPTER 13	\$ 422.00	NYMPA	\$ 58,640.00
ALTEC INDUSTRIES INC	\$ 410.96	NYS CONFERENCE OF MAYORS	\$ 70.00
ARCADE HERALD	\$ 23.87	NYS INCOME TAX	\$ 4,107.49
ARCADE LUMBER & MILLWORK	\$ 865.31	PARTS ASSOCIATES, INC.	\$ 575.55
ARCADE POSTMASTER	\$ 1,545.70	PIONEER TAX COLLECTOR	\$ 58,017.48
ARCADE POSTMASTER	\$ 183.92	PLOWE, RODNEY	\$ 128.19
ARCADE POSTMASTER	\$ 48.84	PROUTY, HEATHER	\$ 41.42
ATLANTIC TESTING LABORATORIES	\$ 3,941.25	ROGERS, THERESA	\$ 175.00
BANK OF NEW YORK	\$ 1,856.27	S.D. MEYERS	\$ 25.00
BENCHMARK ANALYTICS, INC	\$ 226.53	SALZLER, MATTHEW	\$ 300.00
BLUE MOON PORTABLE TOILET	\$ 440.00	SAMPSON, CHAR	\$ 200.00
BOLLAM,SHEEDY,TORANI & CO. LLP	\$ 13,000.00	SANITARY WIPING CLOTH CO.	\$ 100.00
BRASS SHURFINE	\$ 25.21	SOUTER & SONS PRINTING	\$ 80.00
BRITE COMPUTERS	\$ 823.25	SOUTHWORTH-MILTON INC	\$ 10,894.86
BUCKWHEATS FLORIST &	\$ 942.25	STUART C IRBY CO	\$ 3,294.34
BUFFALO CONCRETE ACCESSORIES	\$ 70.00	SZPARA, JASON	\$ 21.51
C & G ELECTRICAL SUPPLY	\$ 9.90	THE TOOL RANCH	\$ 239.95
CARPENTER, DENISE	\$ 177.21	TIME WARNER CABLE	\$ 167.90
CATTARAUGUS CO LABORATORY	\$ 120.00	TOMPKINS LEASING SERVICES	\$ 1.00
CINTAS CORPORATION #782	\$ 248.10	TRACTOR SUPPLY COMPANY	\$ 57.98
CSEA	\$ 635.18	TRI-COUNTY SUPPLY INC	\$ 295.96
CSEA POLICE UNIT	\$ 139.53	TRI-COUNTY TOOL RENTAL	\$ 1,176.00
CURR A/C ELECTRIC	\$ 5,529.25	TYLER TECHNOLOGIES	\$ 170.00
CURR A/C SEWER	\$ 112.36	UPS	\$ 236.47
CURR A/C WATER	\$ 1,100.61	VELLANO BROTHERS, INC	\$ 636.68
DFT COMMUNICATIONS/SECURITY	\$ 549.38	VERIZON	\$ 248.93
DOLORES M DAWLEY	\$ 540.00	VERIZON ONLINE	\$ 29.99
EATON OFFICE SUPPLY	\$ 172.31	VILLAGE OF ARCADE	\$ 70.00
ERIE COUNTY CLERK	\$ 60.00	WARD & KUTZUBA	\$ 236.25
FASTENAL COMPANY	\$ 354.97	WESCO DIST. INC.	\$ 1,832.36
FEDEX GROUND, INC.	\$ 82.45	WILLIAM SCOTSMAN, INC	\$ 343.00
FIRST STUDENT, INC	\$ 6,924.50	WOODRUFF CONSTRUCTION	\$ 478.90
FLUID KINETICS, INC.	\$ 2,375.00	WYOMING CO DSS	\$ 66.28
GLASS, ANNA/MARVIN	\$ 79.13	YORKSHIRE BATTERY & TIRE	\$ 945.17
GROSJEAN ASSOCIATES	\$ 295.82	Z & M AG AND TURF	\$ 49.03
HALEY CONCRETE INC	\$ 20,848.50	ZIMMER AUTO PARTS & SALES	\$ 342.61
IEEP:IND ENERGY EFF PROG	\$ 8,670.91		
INDEPENDENT HEALTH	\$ 180.00	TOTAL COLUMN 2	\$ 145,305.30
IRS - FEDRAL PAYROLL TAX PAYME	\$ 21,677.01		
JAMESTOWN SOAP & SOLVENT	\$ 500.08	OVERALL TOTAL	\$ 247,332.07
JOHN SIXT & SON, INC.	\$ 215.19		
KELLY, MELISSA	\$ 37.28		
LAURA'S COUNTRY OVEN	\$ 31.94		
LEXIS NEXIS #1008106	\$ 50.00		
MARCOS PIZZA & SUBS	\$ 18.30		
MARTIN, KEVIN M	\$ 122.08		
MATUSZAK'S BLACKTOPPING INC	\$ 4,740.00		
MEUA OF N.Y.S.	\$ 100.00		
MOORE MEDICAL, LLC	\$ 211.13		
MOUNTAINVIEWS BUILDERS	\$ 31.80		
TOTAL COLUMN 1	\$ 102,026.77		