

The regular meeting of the Village of Arcade (VOA) Board of Trustees, Wyoming County, New York was held on Tuesday, November 16, 2010 at 7:00pm there were:

PRESENT

Mayor Paul Burkett, Trustee Joanne Offers, Trustee Jay May, Trustee Ken Rule (at 7:04pm), Trustee Donna Schiener, Superintendent of Public Works Larry Kilburn, Clerk/Treasurer Pam Beiersdorf, and Police Chief John Laird

ALSO PRESENT

William Arlow, Brian Lane (President CSEA Unit #9252)

PLEDGE OF ALLEGIANCE

Mayor Burkett opened the meeting with the Pledge of Allegiance.

OPEN BID(S) - 47 FOOT SHEAVE HEIGHT HYDRAULIC DIGGER DERRICK TRUCK

This meeting having been duly advertised to receive bids for a 47 foot sheave height hydraulic digger derrick truck, the above persons were in attendance. The following bids were received:

Name and Address	Service	Amount
D. C. Bates Equipment Co., Inc. Hopedale, MA		Did not submit bid
Dueco Waukesha, WI	bid price	\$214,185.00
	remote controls	\$9,539.00
	delivery	30-34 weeks
Altec Industries, Inc. Plains, PA	bid price	\$208,811.00
	remote controls	\$7,207.00
	delivery	210-240 days

Motion by Trustee Offers and seconded by Trustee May, the bid(s) for the foot sheave height hydraulic digger derrick 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 Paul Burkett	X	Yes		No		Abstain		Absent
Trustee Jay May	X	Yes		No		Abstain		Absent
Trustee Joanne Offers	X	Yes		No		Abstain		Absent
Trustee Ken Rule		Yes		No		Abstain	X	Absent
Trustee Donna Schiener	X	Yes		No		Abstain		Absent
VOTE TOTAL:	4	Yes	0	No	0	Abstain	1	Absent
RESULTS	X	PASS					FAIL	

APPROVE MINUTES

Motion by Trustee Offers and seconded by Trustee Rule, the minutes from the regular meeting held on November 3, 2010 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 Jay May		Yes		No	X	Abstain		Absent
Trustee Joanne Offers	X	Yes		No		Abstain		Absent
Trustee Ken Rule	X	Yes		No		Abstain		Absent
Trustee Donna Schiener		Yes		No	X	Abstain		Absent
VOTE TOTAL:	3	Yes	0	No	2	Abstain	0	Absent
RESULTS	X	PASS					FAIL	

NY MAIN STREET GRANT LANDSCAPE ARCHITECT CONTRACT

Superintendent of Public Works Kilburn reported that a draft Agreement has been prepared and is pending approval by the Attorney for the VOA, Robert Kutzuba and representatives from Wyoming County Community Action to contract with William J. Arlow III, registered landscape architect.

Superintendent of Public Works Kilburn introduced William J. Arlow III to the Board.

PROPOSED ELECTRIC DEPARTMENT REORGANIZATION

Superintendent of Public Works Kilburn distributed a revised proposed electric department flowchart, a revised proposed Electric Utility Director job description, and a spreadsheet outlining the associated cost savings of the proposed electric department reorganization. Superintendent of Public Works Kilburn was given permission to contact Wyoming County Civil Service and obtain their input on the proposed job description.

OUTDOOR STREET HOCKEY RINK

At the September 28, 2010 meeting, a motion was passed giving Superintendent of Public Works Kilburn authorization to purchase a galvanized steel/wood frame rink system from Becker Arena Products, Inc. However, it has been decided that the polyethylene dasher board system will be more beneficial.

Motion by Trustee Schiener and seconded by Trustee May, Superintendent of Public Works Kilburn be hereby authorized to purchase the polyethylene dasher board system from Becker Arena Products, Inc. or Savage, MN with manufacturer supervision in the amount of \$50,450.00. This motion supersedes the motion made at the September 28, 2010 meeting.

The motion was passed upon the following vote:

VOTE								
Mayor Paul Burkett	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
Trustee Donna Schiener	X	Yes		No		Abstain		Absent
VOTE TOTAL:								
	5	Yes	0	No	0	Abstain	0	Absent
RESULTS		X	PASS				FAIL	

WYOMING COUNTY WORKSITE EXPERIENCE AGREEMENT

Motion by Trustee Offers and seconded by Trustee Schiener, the Mayor of the VOA be hereby authorized to execute the Worksite Experience Agreement by and between Wyoming County Department of Social Services (WCDSS) and the VOA. WCDSS shall assign to the VOA, recipients of public assistance to whom the VOA shall assign work experience activities. VOA will maintain and provide to the WCDSS time records with respect to each participant. WCDSS shall provide for each participant workers' compensation or equivalent protection for on-the-job injuries. The VOA shall provide adequate supervision and shall provide adequate liability insurance. The Agreement shall be for the term commencing January 1, 2011 – December 31, 2011 and may be terminated at any time by either party upon thirty (30) days written notice by registered or certified mail, return receipt requested.

The motion was passed upon the following vote:

VOTE								
Mayor Paul Burkett	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
Trustee Donna Schiener	X	Yes		No		Abstain		Absent
VOTE TOTAL:								
	5	Yes	0	No	0	Abstain	0	Absent
RESULTS		X	PASS				FAIL	

PERMISSION TO DESTROY RECORDS

Motion by Trustee May and seconded by Trustee Offers, Clerk/Treasurer Beiersdorf be granted permission to destroy the following records in accordance with New York State Archives Records Retention and Disposition Schedule MU-1:

- purchase orders, purchase requisitions, invoices, packing slips, shipping tickets/bill of ladings for fiscal years dated 2001-2002, 2002-2003 and dated 05/2004 through 10/2004 (6 year retention) (Section 1.[559] and Section 5.[564])
- budget preparation files for fiscal years dated 1998 through 2000 (6 year retention) (Section 1.[51])
- electric utility bill remittance stubs dated 06/04/2004 through 10/28/2004 (6 year retention) (Section 12.[256])

The motion was passed upon the following vote:

VOTE									
Mayor Paul Burkett	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	
Trustee Donna Schiener	X	Yes		No		Abstain		Absent	
VOTE TOTAL:	5	Yes	0	No	0	Abstain	0	Absent	
RESULTS	X	PASS					FAIL		

NOTICE OF TENTATIVE RAILROAD CEILING

Clerk/Treasurer Beiersdorf reported that notice has been received from the NYS Board of Real Property Services that the tentative railroad ceiling for the Buffalo & Pittsburg RR, Inc. real property for the VOA assessment roll to be filed in 2011 is \$86,217. This is down by 2.8 percent from the prior year of \$88,744.

NOTICE OF TENTATIVE SPECIAL FRANCHISE ASSESSMENT FULL VALUE

Clerk/Treasurer Beiersdorf reported that notice has been received from the NYS Board of Real Property Services that the tentative special franchise full values for the VOA assessment roll to be filed in 2011 is \$1,107,186 and include National Fuel Gas Dist. Corp at \$458,350, Verizon New York Inc. at \$538,134, and Time Warner at \$110,702. The prior year assessment total was \$1,193,766.

FIRE DEPARTMENT MEMBERSHIP

Per a report from Debby Austin-LaCerais, Secretary, a membership application was received by the following individual and has been elected to active membership:

- Kimberly Owens

A membership application was received by the following individual but rejected by the fire department membership:

- Justin Brisley

Motion by Trustee Offers and seconded by Trustee Schiener, the Board approves the changes to the fire department membership as presented above.

The motion was passed upon the following vote:

VOTE									
Mayor Paul Burkett	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	
Trustee Donna Schiener	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 Rule, the Village bills be audited and paid and that the Clerk/Treasurer (or Deputy) be authorized 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 Jay May	X	Yes		No		Abstain		Absent	
Trustee Joanne Offers	X	Yes		No		Abstain		Absent	
Trustee Ken Rule	X	Yes		No		Abstain		Absent	
Trustee Donna Schiener	X	Yes		No		Abstain		Absent	
VOTE TOTAL:									
	5	Yes	0	No	0	Abstain	0	Absent	
RESULTS		X	PASS				FAIL		

BATHROOM FACILITY VOA PARK

Trustee Offers asked Superintendent of Public Works Kilburn to prepare and distribute a report upon completion showing the total project cost to construct the bathroom facility at the VOA park.

RENTAL AGREEMENT WITH ARCADE HISTORICAL SOCIETY

Trustee Offers reported that the Beautification Committee's items that were stored in the north bay at the Arcade Historical Society's 15 Liberty Street facility have been removed, therefore, the Beautification Committee should no longer be charged the \$12.50 monthly fee for said rental effective October 1, 2010.

VILLAGE PARK COMPLAINTS

Trustee Rule reported receiving a complaint from Mike Jones regarding leaves not being picked up at the VOA park and about the area surrounding the outdoor street hockey rink being littered with beer cans, pop containers, and broken bottles. Trustee Rule stated that he performed an on-site inspection of the area surrounding the hockey rink on Saturday, November 13, 2010 at 8:30pm, observed hockey league members picking up the area after the game, and found the area to be satisfactory. Given this information, it is unclear as to when Mr. Jones observed the trash. In regards to the leaves, Streets and Parks Department personnel had been blowing the leaves into piles on November 10 and 12, 2010 and leaves were picked up on November 15 and 16, 2010. Superintendent of Public Works Kilburn was instructed to respond to Mr. Jones and communicate the actions taken by the VOA regarding the leaf pickup.

PAVEMENT MILLINGS AT VOA PARK

Trustee Rule commented that the pavement millings piled at the VOA park should be used or moved to free up parking space near the hockey rink.

LETTER FROM CSEA UNIT #9252

Mayor Burkett acknowledged receipt of a letter from Brian Lane, President CSEA Unit #9252, requesting that the VOA enter into a negotiation with the Unit to reach a Memorandum of Agreement with regards to the employee sick bank.

CODE OF ETHICS POLICY

Mayor Burkett reported that the VOAs "Code of Ethics Policy" was outdated and instructed Superintendent of Public Works Kilburn and Clerk/Treasurer Beiersdorf to prepare a draft revision for Board review by the regular meeting scheduled January 4, 2011.

PROPOSED DETOUR DURING WEST STREET BRIDGE REPLACEMENT PROJECT

Mayor Burkett acknowledged receipt of a letter from Todd Gadd, Wyoming County Highway Department Superintendent, regarding the proposed detour during bridge construction/replacement of the West Street bridge over Cattaraugus Creek. Comments/questions are being solicited prior to the final approval of the design plans. It is expected that North Street and West Street will be open to local traffic only during the bridge closure. Specifically, the intersection of North Street and West Street will be closed for the duration of the construction project anticipated for the summer of 2011.

VOA LEVEL OF ASSESSMENT

Mayor/Assessor Burkett announced that the Level of Assessment (LOA) to be used on the 2011 tentative assessment roll for the VOA will be 100%, meaning the VOA is assessing at full value. The LOA is the percentage of full value at which properties are assessed within a community.

SURPLUS VEHICLES

Mayor Burkett asked Board members if they objected to taking the current surplus vehicles to the Adesa vehicle auction in Akron, NY instead of listing them with another on-line auction site at this time. The thought is that the vehicles need to be moved out of the parking lot before the snow flies, this is the best time of year to sell 4x4s (currently selling at a reasonable price), and the VOA is still paying insurance on them. Mayor Burkett and Superintendent of Public Works Kilburn were given the okay to determine the minimum bid price (including fees).

MIRACLE ON MAIN STREET

Trustee Schiener reported that the Village will be showcased on Saturday, November 20, 2010 as a number of individuals have purchased tickets to participate in the pre-holiday shopping promotion, *Miracle on Main Street*. The *Miracle on Main Street* offers participants shopping, lunch, an A&A train ride, and a ticket to the Arcade Area Community Theater's production of *A Christmas Carol*.

EXECUTIVE SESSION

Motion by Trustee May and seconded by Trustee Rule, the Board enter into executive session to discuss the following topic(s) at 7:32pm:

- collective negotiations

The motion was passed upon the following vote:

VOTE									
Mayor Paul Burkett	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	
Trustee Donna Schiener	X	Yes		No		Abstain		Absent	
VOTE TOTAL:	5	Yes	0	No	0	Abstain	0	Absent	
RESULTS	X	PASS					FAIL		

Motion by Trustee May and seconded by Trustee Offers, the Board exit executive session at 7:42pm.

The motion was passed upon the following vote:

VOTE									
Mayor Paul Burkett	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	
Trustee Donna Schiener	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 (October 2010)

ADJOURN

There being no further business to come before the Board the meeting duly adjourned at 7:45pm upon motion by Trustee Offers and seconded by Trustee May.

Clerk/Treasurer

VENDOR	AMOUNT	VENDOR	AMOUNT
ABBOTT WELDING SUPPLY CO INC	\$ 200.03	J&S AGEN, INC	\$ 150.00
ALCAD STANDBY BATTERIES	\$ 8,422.24	JAMESTOWN SOAP & SOLVENT	\$ 563.58
ALMETER, GARY	\$ 189.14	JOHN SIXT & SON, INC.	\$ 2,863.68
ARCADE HERALD	\$ 164.93	JONES, LOIS	\$ 100.00
ARCADE POSTMASTER	\$ 1,546.80	KOEPF, TOM	\$ 1,087.50
ARCADE POSTMASTER	\$ 233.64	LAMB & WEBSTER	\$ 124.48
AT&T	\$ 671.04	LARRY ROMANCE & SON INC.	\$ 141.64
AURORA ANSWERING SERVICE	\$ 75.00	LEXISNEXIS RISK DATA MGMT INC	\$ 50.00
AUTOZONE	\$ 29.99	LYNCH, GEORGE	\$ 146.52
B & L WHOLESALE SUPPLY, INC.	\$ 9,792.33	MARCOS PIZZA & SUBS	\$ 107.87
BANK OF NEW YORK	\$ 2,275.34	MARTIN BROTHERS CHEVROLET	\$ 55.90
BDP INDUSTRIES	\$ 932.98	MAYNARDS ELECTRIC SUPPLY INC	\$ 1,948.84
BEIERSDORF, PAMELA J	\$ 35.20	MESSINGER'S SALES AND SERVICE	\$ 206.90
BENCHMARK ANALYTICS, INC	\$ 179.38	MEUA OF N.Y.S.	\$ 150.00
BEST, SARAH	\$ 146.46	MILLER, LISA	\$ 200.00
BRAGG, ANGELA	\$ 100.00	MOGAVERO, ALBERT J., CHAPTER 1	\$ 422.00
BROWN WOOD PRESERVING CO, INC.	\$ 10,104.77	MONROE SYSTEMS FOR BUSINESS IN	\$ 60.67
C & G ELECTRICAL SUPPLY	\$ 844.60	MOORE MEDICAL, LLC	\$ 328.70
C.E.I.S.	\$ 85.00	NABI	\$ 60.00
C3-ILEX, LLC	\$ 8,508.04	NGT CORPORATION	\$ 1,010.00
CATT CO DSS	\$ 441.85	NGT CORPORATION	\$ (1,010.00)
CATT CO DSS	\$ 151.86	NYMPA	\$ 43,317.00
CATTARAUGUS CO LABORATORY	\$ 120.00	NYS & LOCAL RETIRE SYSTEM	\$264,174.00
CINTAS CORPORATION #782	\$ 250.68	NYS D.E.C.	\$ 100.00
CONROY MOTOR CORPORATION	\$ 87.95	NYS INCOME TAX	\$ 3,896.44
CRABB OIL & PROPANE INC.	\$ 4,648.53	NYS UNEMPLOYMENT INSURANCE	\$ 363.00
CSEA	\$ 721.72	O'BRIEN, JONATHAN DBA ACTIVE I	\$ 47.50
CSEA POLICE UNIT	\$ 124.76	OFFHAUS, CARRIE	\$ 47.62
CURR A/C ELECTRIC	\$ 5,233.27	RADIO SHACK	\$ 31.96
CURR A/C SEWER	\$ 90.79	RICHARD-CIN SIGNS & SUPPLIES I	\$ 138.00
CURR A/C WATER	\$ 687.36	S.D. MYERS INC	\$ 3,475.00
D & H EXCAVATING INC	\$ 217.85	SAIA COMMUNICATIONS INC	\$ 412.50
DANNY HEINEMAN & SONS INC	\$ 176.49	SALZLER, ROBERT	\$ 2,520.00
DEPOSITORY TRUST AND CLEARING	\$ 4,106.25	SANDERS, BETTY	\$ 100.00
DFT COMMUNICATIONS/SECURITY	\$ 559.13	SELPHS FIRE SERVICE	\$ 31.00
EATON OFFICE SUPPLY	\$ 66.29	SOUDER, MARI	\$ 100.00
FASTENAL COMPANY	\$ 817.07	SOUTER & SONS PRINTING CO	\$ 280.00
FIVE STAR EQUIPMENT INC	\$ 132.00	SOUTHWORTH-MILTON INC.	\$ 1,140.00
FORBES, EDITH E	\$ 45.00	SPARTAN WAREHOUSE CORP	\$ 60.85
GEMPLERS	\$ 317.65	TIME WARNER CABLE	\$ 122.95
GEORGE, JARED	\$ 888.75	TOMPKINS INSURANCE AGENCIES IN	\$ 27,044.00
GERNATT ASPHALT PRODUCTS, INC.	\$ 1,391.19	TRACTOR SUPPLY CO	\$ 49.46
HAMPTON INNS & SUITES	\$ 226.00	TRI-COUNTY SUPPLY INC	\$ 37.20
HARLAND TECHNOLOGY SERVICES	\$ 301.00	TRI-COUNTY TOOL RENTAL & SALES	\$ 471.20
HERITAGE CRYSTAL CLEAN, LLC	\$ 244.25	UNITED UNIFORM CO INC	\$ 894.18
HODGSON RUSS LLP	\$ 119.50	UTZ TIRE SERVICE OF ARCADE, IN	\$ 16.00
HSBC BANK USA	\$ 1,286.49	VERIZON	\$ 258.10
HUDZINSKI, MARK	\$ 170.69	VERIZON COMMUNICATIONS	\$ 29.99
IEEP:IND ENERGY EFF PROG	\$ 9,356.16	VILLAGE OF ARCADE	\$ 70.00
INTL ASSOC OF ELEC INSP	\$ 102.00	VOLLAND ELECTRIC EQUIP CORP	\$ 480.15
IRS - FEDRAL PAYROLL TAX PAYME	\$ 19,803.40		
TOTAL COLUMN 1	\$ 97,422.84	TOTAL COLUMN 2	\$ 358,476.38

VENDOR	AMOUNT
W.G. MALDEN	\$ 504.25
WD FELTZ DIESEL TRUCK &	\$ 1,496.33
WESCO DISTRIBUTION INC.	\$ 625.67
WILLIAMSON LAW BOOK CO	\$ 220.08
WITTER, JAMIE	\$ 210.44
WOODRUFF CONSTRUCTION	\$ 292.80
WYOMING CO DSS	\$ 1,443.60
ZIMMER AUTO PARTS & SALES INC	\$ 663.66
ZUECH'S ENVIRONMENTAL SRVCS	\$ 175.00
TOTAL COLUMN 3	\$ 5,631.83
OVERALL TOTAL	\$ 461,531.05