

The public meeting and regular meeting of the Village of Arcade (VOA) Board of Trustees, Wyoming County, New York was held on Tuesday, June 7, 2011 at 7:00pM there were:

PRESENT

Mayor Jay May, Trustee Ken Rule, Trustee Jim McGarvey, Trustee Robert Davis, Superintendent of Public Works Larry Kilburn, Clerk/Treasurer Jennifer Kraft, Police Chief John Laird.

ALSO PRESENT

Mark Saladyga, Bonnie Daunce

PLEDGE OF ALLEGIANCE

Mayor May opened the meeting with the Pledge of Allegiance.

PUBLIC HEARING LOCAL LAW 40 PEDDLERS AND SOLICITORS REV 1 DRAFT B

Mayor May opened the public hearing at 7:01 am to hear comments and or concerns from citizens regarding the proposed changes to Local Law 40 Peddlers and Solicitors Rev 1 Draft B.

The purpose of the change is to curb visitations during the evening hours and Sundays.

There being no further comments or concerns Trustee Rule made a motion, seconded by Trustee McGarvey, the Board closed the public hearing regarding the proposed changes to the Local Law 40 Peddlers and Solicitors

The motion was passed upon the following vote:

VOTE								
Mayor Jay May	X	Yes		No		Abstain		Absent
Trustee Robert Davis	X	Yes		No		Abstain		Absent
Trustee Jim McGarvey	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		

ADOPT LOCAL LAW 40 PEDDLERS AND SOLICITORS

Motion by Trustee Rule and seconded by Trustee Schiener, the Village Board reviewed the changes to Chapter 40 of the Village Laws titled Peddlers and Solicitors, Clerk/Treasurer Kraft duly advertised for the public hearing held on June 7, 2011, the Village Board considered such arguments as were presented for and/or against the adoption of the local law, and hereby adopts Local Law 40 Peddlers and Solicitors (See attached.)

The motion was passed upon the following vote:

VOTE								
Mayor Jay May	X	Yes		No		Abstain		Absent
Trustee Robert Davis	X	Yes		No		Abstain		Absent
Trustee Jim McGarvey	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		

ADVERTISING ON FENCING AT HOCKEY RINK

Mark Saladyga discussed the possibility of local merchants being able to advertise on the fence surrounding the hockey rink at the VOA park. The VOA board agreed that there would be interest in this. Superintendent of Public Works Kilburn will work with Mark regarding the type of signage, probably vinyl, that would be suitable for this purpose.

PIONEER STUDENTS PRESENT DONATION

Pioneer High School students Tyler Campbell, Jessica Rung, Juli Kennedy and Sarah Foote donated funds in the amount of \$237.02 to the VOA. The funds were raised through candy sales and were part of a program that

requires students to participate in community service. The students requested the funds be used towards an improvement at the VOA park.

REVIEW USE OF FACILITY POLICY

Trustee McGarvey presented a revised policy and application for the use of facilities that he and VOA employee Cheryl Parker have developed. Trustee McGarvey recommended the board review this revision and discuss it at the next meeting.

ARCADE HERITAGE FESTIVAL

The festival has been postponed for one year.

STRAY CATS

Attorney for the VOA, Robert Kutzuba, reviewed proposed procedures. Mayor May directed Chief Laird to develop a contract between the VOA and Jack Juran, with the help of Attorney Kutzuba, and return to the board on June 21, 2011.

STREET LIGHTS, POTHOLE, SURVEILLANCE OF THE PARK

Mayor May requested the police department keep watch for street lights that are out and deep potholes and notify the appropriate departments. He also requested the police department increase the surveillance of the park.

RELEASE OF NOBLE OWNED FREEDOM SUB PROPERTY

This lien waver releases Noble from paying any further bills with relation to the building of the ring bus. Motion by Trustee Rule and seconded by Trustee Schiener to authorize Mayor May to sign the Final Release of Claims and Waivers of Lien and Affidavit.

The motion was passed upon the following vote:

VOTE								
Mayor Jay May	X	Yes		No		Abstain		Absent
Trustee Robert Davis	X	Yes		No		Abstain		Absent
Trustee Jim McGarvey	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		

RESOLUTION SNOW AND ICE CONTRACT AMENDMENT B

Due to the severity of the winter during 2010/11, the Village of Arcade (VOA) requests that the Municipal Snow and Ice Agreement estimated expenditure be revised to reflect the additional lane miles of state roads that were plowed/treated during the winter season. All the terms and conditions of contract #D010645 remain in effect except as noted on Amendment B of the Snow and Ice Contract.

The following resolution was offered by Trustee Schiener and seconded by Trustee McGarvey.

RESOLUTION

That the Mayor of the VOA be hereby authorized and directed to enter into Amendment B for the 2011/2012 Snow and Ice Contract to allow for revised payments to be made to the VOA as presented.

The motion was passed upon the following vote:

VOTE								
Mayor Jay May	X	Yes		No		Abstain		Absent
Trustee Robert Davis	X	Yes		No		Abstain		Absent
Trustee Jim McGarvey	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		

FEMA LETTER

Motion by Mayor May and seconded by Trustee Rule to spend up to \$1800 to R&S Technologies to provide information requested by FEMA with regard to the revision of the Flood Map.

The motion was passed upon the following vote:

VOTE									
Mayor Jay May	X	Yes		No		Abstain		Absent	
Trustee Robert Davis	X	Yes		No		Abstain		Absent	
Trustee Jim McGarvey	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		

TRANSMISSION CONGESTION CHARGES (TCC)

Motion by Trustee Rule and seconded by Trustee Davis, the Mayor of the VOA be hereby authorized to execute the TCC agreement by and between the VOA and the New York Independent System Operator (NYISO) guaranteeing a ten (10) year fixed price on TCC's. Contracts are renewable annually and may be discontinued upon written notice. The first payment will be sent along with the executed agreement and the remaining will be submitted in October 2011.

The motion was passed upon the following vote:

VOTE								
Mayor Jay May	X	Yes		No		Abstain		Absent
Trustee Robert Davis	X	Yes		No		Abstain		Absent
Trustee Jim McGarvey	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

NEW HORIZON COMMUNICATIONS PHONE PROPOSAL

Superintendent of Public Works Kilburn reviewed a proposal by New Horizon Communications that has the potential to save the VOA up to 52% on phone services.

Motion by Trustee Schiener and seconded by Trustee McGarvey to authorize the Mayor to sign the contract with New Horizon Communications for two years, as recommended by SPW Kilburn.

The motion was passed upon the following vote:

VOTE								
Mayor Jay May	X	Yes		No		Abstain		Absent
Trustee Robert Davis	X	Yes		No		Abstain		Absent
Trustee Jim McGarvey	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

AWARD BID FOR SRTS SIDEWALK CONCRETE

Motion by Trustee McGarvey and seconded by Trustee Rule per recommendation of Superintendent of Public Works Kilburn, to award the bid for the SRTS sidewalk concrete to Abram Brothers Concrete at the unit price of \$112 per cubic yard for a total base bid of \$26,880.00

The motion was passed upon the following vote:

VOTE								
Mayor Jay May	X	Yes		No		Abstain		Absent
Trustee Robert Davis	X	Yes		No		Abstain		Absent
Trustee Jim McGarvey	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

DISCUSS CONTINUE SUPPORT WITH P/R PROCESSING

Motion by Mayor May and seconded by Trustee McGarvey to allow Mary Ann Hagner to continue to support Deputy Clerk Treasurer Karpinski with payroll and any assistance to Clerk/Treasurer if necessary through July 2011.

The motion was passed upon the following vote:

VOTE								
Mayor Jay May	X	Yes		No		Abstain		Absent
Trustee Robert Davis	X	Yes		No		Abstain		Absent
Trustee Jim McGarvey	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

AUDIT BILLS

Motion by Trustee McGarvey and seconded by Trustee Schiener the Village bills be audited and paid and that the Clerk 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 Jay May	X	Yes		No		Abstain		Absent
Trustee Robert Davis	X	Yes		No		Abstain		Absent
Trustee Jim McGarvey	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		Absent
RESULTS	X	PASS				FAIL		

SUMMER RECREATION UPDATE

Prospective employees have been interviewed. The goal this year is to bring events to the park rather than going on field trips, by doing so we should see an appreciable savings.

VILLAGE ASSOCIATION DINNER

The VOA will be hosting the dinner on September 21, 2011. We will be taking a train ride to Curriers and back with the dinner to be held in the train depot. Mama's will be catering the meal.

ZONING ISSUE

Trustee McGarvey requested Superintendent of Public Works Kilburn review the zoning regulations on lighting regarding the directionality of lights.

BATHROOMS AT VOA PARK

Trustee Rule recommended the installation of stone walkways leading to the new bathrooms. Superintendent of Public Works Kilburn has discussed this with Dan Laird and they are working on ideas.

EXECUTIVE SESSION

Motion by Trustee McGarvey and seconded by Trustee Schiener, the Board enters into executive session to discuss the following topic(s) at 8:19pm:

- The employment history of a particular employee

Collective negotiations

The motion was passed upon the following vote:

VOTE								
Mayor Jay May	X	Yes		No		Abstain		Absent
Trustee Robert Davis	X	Yes		No		Abstain		Absent
Trustee Jim McGarvey	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	

ANNUAL RAISE FOR SUPERINTENDENT OF PUBLIC WORKS KILBURN

Motion by Mayor May and seconded by Trustee Rule there will not be an annual raise at this time for the Superintendent of Public Works Kilburn.

The motion was passed upon the following vote:

VOTE								
Mayor Jay May	X	Yes		No		Abstain		Absent
Trustee Robert Davis	X	Yes		No		Abstain		Absent
Trustee Jim McGarvey	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 McGarvey and seconded by Trustee Rule, the Board exit executive session at 9:33 pm.

The motion was passed upon the following vote:

VOTE								
Mayor Jay May	X	Yes		No		Abstain		Absent
Trustee Robert Davis	X	Yes		No		Abstain		Absent
Trustee Jim McGarvey	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	

ADJOURN

There being no further business to come before the Board the meeting duly adjourned at 9:34 pm upon motion by Trustee McGarvey and seconded by Trustee Schiener.

Clerk/Treasurer

VENDOR	AMOUNT	VENDOR	AMOUNT
ALMETER, HOLLY	\$ 720.00	LOWE'S HOME CENTERS,	\$ 155.25
AMEIS, LEE	\$ 180.00	MARCOS PIZZA & SUBS	\$ 34.98
ARCADE POSTMASTER	\$ 1,572.14	MARTIN BROS CHEVROLET	\$ 74.90
ARLOW III, WILLIAM J.	\$ 600.00	METRO GROUP INC	\$ 664.80
AT&T	\$ 795.33	MOORE MEDICAL, LLC	\$ 1,439.88
BANK OF NEW YORK	\$ 2,572.65	NATIONAL FIRE PROTECT	\$ 207.95
BECKER ARENA PRODUCTS	\$ 11,450.00	NGT CORPORATION	\$ 1,010.00
BIJHOUWER, PAUL	\$ 120.00	NORTHERN SAFETY CO. I	\$ 400.69
CINTAS CORPORATION #7	\$ 140.82	NYS INCOME TAX	\$ 4,312.37
CRAMER, GORDON	\$ 180.00	O'BRIEN, JONATHAN DBA	\$ 1,516.25
CSEA	\$ 729.68	REL COMM, INC.	\$ 108.00
CSEA POLICE UNIT	\$ 143.96	SANDERS, PAUL	\$ 150.00
D & H EXCAVATING INC	\$ 2,800.00	SCHNITZLER, ANDREW	\$ 120.00
DANNY HEINEMAN & SONS	\$ 410.35	SERVICE EDUCATION INC	\$ 475.00
DFT COMMUNICATIONS/SE	\$ 2,260.80	SNYDER, JEFFREY	\$ 200.00
E.R. RULE & SONS INC.	\$ 6,000.00	SPORTS LOCKER	\$ 1,191.00
EASTERN STATES SENTIN	\$ 300.00	SUTTELL, DONALD	\$ 150.00
EIGENBROD, DOUGLAS	\$ 150.00	TASER INTERNATIONAL,	\$ 429.67
EJ PRESCOTT, INC	\$ 1,520.11	THE HOLE WORKS	\$ 200.00
FELBER, AARON	\$ 150.00	TIME WARNER CABLE	\$ 44.95
GALETON	\$ 392.81	TOMS ROUTE 16	\$ 991.99
GERNATT ASPHALT PRODU	\$ 9,312.22	TRACTOR SUPPLY CO	\$ 17.97
GRAINGER, INC.	\$ 146.64	USA BLUEBOOK	\$ 565.92
INDEPENDENT HEALTH CO	\$ 180.00	VERIZON	\$ 219.65
INDEPENDENT HEALTH PR	\$ 25,818.96	VERIZON COMMUNICATION	\$ 34.99
IRS FEDERAL PAYROLL TAX	\$ 21,036.33	VERIZON WIRELESS	\$ 666.10
KOSMERL, RICHARD	\$ 150.00	VILLAGE OF ARCADE	\$ 90.00
KRAFT, JENNIFER	\$ 140.00	WYO CO REAL PROP TAX	\$ 969.90
KRIST, MATTHEW	\$ 64.52	YORKSHIRE BATTERY & T	\$ 328.86
KUTZUBA, ROBERT	\$ 1,428.00	TOTAL COLUMN 2	\$ 16,771.07
TOTAL COLUMN 1	\$ 91,465.32	OVERALL TOTAL	\$ 108,236.39

DRAFT