

The regular meeting of the Village of Arcade (VOA) Board of Trustees, Wyoming County, New York was held on Tuesday, September 6, 2011 at 7:00 pm there were:

**PRESENT**

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

**ALSO PRESENT**

Carole Jones, Justin Tillow, Andrew Polek, Carol and Gregg McCarville, Jeff Mason

**PLEDGE OF ALLEGIANCE**

Mayor May opened the meeting with the Pledge of Allegiance.

**CODE VIOLATIONS**

Village resident, Carol McCarville, shared difficulties she has experienced with blatant zoning and health code violations by a neighbor at 200 Park Street. Carol called Wyoming County Department of Health on May 23, 2011, at which time the health department did a site visit and tested the septic system which is dumping raw sewage that is seeping onto the McCarville property. To date there has not been a resolution to this situation. Superintendent of Public Works Kilburn will look into the matter further.

**APPROVE MINUTES**

Motion by Trustee Rule and seconded by Trustee Schiener, the minutes from the special meeting held on August 9, 2011 be approved as presented by Clerk/Treasurer Kraft.

The motion was passed upon the following vote:

<b>VOTE</b>								
Mayor Jay May	X	Yes		No		Abstain		Absent
Trustee Robert Davis		Yes		No	X	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
<b>VOTE TOTAL:</b>	4	Yes	0	No	1	Abstain	0	Absent
<b>RESULTS</b>	<b>X</b>	<b>PASS</b>				<b>FAIL</b>		

**APPROVE MINUTES**

Motion by Trustee McGarvey and seconded by Trustee Rule, the minutes from the special meeting held on August 22, 2011 be approved as presented by the Clerk/Treasurer Kraft.

The motion was passed upon the following vote:

<b>VOTE</b>								
Mayor Jay May	X	Yes		No		Abstain		Absent
Trustee Robert Davis		Yes		No	X	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
<b>VOTE TOTAL:</b>	4	Yes	0	No	1	Abstain	0	Absent
<b>RESULTS</b>	<b>X</b>	<b>PASS</b>				<b>FAIL</b>		

**APPROVE MINUTES**

Motion by Trustee Rule and seconded by Trustee McGarvey, the minutes from the regular meeting held on August 16, 2011 be approved as presented by the Clerk/Treasurer Kraft.

The motion was passed upon the following vote:

<b>VOTE</b>								
Mayor Jay May	X	Yes		No		Abstain		Absent
Trustee Robert Davis		Yes		No	X	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
<b>VOTE TOTAL:</b>								
	4	Yes	0	No	1	Abstain	0	Absent
<b>RESULTS</b>								
	X	<b>PASS</b>				<b>FAIL</b>		

**HOCKEY RINK SIGNAGE**

Justin Tillow reported the hockey organization has 10 commitments on sign purchases; Design Art will be making the signs. Justin wanted clarification on the responsibilities of the hockey league regarding the upkeep of the rink. It was determined the league will be responsible for plowing and salting the rink and should there be any damages to the rink by the general public the league will notify the village office. The hockey league will be playing Saturday nights from 4pm to 10pm.

**AUTHORIZE OFFICER KRIST TO ATTEND TRAINING**

Motion by Trustee McGarvey and seconded by Mayor May to authorize Officer Matt Krist to attend a two day Child Fatality Investigation and Prevention Training in Niagara Falls. The training is free of charge; the only cost involved will be meals both days.

The motion was passed upon the following vote:

<b>VOTE</b>								
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
<b>VOTE TOTAL:</b>								
	5	Yes	0	No	0	Abstain	0	Absent
<b>RESULTS</b>								
	X	<b>PASS</b>				<b>FAIL</b>		

**AWARD BID FOR COUNTY LINE FENCE**

Motion by Trustee McGarvey and seconded by Trustee Schiener per the recommendation of Superintendent of Public Works Kilburn to award the bid for the County Line Fence to Capital Fence in the amount of \$14,080.

The motion was passed upon the following vote:

<b>VOTE</b>								
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
<b>VOTE TOTAL:</b>								
	5	Yes	0	No	0	Abstain	0	Absent
<b>RESULTS</b>								
	X	<b>PASS</b>				<b>FAIL</b>		

**NORTH STREET PROPERTY**

Wyoming County has requested we go in and mow the lawn on a property on North Street and assess the fee to the tax bill. The issue here is that should the taxes end up being sent to the county we will not be made whole because the county does not pay fees assessed to properties when delinquent taxes have been collected. Superintendent of Public Works Kilburn is to contact Don Roberts regarding this issue.

**APPROVAL TO EXTEND DON NORTON'S CONTRACT**

Motion by Trustee Rule and seconded by Trustee Schiener to extend the contract for Don Norton, at a rate of \$530.00 per week, through September 23, 2011. This topic will be reviewed at the next meeting.

The motion was passed upon the following vote:

<b>VOTE</b>								
Mayor Jay May	X	Yes		No		Abstain		Absent
Trustee Robert Davis	X	Yes		No		Abstain		Absent
Trustee Jim McGarvey		Yes		No	X	Abstain		Absent
Trustee Ken Rule	X	Yes		No		Abstain		Absent
Trustee Donna Schiener	X	Yes		No		Abstain		Absent
<b>VOTE TOTAL:</b>	4	Yes	0	No	1	Abstain	0	Absent
<b>RESULTS</b>	<b>X</b>	<b>PASS</b>				<b>FAIL</b>		

**PERMISSION TO SELL 1999 FREIGHTLINER DUMP TRUCK, VEHICLE #22**

Motion by Trustee Rule and seconded by Trustee Schiener to authorize Superintendent of Public Works Kilburn to sell the 1999 Freightliner Dump Truck (#22) in the amount of \$5000.00 as is.

The motion was passed upon the following vote:

<b>VOTE</b>								
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
<b>VOTE TOTAL:</b>	5	Yes	0	No	0	Abstain	0	Absent
<b>RESULTS</b>	<b>X</b>	<b>PASS</b>				<b>FAIL</b>		

**AUTHORIZATION TO SCHEDULE SURPLUS SALE**

Clerk/Treasurer Kraft would like to review items in storage and schedule a surplus sale. A list of possible items to be sold will be brought to the next meeting for board review and approval.

**AUDIT BILLS**

Motion by Trustee Rule and seconded by Trustee McGarvey, 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:

<b>VOTE</b>								
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
<b>VOTE TOTAL:</b>	5	Yes	0	No	0	Abstain	0	Absent
<b>RESULTS</b>	<b>X</b>	<b>PASS</b>				<b>FAIL</b>		

**EXECUTIVE SESSION**

Motion by Trustee McGarvey and seconded by Trustee Rule, the Board enter into executive session to discuss the following topic(s) at 8:12pm:

- Employment history of a particular person/people

The motion was passed upon the following vote:

<b>VOTE</b>									
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	
<b>VOTE TOTAL:</b>	5	Yes	0	No	0	Abstain	0	Absent	
<b>RESULTS</b>	<b>X</b>	<b>PASS</b>					<b>FAIL</b>		

Motion by Trustee McGarvey and seconded by Trustee Rule, the Board exit executive session at 8:30 pm.

The motion was passed upon the following vote:

<b>VOTE</b>									
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	
<b>VOTE TOTAL:</b>	5	Yes	0	No	0	Abstain	0	Absent	
<b>RESULTS</b>	<b>X</b>	<b>PASS</b>					<b>FAIL</b>		

**ADJOURN**

There being no further business to come before the Board the meeting duly adjourned at 8:30 pm upon motion by Trustee Rule and seconded by Trustee McGarvey.

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Clerk/Treasurer

21ST CENTURY ELECTRONICS	\$ 39.98	MAPES, BRAD	\$ 100.00
ABBOTT WELDING SUPPLY CO INC	\$ 50.60	MARCOS PIZZA & SUBS	\$ 28.77
AFLAC NEW YORK	\$ 1,623.46	MARTIN BROS CHEVROLET INC	\$ 22.75
ALMETER, HOLLY	\$ 720.00	MASTERSON'S GARDEN CENTER	\$ 172.50
ARCADE HERALD	\$ 56.21	MATTHEW BENDER & CO INC.	\$ 86.71
AUDIOTECH DIGITAL SIGNAL CORP	\$ 2,125.00	MAYNARDS ELECTRIC SUPPLY INC	\$ 15,369.32
BANK OF NEW YORK	\$ 2,717.87	MESSINGER'S SALES AND SERVICE	\$ 111.36
BEACON EQUIPMENT LEASING	\$ 249.00	MEUA - MUNICIPAL ELECTRIC UTIL	\$ 110.00
BENCHMARK ANALYTICS, INC	\$ 857.49	NATIONAL FUEL GAS DISTRIB	\$ 18.88
BENEFLEX INC	\$ 180.00	NATIONAL GRID	\$ 67,083.19
BENKLEMAN, ALICIA	\$ 100.00	NEW HORIZON COMMUNICATIONS COR	\$ 746.38
BENTLEY, BRIAN	\$ 156.15	NGT CORPORATION	\$ 1,010.00
BERTRAND CHAFFEE HOSPITAL	\$ 17.65	NIAGARA FRONTIER	\$ 2,291.69
BOLLAM,SHEEDY,TORANI & CO. LLP	\$ 14,081.00	NY POWER AUTHORITY	\$ 109,693.14
BRASS' SHURFINE	\$ 6.54	NYS & LOCAL RETIRE SYSTEM	\$ 2,792.17
BUFFALO CRUSHED STONE, INC	\$ 4,173.04	NYS DEPT OF PUBLIC SRVC	\$ 53,545.71
CATTARAUGUS COUNTY CLERK	\$ 55.00	NYS INCOME TAX	\$ 4,205.95
CHASE BANK	\$120,000.00	NYS SALES TAX	\$ 10,382.04
CID DIVISION OF WASTE MANAGEMEN	\$ 9,980.70	O'BRIEN, JONATHAN DBA ACTIVE I	\$ 1,830.00
CID-DIV WASTE MANAGEMENT	\$ 674.50	O'CONNELL ELECTRIC CO. INC.	\$ 1,967.44
CINTAS CORPORATION #782	\$ 424.11	OFFICE OF STATE COMPTROLLER	\$ 2,241.75
COMPLETE OFFICE SOLUTIONS INC	\$ 317.50	PLM	\$ 353.22
CSEA	\$ 729.68	POWERCON CORP	\$ 239,941.10
CSEA BENEFIT UNIT	\$ 1,119.30	PUBLIC SAFETY CENTER INC.	\$ 875.00
CSEA POLICE UNIT	\$ 155.96	R.C. FIRE EQUIPMENT INC.	\$ 5,001.29
D & H EXCAVATING INC	\$ 6,077.78	RED BARN GUNS	\$ 2,173.00
DELL MARKETING LP	\$ 850.51	RICHARD-CIN SIGNS & SUPPLIES I	\$ 1,461.25
DEPOSITORY TRUST AND CLEARING	\$ 30,105.00	ROYAL FLUSH OF WNY LLC	\$ 140.00
EATON OFFICE SUPPLY CO INC	\$ 55.22	SCHWAB AGGREGATES	\$ 1,270.84
FIRST STUDENT, INC	\$ 6,221.80	SCREEN MACHINE INDUSTRIES, INC	\$ 49,643.00
FLEET MAINTENANCE INC	\$ 644.15	SOUTER & SONS PRINTING CO	\$ 450.00
FORBES, EDITH E	\$ 70.00	SS DIESEL & AUTO	\$ 218.03
G.V.C. CHEMICAL CORP	\$ 1,378.62	STUART C IRBY CO	\$ 21,398.07
GA FAMILY SERVICES	\$ 100.00	TIME WARNER CABLE	\$ 44.95
GERNATT ASPHALT PRODUCTS, INC.	\$ 3,082.65	TRACTOR SUPPLY CO	\$ 73.15
GOTTOGO ELECTRIC INC	\$ 30.00	TRI-COUNTY SUPPLY INC	\$ 48.46
GRAINGER, INC.	\$ 644.88	TRI-COUNTY TOOL RENTAL & SALES	\$ 265.00
GRAPHIC CONTROLS LLC	\$ 250.57	TYLER TECHNOLOGIES INC	\$ 205.70
HALEY CONCRETE INC	\$ 520.00	UNITED CHURCH OF	\$ 100.00
HEIM, THOMAS	\$ 100.00	UPSTATE STEEL	\$ 11,376.53
HOME CARE & HOSPICE	\$ 100.00	UTZ TIRE SERVICE OF ARCADE, IN	\$ 52.00
HSBC BANK USA	\$ 348.12	VELLANO BROTHERS, INC	\$ 2,945.54
INDEPENDENT HEALTH PREMIUMS	\$ 28,358.30	VERIZON	\$ 324.71
IRS - FEDERAL PAYROLL TAX PAYME	\$ 21,219.41	VERIZON COMMUNICATIONS	\$ 34.99
JAMESTOWN SOAP & SOLVENT	\$ 189.05	VERIZON WIRELESS	\$ 782.42
JOYCE KOCH	\$ 100.00	VILLAGE OF ARCADE	\$ 90.00
KISTNER CONCRETE PROD INC	\$ 13,049.00	WAGNER, DAVID	\$ 100.00
KLEIN REINFORCING SERVICES, IN	\$ 5,300.00	WESCO DISTRIBUTION INC.	\$ 12,646.89
KUTZUBA, ROBERT	\$ 1,428.00	WINTER'S RIGGING INC	\$ 4,800.00
LINEAGE	\$ 208.37	WYOMING CO TREASURER	\$ 600.00
LUND, STEVEN	\$ 100.00	<b>TOTAL COLUMN 2</b>	<b>\$ 631,224.89</b>
<b>TOTAL COLUMN 1</b>	<b>\$281,142.17</b>	<b>OVERALL TOTAL</b>	<b>\$ 912,367.06</b>