

The special meeting of the Village of Arcade (VOA) Board of Trustees, Wyoming County, New York was held on Tuesday, November 8, 2011 at 6:00 pm there were:

PRESENT

Mayor Jay May, Trustee Ken Rule, Trustee Jim McGarvey, Trustee Donna Schiener, Superintendent of Public Works Larry Kilburn, Clerk/Treasurer Jennifer Kraft.

ABSENT

Trustee Robert Davis

ALSO PRESENT

Bob and Bonnie Daunce, Aleni Katsinis, Christina Striegel and Mike Landis (for the last 15 minutes)

PLEDGE OF ALLEGIANCE

Mayor May opened the meeting with the Pledge of Allegiance.

EXECUTIVE SESSION

Motion by Trustee McGarvey and seconded by Trustee Rule, the Board enter into executive session to discuss the following topic(s) at 6:01 pm:

- Possible litigation

The motion was passed upon the following vote:

VOTE								
Mayor Jay May	X	Yes		No		Abstain		Absent
Trustee Robert Davis		Yes		No		Abstain	X	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:	4	Yes	0	No	0	Abstain	1	Absent
RESULTS	X	PASS				FAIL		

Motion by Trustee McGarvey and seconded by Trustee Schiener, the Board exit executive session at 6:15 pm.

The motion was passed upon the following vote:

VOTE								
Mayor Jay May	X	Yes		No		Abstain		Absent
Trustee Robert Davis		Yes		No		Abstain	X	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:	4	Yes	0	No	0	Abstain	1	Absent
RESULTS	X	PASS				FAIL		

REVIEW LOCAL LAW CHAPTER 64, ZONING

The board reviewed the final version of the changes to Local Law Chapter 64, Zoning with special attention to Section 1301, Violations. The board approved the revisions as presented. Motion by Trustee Rule and seconded by Trustee Schiener to schedule the public hearing for December 6, 2011 at 7:00 pm to hear comments or concerns regarding the aforementioned changes.

The motion was passed upon the following vote:

VOTE								
Mayor Jay May	X	Yes		No		Abstain		Absent
Trustee Robert Davis		Yes		No		Abstain	X	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:	4	Yes	0	No	0	Abstain	1	Absent
RESULTS	X	PASS				FAIL		

ZONING CONCERNS

The board heard the concerns of Robert Daunce regarding the zoning permit approved by Zoning Officer Marv Zielonka for a temporary car sales business. The board expressed there is nothing in our Local Law in general or specifically in Chapter 64, Zoning that would prohibit this use of property.

Motion by Trustee McGarvey and seconded by Trustee Rule to instruct Superintendent of Public Works Kilburn to meet with Zoning Officer Marv Zielonka and review the process followed in approving the Zoning Compliance certificate along with the Temporary Signs Permit issued to Ryan Brown for this business. Subsequently Superintendent of Public Works Kilburn will meet with Robert Kutzuba, Attorney for the VOA, for an opinion of the procedures that were followed.

The motion was passed upon the following vote:

VOTE								
Mayor Jay May	X	Yes		No		Abstain		Absent
Trustee Robert Davis		Yes		No		Abstain	X	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:	4	Yes	0	No	0	Abstain	1	Absent
RESULTS	X	PASS				FAIL		

MAIN STREET GRANT UPDATE

Meetings have continued with Michael Weiss, Marty Mucher, Superintendent of Public Works Kilburn, Mayor May and Trustee McGarvey. Applications and contracts are complete on three projects; weatherization has been approved on four buildings. Updates will continue.

EXECUTIVE SESSION

Motion by Trustee McGarvey and seconded by Trustee Rule, the Board enter into executive session to discuss the following topic(s) at 7:20 pm:

- Contract negotiations

The motion was passed upon the following vote:

VOTE								
Mayor Jay May	X	Yes		No		Abstain		Absent
Trustee Robert Davis		Yes		No		Abstain	X	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:	4	Yes	0	No	0	Abstain	1	Absent
RESULTS	X	PASS				FAIL		

Motion by Trustee Schiener and seconded by Trustee Rule, the Board exit executive session at 7:30 pm.

The motion was passed upon the following vote:

VOTE								
Mayor Jay May	X	Yes		No		Abstain		Absent
Trustee Robert Davis		Yes		No		Abstain	X	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:	4	Yes	0	No	0	Abstain	1	Absent
RESULTS	X	PASS					FAIL	

ADJOURN

There being no further business to come before the Board the meeting duly adjourned at 7:31 pm upon motion by Trustee Rule and seconded by Trustee McGarvey.

Clerk/Treasurer