

A Public Hearing along with the regular meeting of the Village of Arcade (VOA) Board of Trustees, Wyoming County, New York was held on Tuesday, December 6, 2011 at 7:00 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, Police Chief John Laird, Deputy Clerk/Treasurer Michelle Karpinski.

**ABSENT**

Trustee Robert Davis

**ALSO PRESENT**

Carole Jones, Justin Tillow, Tom Beiersdorf, Andy Koerner, Chris Lester, Jeff Mason, Mike Landis

**PLEDGE OF ALLEGIANCE**

Mayor May opened the meeting with the Pledge of Allegiance.

**PUBLIC HEARING CHAPTER 64, ZONING**

Mayor May opened the public hearing at 7:02pm with a motion by Trustee McGarvey and seconded by Trustee Schiener to hear comments from citizens regarding the proposed changes in Local Law 64, Zoning, with particular attention to signs.

The motion was passed upon the following vote:

<b>VOTE</b>								
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
<b>VOTE TOTAL:</b>	4	Yes	0	No	0	Abstain	1	Absent
<b>RESULTS</b>	<b>X</b>	<b>PASS</b>				<b>FAIL</b>		

Carole Jones requested clarification on the lighting restrictions.

There being no further concerns or comments regarding the proposed changes a motion was made by Trustee Rule and seconded by Trustee Schiener to close the public hearing at 7:07 pm.

The motion was passed upon the following vote:

<b>VOTE</b>								
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
<b>VOTE TOTAL:</b>	4	Yes	0	No	0	Abstain	1	Absent
<b>RESULTS</b>	<b>X</b>	<b>PASS</b>				<b>FAIL</b>		

**ADOPT CHAPTER 64, ZONING**

Motion by Trustee McGarvey and seconded by Trustee Rule that the Village Board after having reviewed the changes to local law Chapter 64, Zoning and Clerk/Treasurer Kraft having duly advertised for the public hearing held on December 6, 2011 and the Village Board having considered such arguments as were presented for and/or against the changes to Chapter 64, Zoning, hereby adopts Local Law 64, Zoning with an effective date of 12/07/2011.

The motion was passed upon the following vote:

<b>VOTE</b>									
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	
<b>VOTE TOTAL:</b>									
	4	Yes	0	No	0	Abstain	1	Absent	
<b>RESULTS</b>									
	X	<b>PASS</b>					<b>FAIL</b>		

**WINTERFEST HOCKEY TOURNAMENT**

Motion by Trustee McGarvey and seconded by Trustee Rule to waive the per team registration fee for the Winterfest Hockey Tournament, in lieu of this the hockey league will pay \$75 to the VOA for the use of the rink, as a tournament fee for the entire weekend.

The motion was passed upon the following vote:

<b>VOTE</b>									
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	
<b>VOTE TOTAL:</b>									
	4	Yes	0	No	0	Abstain	1	Absent	
<b>RESULTS</b>									
	X	<b>PASS</b>					<b>FAIL</b>		

**FIRE DEPARTMENT REPRESENTATIVE**

Chief Beiersdorf discussed the future purchase of a new fire truck and shared the preliminary figures that were obtained from Churchville Fire Equipment, which is where the last fire truck was obtained. The high end was \$365,000 with the low end coming in at \$270, 000, (\$245,000 for the truck and an additional \$35,000 for accessories). The trucks in use now are 12, 18, and 23 years old. The fire department will need to form a committee for the purchase of the vehicle and would like to know if there is a chance it will be purchased next fiscal year or not until the 2013-14 fiscal year. Clerk/Treasurer Kraft will review the debt summary schedule and return to the board next week with information.

**REVIEW FEE SCHEDULE DRAFT A**

The board reviewed and recommended changes to the current fee schedule. The schedule will be updated and will be reviewed again at the next meeting.

**CHAPTER 13 DOG LAW**

The board has requested a change in Chapter 13, Dog Law in section 13-5, remove the fee and replace with “refer to the fee schedule”. This will be changed and reviewed at the next meeting.

**APPROVE MINUTES**

Motion by Trustee Schiener and seconded by Trustee McGarvey the minutes from the work session and regular meeting held on November 15, 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		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	
<b>VOTE TOTAL:</b>									
	4	Yes	0	No	0	Abstain	1	Absent	
<b>RESULTS</b>									
	X	<b>PASS</b>					<b>FAIL</b>		

**MAIN STREET GRANT**

Superintendent of Public Works Kilburn handed out updates on the Main Street Grant. Progress continues to be made.

**TREE STUMP REMOVAL**

Superintendent of Public Works Kilburn will set up a meeting between the VOA and Pioneer Central School to discuss the sharing of costs for the stumps removal project.

**WYOMING COUNTY OFFICE FOR THE AGING AGREEMENT**

Motion by Trustee McGarvey and seconded by Trustee Rule, the Mayor of the VOA be hereby authorized to execute the Agreement entered into by the County of Wyoming, acting by and through its' Office for the Aging and the VOA to use the Village park cabin for a nutrition site from January 1, 2012 to December 31, 2012. The facility will provide storage for paper products and supplies, snow removal, four hours availability 10:30am – 2:30pm on Tuesdays and Thursdays, VOA will supply all utilities, and wall space for a bulletin board. Conditions on behalf of Wyoming County are to clean tables, chairs, etc., keep work areas clean, supply own equipment for nutrition service, bag trash appropriately. The telephone at the park cabin will be maintained and paid for by the Office for the Aging as long as the site is utilized for meals. A certificate of liability insurance has been submitted to the Clerk/Treasurer.

The motion was passed upon the following vote:

<b>VOTE</b>								
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
<b>VOTE TOTAL:</b>	4	Yes	0	No	0	Abstain	1	Absent
<b>RESULTS</b>	<b>X</b>	<b>PASS</b>				<b>FAIL</b>		

**REQUEST TO WAIVE RENTAL FEES BY PIONEER CREDIT RECOVERY**

Motion by Mayor May and seconded by Trustee McGarvey to waive the rental fees for the use of the fire hall by Pioneer Credit Recovery so they may host a Santa Workshop on December 17, 2011 from 10:00am to 6:00pm.

The motion was passed upon the following vote:

<b>VOTE</b>								
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
<b>VOTE TOTAL:</b>	4	Yes	0	No	0	Abstain	1	Absent
<b>RESULTS</b>	<b>X</b>	<b>PASS</b>				<b>FAIL</b>		

**PERMISSION TO DESTROY RECORDS**

Motion by Trustee Schiener and seconded by Mayor May to allow Clerk Treasurer Kraft to destroy the following records in accordance with the New York State Archives Records Retention and Disposition Schedule MU-1:

- Electric Receipts 8/15/05-11/20/05
- Water/Sewer Receipts 1/1/05-9/30/05

The motion was passed upon the following vote:

<b>VOTE</b>									
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	
<b>VOTE TOTAL:</b>									
	4	Yes	0	No	0	Abstain	1	Absent	
<b>RESULTS</b>									
	X	<b>PASS</b>					<b>FAIL</b>		

**REQUEST BY WYOMING COUNTY YOUTH BOARD TO WAIVE STATE AID**

Due to funding cuts the Wyoming County Youth Board has requested the VOA waive the state aid monies that would be received in 2012 from their organization in the approximate amount of \$549.00. The board would like more information regarding the services the Wyoming County Youth Board provides and will discuss this at the next meeting.

**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		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	
<b>VOTE TOTAL:</b>									
	4	Yes	0	No	0	Abstain	1	Absent	
<b>RESULTS</b>									
	X	<b>PASS</b>					<b>FAIL</b>		

**FLOOD PLAIN**

Superintendent of Public Works Kilburn reported RMS Technologies will be glad to attend a board meeting and discuss specifically what might be involved and what the possible consequences may be should the village pursue a change in the flood plain map.

**MANHOLE COVERS**

The board shared their frustration in the disintegration of the concrete around the manhole covers along Main Street. Superintendent of Public Works Kilburn has sent letters to the DOT regarding this situation. He will ask DOT to assist the VOA in traffic control during the repairing of the manhole covers along Main Street.

**EXECUTIVE SESSION**

Motion by Trustee McGarvey and seconded by Trustee Rule, for the Board to enter into executive session to discuss the following topic(s) at 8:40 pm:

- Collective bargaining negotiations
- Particular employee's employment history

The motion was passed upon the following vote:

<b>VOTE</b>									
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	
<b>VOTE TOTAL:</b>									
		Yes	0	No	0	Abstain	1	Absent	
<b>RESULTS</b>									
	X	<b>PASS</b>					<b>FAIL</b>		

Motion by Trustee McGarvey and seconded by Trustee Rule, the Board exit executive session at 9:56 pm.

The motion was passed upon the following vote:

<b>VOTE</b>								
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
<b>VOTE TOTAL:</b>								
	4	Yes	0	No	0	Abstain	1	Absent
<b>RESULTS</b>								
	X	<b>PASS</b>					<b>FAIL</b>	

### **ADJOURN**

There being no further business to come before the Board the meeting duly adjourned at 9:56 pm upon motion by Trustee McGarvey and seconded by Trustee Rule.

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Clerk/Treasurer

VENDOR	AMOUNT	VENDOR	AMOUNT
AFLAC NEW YORK	\$ 1,863.22	MAPLE GROVE CORP	\$ 45.00
ALLIED BOLT PRODUCTS	\$ 68.95	MARTIN BROS CHEVROLET INC	\$ 181.58
ALTEC INDUSTRIES INC	\$ 1,037.33	MAYNARDS ELECTRIC SUPPLY INC	\$ 125.95
ARC SALES AND SERVICES INC	\$ 153.80	MCELHENY, MICHAEL	\$ 39.00
ARCADE SENIOR CITIZENS	\$ 480.00	MOORE MEDICAL, LLC	\$ 23.79
AT&T	\$ 11.66	MOORE, GILLIAN	\$ 30.53
AURORA ANSWERING SERVICE	\$ 85.00	MUNICIPAL SOLUTIONS, INC	\$ 6,170.18
AUTO PRO TIRE AND BRAKE	\$ 872.98	NATIONAL FUEL GAS DISTRIB	\$ 18.93
BANK OF NEW YORK	\$ 2,734.56	NATIONAL GRID 100100917	\$ 79,284.28
BANK OF NEW YORK	\$ 2,705.12	NEW HORIZON COMMUNICATIONS COR	\$ 698.64
BEACON EQUIPMENT LEASING	\$ 249.00	NGT CORPORATION	\$ 1,010.00
BENCHMARK ANALYTICS, INC	\$ 77.90	NORTH EAST SCIENTIFIC	\$ 481.67
BENEFLEX INC	\$ 180.00	NY POWER AUTHORITY	\$ 132,348.98
BERTRAND CHAFFEE HOSPITAL	\$ 82.35	NY POWER AUTHORITY	\$ 3,765.39
BRASS' SHURFINE	\$ 16.55	NYS & LOCAL RETIRE SYSTEM	\$ 3,072.12
C & G ELECTRICAL SUPPLY	\$ 2,355.81	NYS INCOME TAX	\$ 4,446.53
CAPITAL FENCE COMPANY, INC	\$ 15,167.00	NYS INCOME TAX	\$ 4,029.17
CATT CO DSS	\$ 31.16	NYS SALES TAX	\$ 10,076.91
CHURCHVILLE FIRE EQUIP	\$ 792.30	O'BRIEN, JONATHAN DBA ACTIVE I	\$ 47.50
CID DIVISION OF WASTE MANAGEMEN	\$ 9,980.70	OUR FOOD MART INC.	\$ 1,371.25
CID-DIV WASTE MANAGEMENT	\$ 1,153.56	PUBLIC SAFETY CENTER INC.	\$ 106.96
CINTAS CORPORATION #782	\$ 424.11	RICHARD-CIN SIGNS & SUPPLIES I	\$ 1,252.60
CLARK PATTERSON LEE	\$ 6,101.62	ROYAL FLUSH OF WNY LLC	\$ 125.00
CSEA	\$ 735.28	SELPHS FIRE SERVICE	\$ 30.00
CSEA	\$ 735.28	SOUTER & SONS PRINTING CO	\$ 1,985.00
CSEA BENEFIT UNIT	\$ 1,119.16	SOUTHWORTH-MILTON INC.	\$ 2,814.00
CSEA POLICE UNIT	\$ 143.96	SPARTAN WAREHOUSE CORP	\$ 25.31
CSEA POLICE UNIT	\$ 143.96	STUART C IRBY CO	\$ 1,783.62
D & H EXCAVATING INC	\$ 1,885.00	TIME WARNER CABLE	\$ 44.95
DEPOSITORY TRUST AND CLEARING	\$ 2,806.25	TOMPKINS INSURANCE AGENCIES IN	\$ 25,789.00
DIEBOLD, INC	\$ 78.00	TRACTOR SUPPLY CO	\$ 583.48
EATON OFFICE SUPPLY CO INC	\$ 485.69	TRI-COUNTY TOOL RENTAL & SALES	\$ 1,483.00
EVENFLO COMPANY, INC	\$ 1,783.99	TYLER TECHNOLOGIES INC	\$ 273.00
FIRST REHABILITATION LIFE	\$ 35.00	UNITED UNIFORM CO INC	\$ 96.90
FISHER SCIENTIFIC COMPANY	\$ 213.66	UNIVAR USA INC.	\$ 1,280.80
FORMS IN A WINK	\$ 78.71	UPS	\$ 27.76
GRAINGER, INC.	\$ 511.56	USDA - RURAL DEVELOPMENT	\$ 5,530.00
HALEY CONCRETE INC	\$ 303.00	USDA - RURAL DEVELOPMENT	\$ 3,000.00
HARP SERVICES, INC	\$ 1,118.85	VELLANO BROTHERS, INC	\$ 1,047.30
HERITAGE CRYSTAL CLEAN, LLC	\$ 201.56	VERIZON	\$ 144.54
INDEPENDENT HEALTH PREMIUMS	\$ 27,111.53	VERIZON COMMUNICATIONS	\$ 35.51
INDUSTRIAL APPRAISAL CO.	\$ 915.00	VERIZON WIRELESS	\$ 1,526.61
IRS - FEDERAL PAYROLL TAX PAYME	\$ 21,851.52	VILLAGE OF ARCADE	\$ 90.00
IRS - FEDERAL PAYROLL TAX PAYME	\$ 20,132.81	VILLAGE OF ARCADE	\$ 90.00
JAMESTOWN SOAP & SOLVENT	\$ 103.85	WINTER'S RIGGING INC	\$ 6,000.00
KARPINSKI, MICHELLE	\$ 352.00	WYOMING CO DSS	\$ 1,580.89
KRAFT, JENNIFER	\$ 170.00	WYOMING COUNTY CLERK	\$ 50.00
LARRY ROMANCE & SON INC.	\$ 212.67	ZOLL MEDICAL CORPORATION	\$ 211.20
LAWSON PRODUCTS, INC.	\$ 377.94		
LINEMENS SUPPLY INC	\$ 8,112.86		
<b>TOTAL COLUMN 1</b>	<b>\$ 138,343.77</b>	<b>TOTAL COLUMN 2</b>	<b>\$ 304,274.83</b>
		<b>OVERALL TOTAL</b>	<b>\$ 442,618.60</b>