

The work session and regular meeting of the Village of Arcade (VOA) Board of Trustees, Wyoming County, New York was held on Tuesday, February 7, 2012 at 6:00 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, Police Chief John Laird, Deputy Clerk/Treasurer Michelle Karpinski.

**BUDGET WORK SESSION**

Mayor May called the budget works session to order at 6:01pm. The purpose of this works session was to discuss the 2012-13 budget for the following fund:

Water and Sewer  
Electric

**EXECUTIVE SESSION**

Motion by Trustee McGarvey and seconded by Mayor May, the Board enter into executive session to discuss the following topic(s) at 6:05 pm:

- Employment history of a particular employee

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 Schiener and seconded by Trustee Rule, the Board exit executive session at 6:55 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>		

**REGULAR MEETING**

The Mayor called the regular meeting to order at 7:00 pm

**ABSENT**

Trustee Donna Schiener

**ALSO PRESENT**

Carole Jones, Jeff Mason, Pat and Gail Palmerton

**APPROVE MINUTES**

Motion by Trustee Rule and seconded by Trustee McGarvey, the minutes from the regular meeting held on January 17, 2012 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	X	Yes		No		Abstain		Absent	
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent	
Trustee Ken Rule	X	Yes		No		Abstain		Absent	
Trustee Donna Schiener		Yes		No		Abstain	X	Absent	
<b>VOTE TOTAL:</b>									
	4	Yes	0	No	0	Abstain	1	Absent	
<b>RESULTS</b>									
	X	<b>PASS</b>					<b>FAIL</b>		

**APPROVE MINUTES**

Motion by Trustee Rule and seconded Trustee McGarvey by, the minutes from the work session held on January 24, 2012 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	X	Yes		No		Abstain		Absent	
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent	
Trustee Ken Rule	X	Yes		No		Abstain		Absent	
Trustee Donna Schiener		Yes		No		Abstain	X	Absent	
<b>VOTE TOTAL:</b>									
	4	Yes	0	No	0	Abstain	1	Absent	
<b>RESULTS</b>									
	X	<b>PASS</b>					<b>FAIL</b>		

**APPROVE MINUTES**

Motion by Trustee McGarvey and seconded by Trustee Davis, the minutes from the work session held on January 31, 2012 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	X	Yes		No		Abstain		Absent	
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent	
Trustee Ken Rule	X	Yes		No		Abstain		Absent	
Trustee Donna Schiener		Yes		No		Abstain	X	Absent	
<b>VOTE TOTAL:</b>									
	4	Yes	0	No	0	Abstain	1	Absent	
<b>RESULTS</b>									
	X	<b>PASS</b>					<b>FAIL</b>		

**FIELD TRAINING COURSE**

Motion by Trustee McGarvey and seconded by Trustee Rule to authorize Chief Laird to send Officer Dustin Brown to a Field Training Course offered at Niagara University at no cost to the VOA. The VOA will cover meals and Officer Brown will take a squad car back and forth to the training. His shifts should be covered by other officers.

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

**UPDATE MAIN STREET GRANT**

Superintendent of Public Works Kilburn gave an update on the Main Street Grant: five projects are finished or under construction, five projects are under design and there are four projects that meetings with owners will be taking place to develop the scope of work.

**AUTHORIZE MAYOR TO SIGN UNDERTAKING PERM 1 WITH NYS DOT**

Motion by Trustee Rule and seconded by Trustee McGarvey the following resolution was approved.

WHEREAS, the Village of Arcade, (hereinafter referred to as Permittee) from time to time receives permits from the New York State Department of Transportation, NYSDOT, and otherwise conducts activities and operations upon highways and/or within right of way controlled by the State of New York for such purposes as the obstruction, installation, construction, maintenance and/or operation of facilities; and

WHEREAS, Permittee’s access and operation upon state right of way is conditioned compliance with Highway Law Sections 52, 103, 203 and/or 234, including the conditions that Permittee assume all responsibility for (a) the temporary control of all modes of traffic (including motorized and non-motorized travel) affected by Permittee’s operations, (b) complete restoration of state facilities to their condition prior to permitted use or activity and (c) all claims, damages, losses and expenses,

NOW, THEREFORE, in relation to all operations and/or actions undertaken within state right of way, Permittee hereby agrees to the following terms and conditions as described in detail in the original document, such as,

- 1) Permit Applications
- 2) Applicable Rules, Regulations & Conditions
- 3) Site Restoration
- 4) Payment and Release of Liens
- 5) Indemnity

FURTHERMORE, Permittee hereby warrants that the obligations of this Undertaking are backed by the full faith and credit of Permittee. Permittee may insure or bond any of the obligations set forth herein, or may rely upon self-insurance, budgeted funds or funds for general operations.

THEREFORE BE IT RESOLVED, the Undertaking shall be applicable to all permitted activities and operations undertaken after the date of execution and work initiated while this Undertaking is in effect. This Undertaking may be revoked upon thirty (30) days notice but will continue to apply to all permitted activities/operations that were permitted by virtue of this Undertaking. Unless terminated for the purpose of future activities/operations, this Undertaking shall have a term of twenty (20) years and shall be kept on file to facilitate the issuance of future permits to which it will apply.

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		Yes		No		Abstain	X	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>	

**M&T BANK**

Clerk Treasurer Kraft reported to the VOA board a banking proposal from M&T bank that she and Deputy Clerk Treasurer Karpinski have been working on for the last few months. The proposal would involve moving the VOA deposits to M&T from the Bank of Castile along with utilizing several services that are offered by M&T. Aside from moving the deposits, the initial service would be entering into a lockbox agreement with M&T for processing of VOA tax payments. M&T was listed as a VOA depository at the annual meeting.

Motion by Trustee Rule and seconded by Trustee McGarvey to authorize Clerk Treasurer Kraft to proceed with the lockbox process through M&T Bank for the collection of taxes.

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

**AUDIT BILLS**

Motion by Trustee McGarvey and seconded by Trustee Rule, 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		Yes		No		Abstain	X	Absent
<b>VOTE TOTAL:</b>								
	4	Yes	0	No	0	Abstain	1	Absent
<b>RESULTS</b>								
	X	<b>PASS</b>				<b>FAIL</b>		

**ARCADE CLEAN UP OUR COMMUNITY DAY**

The Beautification Committee has set the date for the Arcade Clean Up Our Community Day as May 19, 2012.

**PROPERTY ON STEELE AVEENUE**

Trustee Rule request Superintendent of Public Works Kilburn investigate the use of the VOA property on Steele Avenue for the building of a pole barn for equipment storage for the electric department as well as a possible impound lot for the police department.

**BUDGET REPORTS**

The Mayor has requested Clerk Treasurer Kraft provide budget to actual reports at the second VOA board meeting of each quarter.

**EXECUTIVE SESSION**

Motion by Trustee McGarvey and seconded by Trustee Rule, the Board enter into executive session to discuss the following topic(s) at 7:37 pm:

- Employment history of a particular employee

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		Yes		No		Abstain	X	Absent
<b>VOTE TOTAL:</b>								
	4	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 8:15 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		Yes		No		Abstain	X	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 8:15 pm upon motion by Trustee Rule and seconded by Mayor May.

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Clerk/Treasurer

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VENDOR	AMOUNT	VENDOR	AMOUNT
21ST CENTURY ELECTRONICS	\$ 59.95	LARRY ROMANCE & SON INC.	\$ 28.82
ABBOTT WELDING SUPPLY CO INC	\$ 226.05	MAPLE GROVE CORP	\$ 45.00
ABRAM BROS CONCRETE	\$ 28,000.00	MARCOS PIZZA & SUBS	\$ 61.35
AFLAC NEW YORK	\$ 1,863.22	MARTIN BROS CHEVROLET INC	\$ 192.45
ALTEC INDUSTRIES INC	\$ 1,023.00	MATTHEW BENDER & CO INC.	\$ 116.38
ARCADE HISTORICAL SOCIETY	\$ 1,500.00	MAYNARDS ELECTRIC SUPPLY INC	\$ 175.40
ARCADE LUMBER & MILLWORK	\$ 815.12	MCDONNELL, ANN	\$ 4,000.00
ARCADE POSTMASTER	\$ 1,631.11	MESSINGER'S SALES AND SERVICE	\$ 189.01
ARCADE POSTMASTER	\$ 309.60	METRO GROUP INC	\$ 63.66
AT&T	\$ 10.85	MEUA - MUNICIPAL ELECTRIC UTIL	\$ 14,240.00
AUTO PRO TIRE	\$ 2,201.00	NACOP	\$ 60.00
AUTOZONE	\$ 30.98	NATIONAL GRID	\$ 119,884.94
BANK OF NEW YORK	\$ 2,773.41	NEW YORK CENTRAL MUTUAL FIRE I	\$ 282.00
BENCHMARK ANALYTICS, INC	\$ 77.90	NGT CORPORATION	\$ 1,301.60
BENEFLEX INC	\$ 180.00	NY POWER AUTHORITY	\$ 30.72
BERTRAND CHAFFEE HOSPITAL	\$ 8.92	NY POWER AUTHORITY	\$ 150,934.63
BLACKBURN MANUFACTURING	\$ 56.45	NYS & LOCAL RETIRE SYSTEM	\$ 2,989.31
BRASS' SHURFINE	\$ 17.67	NYS INCOME TAX	\$ 4,287.60
BROWN WOOD PRESERVING CO, INC.	\$ 9,860.00	NYS SALES TAX	\$ 13,445.41
C & G ELECTRICAL SUPPLY	\$ 472.25	NYSAMCC INC	\$ 35.00
CATTARAUGUS CO HEALTH	\$ 180.00	O'BRIEN, JONATHAN DBA ACTIVE I	\$ 3,547.15
CID DIVISION OF WASTE MANAGEMEN	\$ 9,980.70	OFFICE OF STATE COMPTROLLER	\$ 2,019.50
CINTAS CORPORATION #782	\$ 424.11	PENNSYLVANIA TRANSFORMER	\$ 594,109.50
CSEA	\$ 745.55	PIKE HARDWARE	\$ 431.49
CSEA BENEFIT UNIT	\$ 1,119.30	PIONEER FORD INC.	\$ 149.21
CSEA POLICE UNIT	\$ 151.85	R.C. FIRE EQUIPMENT INC.	\$ 1,351.51
DANNY HEINEMAN & SONS INC	\$ 336.70	RMS TECHNOLOGIES, LLC	\$ 5,950.00
DFT COMMUNICATIONS CORP	\$ 31.35	ROYAL FLUSH OF WNY LLC	\$ 125.00
DIVAL SAFETY & SUPPLIES FOR LI	\$ 928.25	SAIA COMMUNICATIONS INC	\$ 2,662.55
EATON OFFICE SUPPLY CO INC	\$ 340.09	SOUTER & SONS PRINTING CO	\$ 275.00
FASTENAL COMPANY	\$ 1,001.07	STUART C IRBY CO	\$ 278.15
FORBES, EDITH E	\$ 105.00	TIFCO INDUSTRIES	\$ 118.41
FRED ROBERTS AUTO PTS INC	\$ 16.60	TIME WARNER CABLE	\$ 44.95
G.V.C. CHEMICAL CORP	\$ 1,558.44	TOWN OF SARDINIA	\$ 1,310.17
GRAINGER, INC.	\$ 432.72	TRACTOR SUPPLY CO	\$ 91.97
HANES SUPPLY INC	\$ 116.00	TRI-COUNTY SUPPLY INC	\$ 49.86
HERITAGE CRYSTAL CLEAN, LLC	\$ 189.50	TYLER TECHNOLOGIES INC	\$ 15,714.24
HODGSON RUSS LLP	\$ 222.30	UNIVAR USA INC.	\$ 1,031.30
HSBC BANK USA	\$ 1,057.18	UTZ TIRE SERVICE OF ARCADE, IN	\$ 109.00
INDEPENDENT HEALTH PREMIUMS	\$ 26,852.92	VERIZON	\$ 332.64
IRS - FEDERAL PAYROLL TAX PAYME	\$ 21,550.12	VERIZON COMMUNICATIONS	\$ 34.99
JOHN SIXT & SON, INC.	\$ 302.01	VERIZON WIRELESS	\$ 638.29
KRAFT, JENNIFER	\$ 53.84	VILLAGE OF ARCADE	\$ 90.00
L-1 ENROLLMENT SERVICES DIVISI	\$ 85.75	WESCO DISTRIBUTION INC.	\$ 411.60
<b>TOTAL COLUMN 1</b>	<b>\$ 118,898.83</b>	ZEE MEDICAL SERVICE CO. #126	\$ 93.00
		<b>TOTAL COLUMN 2</b>	<b>\$ 943,332.76</b>
		<b>OVERALL TOTAL</b>	<b>\$ 1,062,231.59</b>