

The regular meeting of the Village of Arcade (VOA) Board of Trustees, Wyoming County, New York was held on Tuesday, July 17, 2012 at 7:00 pm there were:

PRESENT

Mayor Jay May, Trustee Ken Rule, Trustee Jim McGarvey, Trustee Donna Schiener Trustee Andrew Koerner, Superintendent of Public Works Larry Kilburn, Clerk/Treasurer Jennifer Kraft, Police Chief Anthony Biscaro, Deputy Clerk/Treasurer Michelle Karpinski.

ALSO PRESENT

Carole Jones, Gail and Pat Palmerton, Sandie Dutton, Art Gilbert, Tom Beiersdorf, Chris Lexer.

PLEDGE OF ALLEGIANCE

Mayor May opened the meeting with the Pledge of Allegiance.

PROCLAMATION

Mayor May proclaimed July 21, 2012 Arthur Gilbert day in honor of fifty (50) years of service with the Arcade Volunteer Fire Department. Motion by Trustee Koerner and seconded by Trustee McGarvey the proclamation be approved as presented.

PROCLAMATION

WHEREAS, Mayor Jay R. May and the Arcade Village Board of Trustees wish to announce July 21, 2012 be declared Art Gilbert Day in the Village of Arcade.

WHEREAS, volunteer Art Gilbert, a 50 year member of the Arcade Volunteer Fire Department, started his career in September 1961. He has taken Fire Police courses and is an active Fire Policeman helping out not only the Fire Department but the Arcade Police Department as well. Art remains an active member of the fire department and attends regular meetings and functions.

THEREFORE, in recognition of Art's 50 years of service to the residents of the Village of Arcade and the surrounding areas, we congratulate Art on his dedication and commitment and wish him continued involvement in the fire department. Thank you, Art!

The motion was passed upon the following vote:

VOTE									
Mayor Jay May	X	Yes		No		Abstain		Absent	
Trustee Andy Koerner	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		

ZONING

Chris Lexer discussed his progress with the review of various signs around the village as far as being in compliance with the zoning laws. There was a brief discussion regarding property maintenance and how the Village plans on creating a local law to cover it, this way the police will enforce the law and not the zoning officer.

APPROVE MINUTES

Motion by Trustee McGarvey and seconded by Trustee Schiener, the minutes from the regular meeting held on July 3, 2012 be approved as presented by Clerk/Treasurer Kraft.

The motion was passed upon the following vote:

VOTE								
Mayor Jay May	X	Yes		No		Abstain		Absent
Trustee Andy Koerner	X	Yes		No		Abstain		Absent
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent
Trustee Ken Rule		Yes		No	X	Abstain		Absent
Trustee Donna Schiener	X	Yes		No		Abstain		Absent
VOTE TOTAL:								
	4	Yes	0	No	1	Abstain	0	Absent
RESULTS								
	X	PASS				FAIL		

REVIEW PEDDLERS AND SOLICITORS LAW

The board discussed options for change to the Peddlers and Solicitors law. The focus will be on transient retail merchants and permit and fee changes. Trustee Schiener will present a draft proposal at the meeting on August 7, 2012.

RESIGNATION PART TIME POLICE OFFICER

Motion by Trustee Koerner and seconded by Trustee Rule to accept the resignation of part time police officer, Kurt Kilburn, effective July 22, 2012.

The motion was passed upon the following vote:

VOTE								
Mayor Jay May	X	Yes		No		Abstain		Absent
Trustee Andy Koerner	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		

HIRE PART TIME POLICE OFFICER

Motion by Trustee Schiener and seconded by Mayor May to authorize Chief Biscaro to hire Holden Heineman to fill the vacant part time police officer position, effective July 18, 2012 at the rate in accordance with the CSEA contract.

The motion was passed upon the following vote:

VOTE								
Mayor Jay May	X	Yes		No		Abstain		Absent
Trustee Andy Koerner	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		

MAIN STREET GRANT UPDATE

Superintendent of Public Works Kilburn updated the VOA board on the progress of the Main Street Grant. The current grant has four more that will be under construction soon and two more, from the lottery list, are being bid. The VOA has applied for a second Main Street Grant, with the intent to include those on Main Street that were not included in the first grant as well as property on Liberty Street. The Grant was submitted July 16, 2012 and it is for \$250,000.00.

PESH INSPECTION UPDATE

Superintendent of Public Works Kilburn updated the VOA board on the progress made regarding the infractions found during the PESH audit. Superintendent of Public Works Kilburn and Clerk Treasurer Kraft are currently working on the Work Place Violence Prevention Program and are awaiting approval from PESH.

FIREMEN'S CONVENTION WASTE

Mark Smith of NuWay contacted Superintendent of Public Works Kilburn and offered to bring more dumpsters to the fire hall for the Firemen's Convention he also stated NuWay would be available should the dumpsters need to be emptied. Waste Management also offered to bring dumpsters to the fire hall as well.

WATER TASTING CONTEST

VOA won the water tasting contest for all of WNY. We now can submit samples for the State contest at the State Fair in Albany.

ZONING CHAPTER 63J RESOLUTION

The following resolution was offered by Mayor May and seconded by Trustee Rule:

RESOLUTION

WHEREAS, the Village Board of the Village of Arcade is in the process of amending the Zoning Law for the NC, Neighborhood Commercial, District in the Village of Arcade, and

WHEREAS, the amended map will change six (6) parcels on the South side of Main Street and the West side of Prospect from NC to R3B, Residence Restricted Business District, and

WHEREAS, the draft proposal of proposed Local Law 4-2012 adding Chapter 63J to the Zoning Laws of the Village of Arcade amending the Zoning Map has been delivered to each Board member at their regular meeting held July 17, 2012,

NOW, THEREFORE, It is hereby:

1. Resolved that lands on the South side of Main street currently owned by Gary Boorman (TIN 183.13-2-15), WS Davis (TIN 183.13-2-16, 183.13-2-17, 183-13-2-14.2) Gayle Sprague (TIN 183.13-2-18), 328 Arcade LLC (TIN 183.13-2-19.12) be rezoned from NC to R3B.
2. That the Town and Village of Arcade recommended the rezoning at a meeting dated June 13, 2012 and that a draft of the proposed Local Law adding Chapter 63J – NC to R3B, annexed to this Resolution, be forwarded to the Planning Board pursuant to Section 1402 of the Zoning Local Law, for final review by the Planning Board, and
3. That a copy of the Resolution and a copy of the proposed Local Law be forwarded to the Wyoming County Planning Board for its review pursuant to Section 239-m of the General Municipal Law, and
4. That the Village Clerk be directed to publish a Notice of Public Hearing to be held by this Board on the 7th day August, 2012 considering said Local Law to amend the Zoning Map of the Village of Arcade, and
5. That said Clerk publish a notice of said hearing at least ten (10) days in advance of such hearing in the official newspaper of the Village (Section 1403)
6. That the Village Clerk give notice of proposed zoning map change to the Clerk of the Town of Arcade at least ten (10) prior to the date of such hearing (section 1403 (a) (1)).

The motion was passed upon the following vote:

VOTE								
Mayor Jay May	X	Yes		No		Abstain		Absent
Trustee Andy Koerner	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		

FY 2012-13 BUDGET AMENDMENT

Motion by Trustee McGarvey and seconded by Trustee Schiener, the FY 2012-13 budget be amended as follows because funds have been received from the Thursday night card club for the use of the Village park cabin.

INCREASE REVENUE	INCREASE EXPENDITURE
001-4-2705-0100	001-5-7140-400-4690
Gifts/Donations	Materials, Supplies, Maintenance
In the amount of \$50.00	

The motion was passed upon the following vote:

VOTE								
Mayor Jay May	X	Yes		No		Abstain		Absent
Trustee Andy Koerner	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	

AFD LADIES AUXILIARY

The AFD Ladies Auxiliary has requested authorization to include a flyer in the August utility bills regarding the birthday calendars that are sold by them as a fund raiser. The board approved.

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 Andy Koerner	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	

FIRE DEPARTMENT UPDATE

Fire Chief Tom Beiersdorf requested an updated balance in the equipment replacement reserve. The fire department would like to begin the process to develop a committee to research the purchase of the pumper/tanker trucks. The pumper could cost \$200,000 - \$300,000 and will replace the 2000 truck. The monies in the equipment replacement reserve would be used towards the purchase of the pumper. The tanker purchase will replace the current tanker which is a 1989 tanker. The new tanker will be purchased with the proceeds of a sizeable donation that was received from an estate as well as other donations. The new ambulance should arrive later this month and as always will be turned over to the Village of Arcade. The ambulance cost \$135,000 and was paid for by the fire department through their fund raising efforts. The fire department has received a FEMA grant in the amount of \$74,000 to purchase a new air system.

PROSPECT STREET SIDEWALK

Superintendent of Public Works Kilburn discussed sidewalks on Prospect, there is an area of sidewalk he would like to remove and replace with lawn. There is only one home on that side and perhaps the money could be spent on streets where there are no sidewalks. Superintendent of Public Works Kilburn will give a list to the board of other places sidewalks could go.

EXECUTIVE SESSION

Motion by Trustee McGarvey and seconded by Trustee Schiener, the Board enter into executive session to discuss the following topic(s) at 8:45 pm:

- The employment history of a particular employee

The motion was passed upon the following vote:

VOTE									
Mayor Jay May	X	Yes		No		Abstain		Absent	
Trustee Andy Koerner	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 Mayor May, the Board exit executive session at 9:00 pm.

The motion was passed upon the following vote:

VOTE									
Mayor Jay May	X	Yes		No		Abstain		Absent	
Trustee Andy Koerner	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		

SPECIAL EXECUTIVE SESSION MEETING

Motion by Trustee Schiener and seconded by Trustee McGarvey to hold a special meeting for executive session only to discuss the employment history of a particular employee on Wednesday July 25, 2012 at 5:00 pm.

The motion was passed upon the following vote:

VOTE									
Mayor Jay May	X	Yes		No		Abstain		Absent	
Trustee Andy Koerner	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 9:15 pm upon motion by Trustee McGarvey and seconded by Trustee Rule.

Clerk/Treasurer

VENDOR	AMOUNT	VENDOR	AMOUNT
A.A.A. ABBOTT ANSWERING BUREAU	\$ 85.00	KOESTER ASSOC INC	\$ 308.02
A.J.VEL, LTD	\$ 113.95	LAMB & WEBSTER	\$ 81.00
ABBOTT WELDING SUPPLY CO INC	\$ 183.59	LEXISNEXIS RISK DATA MGMT INC	\$ 50.00
APPLIED SPECIALTIES INC.	\$ 1,760.00	MANUFACTURERS & TRADERS TRUST	\$ 312.00
ARCADE LUMBER & MILLWORK	\$ 283.03	MARTIN BROS CHEVROLET INC	\$ 164.85
ARCADE POSTMASTER	\$ 1,635.57	MATTHEW BENDER & CO INC.	\$ 39.89
ARCADE POSTMASTER	\$ 257.40	MEUA - MUNICIPAL ELECTRIC UTIL	\$ 110.00
BANK OF NEW YORK	\$ 60,000.00	MILTON CAT	\$ 2,785.28
BANK OF NEW YORK	\$ 2,252.55	NATIONAL FUEL GAS DISTRIB	\$ 1.67
BENCHMARK ANALYTICS, INC	\$ 619.10	NEW HORIZON COMMUNICATIONS COR	\$ 696.53
BERTRAND CHAFFEE HOSPITAL	\$ 49.71	NORFOLK SOUTHERN CORP.	\$ 220.64
BLUE MOON PORTABLE TOILET	\$ 75.00	NYMPA	\$ 36,991.00
BRASS' SHURFINE	\$ 63.64	NYS INCOME TAX	\$ 3,721.93
C & G ELECTRICAL SUPPLY	\$ 879.15	NYS INCOME TAX	\$ 815.69
C3-ILEX, LLC	\$ 798.48	NYS PARKS & RECREATION	\$ 154.00
CATTARAUGUS CO HEALTH	\$ 210.00	NYS SOC MUNI FINANCE OFF - NYS	\$ 35.00
CATTARAUGUS COUNTY CLERK	\$ 120.00	O'BRIEN, JONATHAN DBA ACTIVE I	\$ 1,693.75
CINTAS CORPORATION #782	\$ 888.61	OFFICE OF STATE COMPTROLLER	\$ 5,523.25
CONROY MOTOR CORPORATION	\$ 169.90	OSEA INC	\$ 50.00
COUNTY LINE STONE CO INC.	\$ 2,696.42	POSITIVE PROMOTIONS INC	\$ 350.78
CRABB OIL & PROPANE INC.	\$ 7,339.54	RIVERSIDE MANUFACTURING CO	\$ 312.96
CSEA	\$ 770.74	S & C ELECTRIC CO.	\$ 4,700.52
CSEA POLICE UNIT	\$ 119.39	SIMAR ENTERPRISES DBA	\$ 171.00
CURR A/C ELECTRIC	\$ 4,911.47	SOUTER & SONS PRINTING CO	\$ 275.00
CURR A/C SEWER	\$ 119.70	STAPLES ADVANTAGE	\$ 430.94
CURR A/C WATER	\$ 1,179.36	STUART C IRBY CO	\$ 250.04
DFT COMMUNICATIONS CORP	\$ 30.79	SUIT-KOTE	\$ 8,201.28
DIVAL SAFETY & SUPPLIES FOR LI	\$ 353.50	TECHNICAL ASSISTANCE AND	\$ 1,034.78
FASTENAL COMPANY	\$ 401.69	TIME WARNER CABLE	\$ 197.94
FIRST REHABILITATION LIFE	\$ 348.25	TRACTOR SUPPLY CO	\$ 1,031.27
FIRST REHABILITATION LIFE	\$ 117.60	TRI-COUNTY STUMP REMOVAL	\$ 200.00
FIVE STAR EQUIPMENT INC	\$ 2,250.00	TRI-COUNTY TOOL RENTAL & SALES	\$ 1,215.00
GAGNON, MARK	\$ 50.00	UNITED UNIFORM CO INC	\$ 747.00
IEEP:IND ENERGY EFF PROG	\$ 10,574.17	VERIZON	\$ 336.90
IRS - FEDERAL PAYROLL TAX PAYME	\$ 19,573.68	VERIZON WIRELESS	\$ 144.93
IRS - FEDERAL PAYROLL TAX PAYME	\$ 3,247.54	VILLAGE OF ARCADE	\$ 90.00
JAMESTOWN SOAP & SOLVENT	\$ 634.75	WESCO DISTRIBUTION INC.	\$ 1,015.50
JOHN SIXT & SON, INC.	\$ 313.40	WOODRUFF CONSTRUCTION	\$ 314.50
KNIGHT, SHIRLEY	\$ 50.00	ZIMMER AUTO PARTS & SALES INC	\$ 245.33
TOTAL COLUMN 1	\$ 125,526.67	TOTAL COLUMN 2	\$ 75,020.17
		OVERALL TOTAL	\$ 200,546.84