

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

PRESENT

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.

ABSENT

Mayor Jay May

ALSO PRESENT

Sandra Dutton, Carole Jones, Chris Lexer, Jeff Mason, Rick Wiedemann

PLEDGE OF ALLEGIANCE

Trustee Rule opened the meeting with the Pledge of Allegiance.

PUBLIC HEARING CHAPTER 64 ZONING LAW AND CHAPTER 63J ZONING MAP

Trustee Rule opened the public hearing at 7:01pm to hear comments from citizens regarding the proposed changes to Chapter 64 Zoning Law and Chapter 63J which includes the rezoning of lands on the South side of Main Street from NC, Neighborhood Commercial District, to R3B, Residence Restricted Business District. Lands owned by Gary Boorman TIN 183.13-2-15, W.S. Davis TINs 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. The properties that will be affected by this change will be grandfathered in for the existing lighting on their signs.

There being no further comments or concerns, Trustee Koerner made a motion, seconded by Trustee Schiener, the Board closed the public hearing regarding the proposed changes to Chapter 64 Zoning Law and Chapter 63J Zoning Map at 7:05 pm.

The motion was passed upon the following vote:

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

ADOPT CHATPER 64 ZONING LAW AND 63J ZONING MAP

Motion by Trustee Schiener and seconded by Trustee McGarvey to adopt Local Law Chapter 64 Zoning and Chapter 63J Zoning Map as presented.

The motion was passed upon the following vote:

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

CHAPTER 40 PEDDLERS AND SOLICITORS LAW

Trustee Schiener distributed a draft version with changes to the Peddlers and Solicitors Law, Chapter 40. The board reviewed the proposed changes. The law will be updated with additional changes and reviewed at the next VOA board meeting scheduled August 21, 2012.

COMMUNITY WELLNESS DAYS

Chief Biscaro informed the board of the date, September 22, 2012, of the Community Wellness Days scheduled by Bertrand Chaffee Hospital. This event is an effort for community outreach by the hospital. The activities will include a 5K run, a family walk, a health clinic set up at the fire hall as well as other events to encourage a healthy lifestyle.

AWARD HONORING CHIEF LAIRD

Chief Biscaro will be attending the Wyoming County Board of Supervisors meeting on August 14, 2012 at which Senator Gallivan will be presenting a certificate honoring former Police Chief Laird.

PESH INSPECTION UPDATE

Superintendent of Public Works Kilburn gave an update on the progress of resolving the citations noted by PESH during a recent inspection. Two issues that are still outstanding are the laser eyes for the garage doors at the highway department and the roll bar on the lawn mower. Superintendent of Public Works Kilburn is working on resolving these. The Work Place Violence Prevention Program has been approved along with the Emergency Evacuation Plan for the Village Office.

MAIN STREET GRANT UPDATE

Superintendent of Public Works Kilburn gave an update on the Main Street Grant. Six are complete, three are under construction, three ready for construction, three are ready to be bid or they are out for bid and two have withdrawn. At the end of September all of the original fourteen projects will be complete. There is still a possibility that the fourth name from the lottery will be able to participate in the grant.

RESOLUTION - DESIGNATE ACCREDITED DELEGATE TO THE MEUA ANNUAL MEETING

The following resolution was offered by Trustee Rule and seconded by Trustee McGarvey.

RESOLUTION

WHEREAS, the Board of Trustees of the Village of Arcade, New York, is a municipal member of the Municipal Electric Utilities Association (MEUA) of New York State, and

WHEREAS, the Annual Conference of the MEUA has been called on August 28-31, 2012 at the Radisson Hotel in Corning, New York, and,

WHEREAS, in accordance with the bylaws of the MEUA, each municipal member may cast one vote on each transaction properly brought before this meeting,

NOW THEREFORE BE IT RESOLVED, that Superintendent of Public Works Larry A. Kilburn be and is hereby designated as the accredited delegate of the Village of Arcade, New York.

The motion was passed upon the following vote:

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

SIDEWALKS ON WEST SIDE OF PROSPECT STREET

Superintendent of Public Works Kilburn discussed the sidewalks on the west side of Prospect Street and whether or not the VOA board wanted to keep the sidewalk all the way down past the Prestolite parking lot. The VOA board chose to replace the sidewalk from the corner at Main Street to the first driveway of the Prestolite parking lot and to remove the old sidewalks that went all the way to the end of the Prestolite parking lot.

2011 NYCOM FALL TRAINING SCHOOL

Motion by Trustee Schiener and seconded by Trustee McGarvey to authorize Clerk Treasurer Kraft to attend the New York Conference of Mayors (NYCOM) Fall Training School in Lake Placid, NY. The training will take place September 10, 2012 through September 14, 2012 and will cost \$240 registration fee, \$285.00 per day hotel costs

(\$1380), and this includes all meals. Clerk/Treasurer Kraft will drive her own vehicle therefore she will be entitled to mileage reimbursement.

The motion was passed upon the following vote:

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

FY 2011-12 BUDGET ADJUSTMENTS

Motion by Trustee McGarvey and seconded by Trustee Koerner, the budget adjustments be approved as presented by the Clerk (attached).

The motion was passed upon the following vote:

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

FEE WAIVER FOR FACILITY USE BY HOSPICE

Motion by Trustee McGarvey and seconded by Trustee Koerner to waive the use of facility fee for the Hospice Organization for the use of the fire hall on December 8, 2012 for the Tree of Life Ceremony.

The motion was passed upon the following vote:

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

AUDIT OF COURT RECORDS

Trustee Schiener and Trustee Rule will be performing the annual audit of the court records.

FIRE DEPARTMENT VEHICLE PURCHASE

The board will not commit on the date of purchase until information is obtained from the next year fire contracts and the final year end information on the village.

SCHEDULE SPECIAL MEETING

Motion by Trustee McGarvey and seconded by Trustee Rule to schedule a special meeting to review the financial status of the VOA with the auditors from BST. The meeting will be scheduled for Friday, August 10, 2012 at 10:00 am.

The motion was passed upon the following vote:

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

AUTHORIZE SUMMER RECREATION NIGHT IN THE PARK

Motion by Trustee Schiener and seconded by Trustee Rule to authorize the summer recreation group to stay at the Arcade Village Park until midnight, Friday August 10, 2012 in celebration of the end of the season.

The motion was passed upon the following vote:

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

AUDIT BILLS

Motion by Trustee Schiener 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:

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

FERAL CATS

There was discussion regarding the ongoing problem of feral cats within the Village proper. Unfortunately the cost of controlling this issue is cost prohibitive at this time.

EXECUTIVE SESSION

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

- Employment history of a particular employee

The motion was passed upon the following vote:

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

Motion by Trustee Rule and seconded by Trustee McGarvey, the Board exit executive session at 8:58 pm.

The motion was passed upon the following vote:

VOTE								
Mayor Jay May		Yes		No		Abstain	X	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:								
	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 8:59:pm upon motion by Trustee McGarvey and seconded by Trustee Schiener.

Clerk/Treasurer

VENDOR	AMOUNT	VENDOR	AMOUNT
3E COMPANY	\$ 1,100.00	LONGO, DANIELL	\$ 10.00
AFLAC NEW YORK	\$ 1,992.52	M&T BANK	\$ 336.60
APGAR, JOHN	\$ 161.59	MARTIN BROS CHEVRO	\$ 227.52
APRIL STORMS	\$ 1,126.23	MILTON CAT	\$ 606.95
ARCADE HERALD	\$ 11.55	MOORE MEDICAL, LLC	\$ 531.89
ARCADE POSTMASTER	\$ 1,634.53	NATIONAL FUEL GAS	\$ 19.68
ASQUITH, ERIN	\$ 37.46	NATIONAL GRID	\$ 50,039.04
BANK OF NEW YORK	\$ 2,252.05	NGT CORPORATION	\$ 1,010.00
BANK OF NEW YORK	\$ 2,226.05	NU WAY SANITATION	\$ 8,750.00
BENEFLEX INC	\$ 185.00	NY POWER AUTHORITY	\$ 118,833.16
BRASS' SHURFINE	\$ 2.78	NY POWER AUTHORITY	\$ 3,796.11
BUFFALO AUDUBON SO	\$ 186.00	NYS & LOCAL RETIRE	\$ 3,768.63
BUFFALO CRUSHED ST	\$ 4,687.86	NYS INCOME TAX	\$ 4,702.39
C & G ELECTRICAL S	\$ 588.30	NYS INCOME TAX	\$ 3,750.14
CATT CO DSS	\$ 420.33	NYS SALES TAX	\$ 9,739.22
CHURCHVILLE FIRE E	\$ 656.00	O'BRIEN, JONATHAN	\$ 1,480.00
CINTAS CORPORATION	\$ 99.46	PARTS ASSOCIATES,	\$ 161.89
CSEA	\$ 743.65	PIKE HARDWARE	\$ 959.95
CSEA	\$ 743.65	PIONEER FORD INC.	\$ 45.93
CSEA BENEFIT UNIT	\$ 1,164.10	ROSA, DEBORAH	\$ 10.42
CSEA POLICE UNIT	\$ 137.39	SAIA COMMUNICATION	\$ 75.00
CSEA POLICE UNIT	\$ 125.39	SAUBER MANUFACTURI	\$ 738.94
D & H EXCAVATING I	\$ 43,213.45	SELPHS FIRE SERVIC	\$ 693.25
DANNY HEINEMAN & S	\$ 13.03	SISSON'S BODY WORK	\$ 230.00
DFT COMMUNICATIONS	\$ 31.17	SOUTER & SONS PRIN	\$ 275.00
DIEBOLD, INC	\$ 92.17	SS DIESEL & AUTO L	\$ 899.12
DIVAL SAFETY & SUP	\$ 541.11	STROPE, KATHLEEN	\$ 481.30
DSB MARKETING INC.	\$ 2,649.65	STRYKERSVILLE HARD	\$ 2,834.02
EATON OFFICE SUPPL	\$ 20.90	STUART C IRBY CO	\$ 4,526.72
FASTENAL COMPANY	\$ 149.54	SUIT-KOTE	\$ 4,639.15
FIRST NIAGARA BANK	\$ 131.00	TIFCO INDUSTRIES	\$ 155.41
FORBES, EDITH E	\$ 70.00	TOMPKINS INSURANCE	\$ 27,836.00
GEMPLERS	\$ 601.80	TRACTOR SUPPLY CO	\$ 177.95
GREAT LAKES CONCRE	\$ 1,669.54	VERIZON	\$ 333.20
HOBIN, TERRANCE D.	\$ 655.00	VERIZON COMMUNICAT	\$ 34.99
HODGSON RUSS LLP	\$ 518.70	VERIZON WIRELESS	\$ 683.70
INDEPENDENT HEALTH	\$ 28,050.67	VILLAGE OF ARCADE	\$ 90.00
IRS - FEDRAL PAYRO	\$ 24,209.58	VILLAGE OF ARCADE	\$ 90.00
IRS - FEDRAL PAYRO	\$ 20,139.90	WARD & KUTZUBA	\$ 15,000.00
KISTNER CONCRETE P	\$ 196.00	WESCO DISTRIBUTION	\$ 1,158.30
L-1 ENROLLMENT SER	\$ 85.75	WW GRAINGER INC.	\$ 1,046.37
LAMB & WEBSTER	\$ 4.68	WYOMING CO DSS	\$ 667.01
LARRY ROMANCE & SO	\$ 4,588.27	WYOMING CO HEALTH	\$ 110.00
LINEAGE	\$ 100.01	ZEE MEDICAL SERVIC	\$ 96.60
TOTAL COLUMN 1	\$ 148,013.81	TOTAL COLUMN 2	\$ 271,651.55
		OVERALL TOTAL	\$ 419,665.36