

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 Trustee Andrew Koerner, Superintendent of Public Works Larry Kilburn, Clerk/Treasurer Jennifer Kraft, Police Chief Anthony Biscaro, Deputy Clerk/Treasurer Michelle Karpinski.

ALSO PRESENT

Zoning Officer Chris Lexer, Carole Jones.

PLEDGE OF ALLEGIANCE

Mayor May opened the meeting with the Pledge of Allegiance.

ZONING

Chris Lexer requested clarification regarding the signs allowed in the new Chapter 40, Peddlers, Solicitors and Itinerant Vendors Law. Recommendations were made, the changes were accepted and the board will receive the final version of the law tomorrow.

APPROVE MINUTES

Motion by Trustee Rule and seconded by Trustee Koerner, the minutes from the regular meeting held on November 20, 2012 be approved as presented by Clerk/Treasurer Kraft.

The motion was passed upon the following vote:

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

PROPOSED RESIDENCY RESTRICTION LAW FOR CONVICTED SEX OFFENDERS

Trustee Koerner presented a draft of a proposed law that would restrict the residency locations of convicted sex offenders that reside in the Village. The proposed law will be reviewed by Robert Kutzuba for comment.

PROCUREMENT POLICY

Motion by Trustee McGarvey and seconded by Trustee Rule to accept the proposed changes to the Procurement Policy.

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		

AUTHORIZE SIX MONTH PAY RAISE

Motion by Trustee Schiener and seconded by Trustee McGarvey to authorize a six month pay raise to Chief Biscaro changing his hourly rate to \$31.0096 per hour for an annual salary of \$64,500 effective November 29, 2012. This is approximately a 3.23% increase.

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	

INCREASE POLICE PATROL AT VOA PARK

Trustee Rule requested an increase in the police patrol at the VOA Park at night. There was an incident recently in which the garbage cans were all overturned and debris was thrown onto the hockey rink.

PESH UPDATE

Superintendent of Public Works Kilburn gave an update to the VOA board regarding the PESH inspection of the fire hall. All items that have been due to date have been completed. Electric and water are just waiting for their release letters. WWTP is waiting for release from the confined space procedure that was submitted. The Jacobson mower will have the roll bars installed tomorrow, PESH will come down and inspect it and then release them.

MAIN STREET GRANT UPDATE

According to Community Action all work is completed and money has been spent. The consensus is the work has been well done and has made a wonderful improvement to Main Street.

SANFORD AVENUE BRIDGE

Superintendent of Public Works Kilburn inspected the Sanford Avenue Bridge today. The ramp is complete, the work appears very well done, but the ramp will not be open until the railings have been installed. The contractors have to complete clean up work around the area. During the winter months the snow will not be piled up against the ramp, the VOA will haul the snow out of the area. The ramp will not be opened this year, during the winter months, because the ramp will not have been sealed and the VOA will not be able to salt it and keep it free of ice. Superintendent of Public Works Kilburn will purchase signs that indicate the ramp is closed.

WYOMING COUNTY LEASE

Motion by Trustee Schiener and seconded by Trustee Rule to authorize Mayor May to sign the lease between the Village of Arcade and Wyoming County District Attorney. There will be no lease payment due, this simply satisfies a requirement dictated by the insurance company and offers protection for the county as well as the VOA.

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	

CONTRACT WITH WYOMING COUNTY OFFICE OF THE AGING

Motion by Trustee Schiener and seconded by Trustee McGarvey to authorize Mayor May to sign the contract between the Village of Arcade and the Wyoming County Office of the Aging for the period of January 1, 2013 through December 31, 2013. This contract is for the use of the VOA park cabin.

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	

SMALL CITIES / ECONOMIC DEVELOPMENT LOAN PROGRAM APPLICATION SUBMITTED BY MARCO'S PIZZA AND SUBS, INC.

Mayor May reported that an application has been received by the small cities / economic development loan program committee.

Upon review of the application submitted by Mark & Jennie Saladyga., the committee has determined that the request for funds meets the criteria of the EDLP and recommended to the VOA Board that the loan be granted.

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

RESOLUTION

WHEREAS, the VOA has received funding under the 1996 Small Cities Program to implement an economic development program to assist VOA businesses to expand and create new employment opportunities for residents; and

WHEREAS, the VOA has established a revolving loan fund with revenues generated from the repayment of loans approved under the original program; and

WHEREAS, the revolving loan is available for other eligible economic development activities; and

WHEREAS, the VOA has promoted the availability of the Small Cities Program and encouraged local businesses to apply for assistance; and

WHEREAS, the VOA has received an application from Marco's Pizza and Subs, Inc. for \$17,440.00 in loan assistance for improvements to the business located at 289 Main Street, Arcade, NY; and

WHEREAS, the Loan Review Committee has reviewed the application and supporting documentation and has recommended approval of the loan request, subject to terms and conditions of the program; and

WHEREAS, the VOA has determined that the project is necessary and appropriate to achieve program objectives;

NOW THEREFORE BE IT RESOLVED, the VOA Board of Trustees accepts the Loan Review Committee's recommendation and authorizes approval of the loan request to Marco's Pizza and Subs, Inc.

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	

SMALL CITIES / ECONOMIC DEVELOPMENT LOAN PROGRAM APPLICATION SUBMITTED THE VILLAGE CAFE

Mayor May reported that an application has been received by the small cities / economic development loan program committee.

Upon review of the application submitted by Lisa M. Reynolds and Samantha A. Pleace, the committee has determined that the request for funds meets the criteria of the EDLP and recommended to the VOA Board that the loan be granted.

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

RESOLUTION

WHEREAS, the VOA has received funding under the 1996 Small Cities Program to implement an economic development program to assist VOA businesses to expand and create new employment opportunities for residents; and

WHEREAS, the VOA has established a revolving loan fund with revenues generated from the repayment of loans approved under the original program; and

WHEREAS, the revolving loan is available for other eligible economic development activities; and

WHEREAS, the VOA has promoted the availability of the Small Cities Program and encouraged local businesses to apply for assistance; and

WHEREAS, the VOA has received an application from the Village Cafe for \$80,000.00 in loan assistance to purchase the real property at 223 Liberty Street, Arcade NY; and

WHEREAS, the Loan Review Committee has reviewed the application and supporting documentation and has recommended approval of the loan request, subject to terms and conditions of the program; and

WHEREAS, the VOA has determined that the project is necessary and appropriate to achieve program objectives;

NOW THEREFORE BE IT RESOLVED, the VOA Board of Trustees accepts the Loan Review Committee's recommendation and authorizes approval of the loan request to the Village Café.

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		

SMALL CITIES / ECONOMIC DEVELOPMENT LOAN PROGRAM APPLICATION SUBMITTED BY DOWNTOWN DOMES

Mayor May reported that an application has been received by the small cities / economic development loan program committee.

Upon review of the application submitted by Kathy L. Domes, the committee has determined that the request for funds meets the criteria of the EDLP and recommended to the VOA Board that the loan be granted.

The following resolution was offered by Trustee Schiener and seconded by Trustee McGarvey:

RESOLUTION

WHEREAS, the VOA has received funding under the 1996 Small Cities Program to implement an economic development program to assist VOA businesses to expand and create new employment opportunities for residents; and

WHEREAS, the VOA has established a revolving loan fund with revenues generated from the repayment of loans approved under the original program; and

WHEREAS, the revolving loan is available for other eligible economic development activities; and

WHEREAS, the VOA has promoted the availability of the Small Cities Program and encouraged local businesses to apply for assistance; and

WHEREAS, the VOA has received an application from Downtown Domes for \$15,000.00 in loan assistance for improvements to the business located at 281 Main Street, Arcade NY and

WHEREAS, the Loan Review Committee has reviewed the application and supporting documentation and has recommended approval of the loan request, subject to terms and conditions of the program; and

WHEREAS, the VOA has determined that the project is necessary and appropriate to achieve program objectives;

NOW THEREFORE BE IT RESOLVED, the VOA Board of Trustees accepts the Loan Review Committee's recommendation and authorizes approval of the loan request to Downtown Domes.

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	

BOARD REPORTS

Clerk Treasurer Kraft discussed different formats for revenue and expense reports to be given to the board monthly. The board requested a detailed version, a summary version and the budget comparison. These reports will be given to the board at the first meeting of the month.

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 Mayor May and seconded by Trustee McGarvey, the FY 2012-2013 budget be amended as follows because funds have been received from the sale of the 2008 Chevy Blazer that was used by the police department.

INCREASE REVENUE	INCREASE EXPENDITURE
001-4-2665-0100	001-5-3120-200-2000
Sale of Equipment	Police Equipment
In the amount of \$5,000.00	

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		

AUDIT BILLS

Motion by Trustee Schiener and seconded by Trustee Koerner, the Village bills, in the amount of \$149,691.81 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		

EXECUTIVE SESSION

Motion by Trustee Rule and seconded by Trustee McGarvey, the Board enter into executive session to discuss the following topic(s) at 8:28 pm:

- 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 Schiener and seconded by Trustee McGarvey, the Board exit executive session at 8:40 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		

CHRISTMAS LUNCHEON

Motion by Mayor May and seconded by Trustee McGarvey to authorize the closing of the Village Office from noon to 1:00 pm on December 20, 2012 to allow for a Christmas luncheon for the employees.

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		

REPORTS RECEIVED

The following reports were received, reviewed, and placed on file:

- Revenue to Expense reports, all funds

ADJOURN

There being no further business to come before the Board the meeting duly adjourned at 8:45 pm upon motion by Trustee McGarvey and seconded by Mayor May.

Clerk/Treasurer