

The regular meeting of the Village of Arcade (VOA) Board of Trustees, Wyoming County, New York was held on Tuesday, July 16, 2013 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 May

ALSO PRESENT

Carole Jones, Sandie Dutton, Amber and Mark Williams, Shane Allen, Kristen Nrowczynski, Deb Nickerson, Danielle Kopinski, Tanya Nickerson, Bob and Bonnie Daunce, Jodi Smith, Emily Thompson, Erin Asquith, Kris Grizer,

PLEDGE OF ALLEGIANCE

Mayor May opened the meeting with the Pledge of Allegiance.

403 NORTH STREET DRAINAGE ISSUES

Shane Allen discussed concerns regarding drainage at 403 North Street. He does not feel the action taken by the Village has totally corrected the issues. Water puddles where the fill was placed to bring the ground up to the sidewalk level and the sidewalk dips towards the property. Water comes down the sidewalk into the yard and down the driveway. The water does drain in a matter of hours. He feels the Village brought this issue on and the Village should correct it. What can be done? Superintendent of Public Works Kilburn, Dan Laird and Trustee Rule will make a visit to the property and see what, if anything can or should be done.

LOCAL LAW CHAPTER 55 STREETS AND SIDWALKS

Jodi Smith spoke on behalf of the owners of Sweet Nics, the new cupcake shop on Main Street. They have been asked to remove their tables and chairs from the front of the store on Main Street. They feel the tables are welcoming to their customers as well as others that are using the sidewalks. Their bistro tables are only 20 inches wide. Section 55-7 Prohibition, of local law Chapter 55 Streets and Sidewalks, discusses the obstruction of the sidewalk. Per the law they are allowed to use up to three feet of sidewalk space from the outer wall of the building. The tables are brought in each night and they keep them close to the building. Jodi presented a letter and pictures to the board justifying their use of the tables. This does not appear to be a safety issue; the cut in of the building allows adequate space to accommodate the tables and chairs, and also the displays by Danielle Kopinski at her local clothing store. The board agreed the table were within the space limitation set by the law.

SUMMER RECREATION

Trustee Schiener discussed the budget issues regarding the summer recreation program. Due to falling enrollment and decreases in state aid and the fact the village was anticipating the summer recreation program would be self-sustaining, the recreation budget is struggling. Trustee Schiener discussed the possibility of the Arcade recreation participants going to Darien Lake with the Freedom recreation group. The cost would be \$5 per participant for the bus ride and the tickets are \$17 each, the parents will pay \$10 towards the cost of the ticket. Parents expressed their disappointment in the program due to the cancellation of the field trips.

PROCLAMATION VFW 75TH ANNIVERSARY

Motion by Trustee McGarvey and seconded by Deputy Mayor Rule the following proclamation was offered in celebration of the Hendershott-Manness VFW Post #374, 75th anniversary.

WHEREAS, the Hendershott-Manness Post #374, Veterans of Foreign Wars was established on July 24, 1938 and named in honor of Cpl. William Hendershott and Pvt. Arthur Manness, both of whom died in France before the end of World War I in 1918.

WHEREAS, the membership has increased over the past decades including veterans from World War II, the Korean War, the Vietnam War and those that have served overseas since 1990.

WHEREAS, the ground breaking for the current structure took place on May 4, 1955, the post was occupied February 1956 and was dedicated on Veteran's Day, November 11, 1956. The structure has been expanded to include a meeting place for the post members as well as a social center for veterans, along with a restaurant and event center for the public.

WHEREAS, women were allowed to become members of the Veterans of Foreign Wars in 1978, the late Margaret Dryden Hopkins, of the Village of Arcade, was the first woman in New York State to become a member in September 1978. Margaret served as a nurse in the Pacific Theater during World War II.

WHEREAS, since 1990 the VFW post and its auxiliary members have encouraged Pioneer Central High School students to participate in the VFW Voice of Democracy competition which has resulted in 20 local winners that have gone on to compete and win at the district level with three winning at the state level.

WHEREAS, the VFW sponsors local community events, not limited to the Memorial Day ceremonies at multiple locations which includes placing flags on graves of many local veterans, providing an honor guard for military funerals and the annual Easter egg hunt for local children, to name a few.

WHEREAS, the VFW post has always supported the mission of the national Veterans of Foreign Wars to advocate for veterans and to provide support for military personnel serving in active duty and their families.

NOW THEREFORE BE IT RESOLVED, the Mayor and the Board of Trustees of the Village of Arcade commemorate the 75th Anniversary of the Arcade Veterans of Foreign Wars, Post #374.

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		

APPROVE MINUTES

Motion by Trustee Schiener and seconded by Trustee McGarvey, the minutes from the regular meeting held on June 18, 2013 be approved as presented by Clerk/Treasurer Kraft.

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		

APPROVE MINUTES

Motion by Trustee McGarvey and seconded by Trustee Schiener, the minutes from the regular meeting held on July 2, 2013 be approved as presented by the Clerk/Treasurer Kraft.

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		

AWARD BID FOR SCADA SYSTEM

Motion by Trustee McGarvey and seconded by Trustee Koerner to award the bid for the SCADA system, per a recommendation by Superintendent of Public Works Kilburn to CG Automation in the amount \$54,348.

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		

AWARD BID FOR ARTICULATED TRACTOR

Motion by Trustee McGarvey and seconded by Deputy Mayor Rule to award the bid for the articulated tractor, per a recommendation by Superintendent of Public Works Kilburn to Jim’s Equipment in the amount of \$19,937(including \$1000 grant). This particular tractor is a propane engine and we will apply for a grant in the amount of \$1000 to offset the cost. The use of propane could prove to be a cost saving measure as the price of propane is considerably cheaper than the cost of gas. The tractor could use both types of fuel.

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		

AWARD BID FOR ARTICULATED TRACTOR

The board requested more information from Superintendent of Public Works Kilburn regarding the hours of usage on the current articulated tractor. The bid award will be discussed at the meeting scheduled for August 6, 2013.

CANCELLATION OF DEBT

Motion by Trustee McGarvey and seconded by Deputy Mayor Rule to authorize the cancellation of the following debt, all accounts are past statute.

NAME	AMOUNT
DEWALT, GARY	\$ 475.36
GRIFFITH, PAMELA	\$ 438.20
HOPKINS, DEANNA	\$ 305.25
MORGAN, MICHAEL L	\$1,221.22
REUKAUF, DONALD	\$ 439.35
RILEY, MATTHEW	\$ 500.09
SALTSMAN, BRUCE	\$ 510.80
STEINER, WILLIAM	\$ 718.85
SULLIVAN, STEVEN	\$1,771.78
WHELAN, SHAWN	\$ 322.32
WW GRIFFITH OIL CO.	\$ 161.62
TOTAL	\$6,864.84

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		

ANNUAL COURT AUDIT

Motion by Trustee Schiener and seconded by Trustee Koerner the Board acknowledges that in accordance with the Uniform Justice Court Act, Section 2019-a, Mayor May and Trustee McGarvey performed an audit of the court records on June 28, 2013.

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		

REQUEST TOA SEQR LEAD AGENCY

Motion by Trustee McGarvey and seconded by Trustee Koerner to consent to the Arcade Town Board to act as SEQR Lead Agency for the amendment to the Comprehensive Plan for Energy Development that is currently being developed by the Planning Board.

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		

ABUSE PREVENTION POLICY

Clerk/Treasurer Kraft distributed a draft Abuse Prevention Policy that if accepted will be read and signed off by any VOA employees that work directly with children. The Village’s liability insurance strongly encourages the policy and sent the template to the Village. The board directed Clerk/Treasurer Kraft to send the policy to Attorney Robert Kutzuba for review and opinion.

LOCAL LAW CHAPTER 59 TAX EXEMPTION ELDERLY

The board reviewed local law Chapter 59, Tax Exemption Elderly and it has been determined the income brackets will not be changed at this time. Currently the bracket is the same as the Town of Arcade and Wyoming County. Our income limits are higher than most of the other villages and towns in the county.

AUDIT BILLS

Motion by Trustee Schiener and seconded by Deputy Mayor Rule, the Village bills be audited and paid in the amount of \$130,327.74 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		

EXECUTIVE SESSION

Motion by Trustee McGarvey and seconded by Trustee Koerner, the Board enter into executive session to discuss the following topic(s) at 8:52 pm:

- Contract Negotiations
Acquisition of Property

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 McGarvey and seconded by Trustee Rule, the Board exit executive session at 9:15 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 9:15 pm upon motion by Deputy Mayor Rule and seconded by Trustee McGarvey.

Clerk/Treasure