

The regular meeting of the Village of Arcade (VOA) Board of Trustees, Wyoming County, New York was held on Tuesday, October 1, 2013 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 Lexer, Mike Landis

PLEDGE OF ALLEGIANCE

Mayor May opened the meeting with the Pledge of Allegiance.

ZONING

Zoning Officer Lexer is waiting for information from Art Buckley of Wyoming County regarding any changes in the approval of commercial site plans. He will present the information to the VOA board once he has received the recommendation.

Bob Houck, North Street, wanted the VOA board to understand the situation with the fence between his property and the Douglas Drive Apartments. The fence has not been installed as of today. Over the weekend there had been an issue between Houck and the tenants at the apartment that resulted in a phone call to the VOA police. Zoning Officer Lexer contacted the contractor to verify the fact the fence will be installed. Per the contractor the fence will be installed on Monday, October 7, 2013.

APPROVE MINUTES

Motion by Trustee Rule and seconded by Trustee Schiener, the minutes from the work session and regular meeting held on September 3, 2013 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	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		

APPROVE MINUTES

Motion by Trustee McGarvey and seconded by Trustee Schiener, the minutes from the work session held on September 17, 2013 be approved as presented by the 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		

DISCUSS REVITALIZE ARCADE/BEAUTIFICATION COMMITTEE

The Revitalize Arcade/Beautification Committee will need to establish a new committee and appoint a treasurer. The current members of the committee are resigning their post effective October 1, 2013. Appointees can be a resident of the town or the village. Trustee Schiener is currently looking for volunteers to work in the garden park on October 26, 2013.

NEW BRIDGE NAME

After thoughtful consideration of all the various names suggested for the new bridge on Sanford Avenue a motion by Trustee Schiener and seconded by Mayor May was made to name the bridge Sanford Crossing. That name was suggested by Village of Arcade resident Skip Tillinghast. He will receive a \$25 gift card from the Main Street Grille.

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		

POLICE OFFICERS TO SCHOOL

Chief Biscaro will be sending Officers Yuhnke and Lococo to a class on November 1, 2013 at Hilbert College. There is no fee to attend. The class is titled "The Art of Detecting Deception through Body Language, Handwriting and Speaking."

CLEAR CREEK AND CATT CREEK STABILIZATION PROJECT

Superintendent of Public Works Kilburn informed the board the VOA has received approval of their proposed projects for stream bank stabilization. The federal share of the project for Cattaraugus Creek is \$193,686 with a local share of \$64, 562. The federal share of the Clear Creek project is \$255,360 with a local share of \$85,120. The total amount committed to these projects is \$598,728. Work is expected to begin sometime next spring.

NEW SEQR FORM

Clerk Treasurer Kraft gave a copy of the new SEQR forms to the board members for their review and information.

REVIEW BAD DEBT PROCESS

Clerk Treasurer Kraft discussed the progress being made with the bad debt accounts. A spreadsheet has been that will be updated monthly and shared with the board. This spreadsheet shows the dollar amounts that have been sent to the collection agency, the dollar amounts of payments received as well as those amounts that have been written off. There is also a column to show legal fees paid by the Village.

FY 2013-14 BUDGET AMENDMENT

Motion by Mayor May and seconded by Trustee McGarvey, the FY 2013-14 budget be amended as follows because funds have been received from Koike Aronson in the amount of \$1,500 for refurbishing the Village of Arcade sign at the entrance to the Village.

INCREASE REVENUE	INCREASE EXPENDITURE
001-4-2705-0100	001-5-7550-400-4690
In the amount of \$1,500	

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 CONTRACT

Clerk Treasurer Kraft gave a draft of the fire contract to the VOA board for review. The board recommended the amount of \$52,000 to be placed in the Equipment Replacement Reserve. The increase will aide in the purchasing of a new fire truck next year.

COLLECTION OF DELINQUENT VOA TAXES BY WYOMING COUNTY

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

RESOLUTION

WHEREAS, Wyoming County adopted Local Law No. 12 of the year 1994 Providing for the Collection of Certain Delinquent Village Taxes by the County of Wyoming; and

WHEREAS, Wyoming County passed Resolution 10-303 on August 17, 2010 establishing policy that Wyoming County will only pay over to the Villages those amounts on their re-levied tax bills which are taxes; and

WHEREAS, Wyoming County will not pay over to Villages' non-tax items such as user fees or other charges which are included in re-levied tax bills submitted to Wyoming County unless such other sums are mandatory statutory additions to taxes; and

WHEREAS, any Village lying within Wyoming County may elect each year to have its delinquent Village taxes collected by Wyoming County in accordance with Section 1442 of the Real Property Tax Law of the State of New York; and

WHEREAS, any Village must request by resolution to have Wyoming County collect back taxes, said resolution to be adopted no earlier than September 1 of each year and a certified copy filed with the County Treasurer and the Clerk of the Board of Supervisors;

NOW, THEREFORE, BE IT RESOLVED, that the Village of Arcade elects to have its delinquent Village taxes collected by Wyoming County and that such list of unpaid taxes and certificate of delinquencies will be prepared and delivered to the Real Property Tax Department by November 15, 2013.

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 MEMBERSHIP

Per a report from Debby Austin-LaCerais, Secretary, the following individual was voted into the AFD membership::

- Ryan Slocum, Arcade
Connie Draper, Arcade

Membership application was received from the following individual and will be considered at the AFDs October 2013 meeting:

- Mel Bray, Arcade

Motion by Trustee Koerner and seconded by Trustee Schiener, the Board approves the changes to the fire department membership as presented above.

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 Mayor May and seconded by Trustee McGarvey, the Village bills be audited and paid in the amount of \$330,973.18 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 McGarvey and seconded by Trustee Rule, the Board enter into executive session to discuss the following topic(s) at 8:23 pm:

- Contract Negotiations

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 Koerner and seconded by Trustee McGarvey, the Board exit executive session at 8:45 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 8:46 pm upon motion by Trustee McGarvey and seconded by Trustee Rule.

Clerk/Treasurer