

The special meeting of the Village of Arcade (VOA) Board of Trustees, Wyoming County, New York was held on Tuesday, April 8, 2014 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, Gale and Pat Palmerton, Mike Landis, Gillian Koerner, Sandie Dutton, Jace Drennan, Shane and Jeanette Allen, Jeff Mason, Rick Harrison, Sandy Pirdy, Cody Egner and Dani Kopinski

**PLEDGE OF ALLEGIANCE**

Mayor May opened the meeting with the Pledge of Allegiance.

**PERMISSION TO PROCEED TO DESIGN PHASE RT 98 TRANSMISSION LINE**

Motion by Trustee McGarvey and seconded by Trustee Rule to authorize Superintendent of Public Works Kilburn to proceed with Clark Patterson Lee to prepare plans and specifications for the replacement of the Rt. 98 water transmission line.

The motion was passed upon the following vote:

<b>VOTE</b>								
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
<b>VOTE TOTAL:</b>								
	5	Yes	0	No	0	Abstain	0	Absent
<b>RESULTS</b>								
	X	<b>PASS</b>				<b>FAIL</b>		

**RESOLUTION FOR NYS DOT REPAIR OF RT. 39**

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

Resolution Granting the State of New York Authority to Perform the Adjustment for the Owner and Agreeing to Maintain Facilities Adjusted Via State-let Contract

RESOLUTION

WHEREAS, the New York State Department of Transportation proposes to rehabilitate **Asphalt Concrete Resurfacing on Route 39 from Cattaraugus County Line to East Village Line; Village of Arcade, Wyoming County; P.I.N. 4039.57.301**, and

WHEREAS, the State will include as part of the improvements of the above mentioned project, the vertical adjustment of approximately 29 sanitary manholes, four (4) water main valve manholes, and six (6) water valve boxes so as to not be in conflict with the proposed construction. The work will be performed in accordance with the requirements of the owner, under Section 10, Subdivision 24, of the State Highway Law, as shown in the contract proposal relating to the project, and

WHEREAS, the service life of the relocated and or replaced utilities has not been extended, and

WHEREAS, the State will provide for the performance of the above mentioned work, as shown in the contract proposal relating to the above mentioned project,

NOW, THEREFORE, BE IT RESOLVED: That the **Village of Arcade** approves the vertical adjustment of their sanitary and water facilities and the above mentioned work performed on the project, as described in the project proposal relating to the project and that the **Village of Arcade** will maintain or cause to be maintained the properly adjusted facilities performed as above stated and as shown on the contract plans and as approved by the Village of Arcade.

BE IT FURTHER RESOLVED that the **Village of Arcade, Mayor, Jay R. May**, has the authority to sign, with the concurrence of the **Village of Arcade**, any and all documentation that may become necessary as a result of this project as it relates to the Village of Arcade and

BE IT FURTHER RESOLVED: That the Village Clerk of the Village of Arcade is hereby directed to transmit five (5) certified copies of the foregoing resolution to the New York State Department of Transportation.

The motion was passed upon the following vote:

<b>VOTE</b>								
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
<b>VOTE TOTAL:</b>	5	Yes	0	No	0	Abstain	0	Absent
<b>RESULTS</b>	<b>X</b>	<b>PASS</b>				<b>FAIL</b>		

**CHAPTER 15 EMPLOYEE RESIDENCY**

The Mayor opened the meeting to public comment on the Employee Residency law. The Mayor limited the time to speak to 5 minutes. There were several comments offered by those in attendance. Trustee Schiener stated that residency has been an issue for years; the VOA board has increased the allowable boundaries and authorized waivers. The Mayor stated that if all qualifications are equal between applicants then the Village resident would get the job but he felt the most qualified should be the most important factor. Trustees McGarvey and Koerner concurred with the idea that skills, knowledge and overall qualifications should come first. Trustee Rule felt if the VOA was bound by residency and there is not a qualified applicant in the Village then our hands would be tied. Ultimately it was determined the Village would leave the current law as is and enforce it going forward. Trustee McGarvey felt that the option should be there for waivers on an as needed basis, which is in line with the current process.

**EXECUTIVE SESSION**

Motion by Trustee McGarvey and seconded by Trustee Rule, the Board enter into executive session to discuss the following topic(s) at 8:00 pm:

- Contract negotiations

The motion was passed upon the following vote:

<b>VOTE</b>								
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
<b>VOTE TOTAL:</b>	5	Yes	0	No	0	Abstain	0	Absent
<b>RESULTS</b>	<b>X</b>	<b>PASS</b>				<b>FAIL</b>		

Motion by Trustee Schiener and seconded by Trustee Rule, the Board exit executive session at 8:21 pm.

The motion was passed upon the following vote:

<b>VOTE</b>								
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
<b>VOTE TOTAL:</b>	5	Yes	0	No	0	Abstain	0	Absent
<b>RESULTS</b>	<b>X</b>	<b>PASS</b>				<b>FAIL</b>		

**ADJOURN**

There being no further business to come before the Board the meeting duly adjourned at 8:21 pm upon motion by Trustee Rule and seconded by Trustee Koerner.

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Clerk/Treasurer