

The regular meeting of the Village of Arcade (VOA) Board of Trustees, Wyoming County, New York was held on Tuesday, April 15, 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.

**ABSENT**

Deputy Clerk Treasurer Michelle Karpinski

**ALSO PRESENT**

Carole Jones, Chris Lexer, Sandie Dutton, Shad Salzler, Linda and Bob Salzler, Deb and Tonya Nickerson, Mellisa Devitt, Alice and Mark Smith, Amy and Ed Opferbeck, Ron Nelligan, Bob and Sue Salzler, Jackie Bialaszewski, Tricia Polek.

**PLEDGE OF ALLEGIANCE**

Mayor May opened the meeting with the Pledge of Allegiance.

**OATH OF OFFICE TO ACCTING VILLAGE JUSTICE**

Village Justice Sheri Bell-Beyer administered the oath of office to Acting Village Justice Shad Salzler.

**ZONING WAIVER REQUEST**

Tonya Nickerson from Wyoming County 4H and Mellisa Devitt, Principal of Arcade Elementary, approached the VOA board regarding a waiver from the zoning law regarding livestock in the Village. Tonya would like to propose an agricultural program at the Arcade Elementary building that would include raising chickens. Currently the elementary building has an incubation project but Tonya would like to do an agri-business with the fourth grade students using five chickens. The students would raise, care for, tend the eggs and sell the eggs. The funding would be through the cooperative extension with the help of Senator Gallivan. Zoning Officer Chris Lexer commented that if we allow special situations we are creating an issue. Perhaps the board should once again review the zoning regulations. The law would have to be looked at as a whole rather than a circumstance by circumstance which creates "spot zoning" and that becomes an issue. The Middle School and High School have been allowed to have similar projects but they are located in an agricultural district which has different regulations and would allow this type of activity. Trustee Koerner feels the idea is worthwhile and having chickens at the school is different than an individual raising them at their home. Trustee Koerner is all for it. Tonya said all monies made from the selling of the eggs will go back into the program. Over the summer months the chickens will be removed. The chickens are coming from the high school FFA program. This would make a great business lesson. All manure would be taken off sight and there will not be roosters. Agriculture and education law was referred to, this program fits into the common core including but not limited to food science. The Mayor felt the program was worthwhile but asked if there is an education waiver he would appreciate the information. Due to the time frame in which Tonya would like to begin the program any information gathered will be given to Superintendent of Public Works Kilburn and he will discuss it with Chris Lexer. State Education department information will be sent to the attorney, if it overrides the Zoning law Chris Lexer and Larry can authorize the program to proceed if not there will be further discussion at the next board meeting.

**AWARD SOLID WASTE BID**

Motion by Trustee Rule and seconded by Trustee Koerner to award the solid waste contract dated June 1, 2014 through May 31, 2016 to Waste Management, without the bins, in the amount of \$217,000.

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		Yes	X	No		Abstain		Absent
Trustee Ken Rule	X	Yes		No		Abstain		Absent
Trustee Donna Schiener	X	Yes		No		Abstain		Absent
<b>VOTE TOTAL:</b>	4	Yes	1	No	0	Abstain	0	Absent
<b>RESULTS</b>	<b>X</b>	<b>PASS</b>				<b>FAIL</b>		

**ADOPT 2013-2014 BUDGET**

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

**RESOLUTION**

**WHEREAS**, the Village Budget Officers prepared the tentative General, Water, Sewer and Electric funds budgets for the fiscal year (FY) commencing June 1, 2014 and ending May 31, 2015; and

**WHEREAS**, the Board of Trustees have reviewed the tentative budget; and

**WHEREAS**, the said tentative budget included a columned table of comparative information showing expenditures and revenues of the last completed FY, appropriations and revenues to date for the current FY and recommended appropriations and revenues for the ensuing FY, a budget summary showing the proposed amount to be raised by taxes including the proposed tax rate per 1,000 of assessed value, schedule of estimated cash surplus at the end of 2013-2014 fiscal year, schedule of estimated special reserve funds, schedule of salaries and wages, schedule of debt summary, a 5-year vehicle replacement schedule, and a tax exemption report.

**WHEREAS**, the said tentative budget was summarily printed and made available for public inspection; and

**WHEREAS**, the Board of Trustees have met at the time and place specified in the notice of public hearing (April 1,2014) on the tentative budget and opportunity was given to all present to comment upon the same; and

**WHEREAS**, the Board of Trustees are satisfied that the FY 2014-15 budgets, as proposed, are reasonable, accurate, and adequately represents the revenue and expense projections of each fund.

**NOW, THEREFORE BE IT RESOLVED**, the Board of Trustees hereby adopts the General, Water, Sewer, and Electric funds budgets and hereinafter stated in the **ADOPTED** column. (A complete copy of the budget is on file in the Village Clerk’s Office.)

**BE IT FURTHER RESOLVED** that it is the express intent of the Board of Trustees that the above budgets shall be adopted and managed by appropriation accounts.

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>		

**APPROVE MINUTES**

Motion by Trustee McGarvey and seconded by Trustee Rule, the minutes from the annual organizational meeting held on April 1, 2014 be approved as presented by Clerk/Treasurer Kraft.

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>		

**TREE PURCHASE PROGRAM**

Superintendent of Public Works Kilburn discussed a tree purchase program through New York Power Authority, NYPA. The power authority will pay up to \$85 per tree, some trees are as much as \$170 but they will only pay \$85, matching our purchase. No minimum purchase is required. We have participated in this program in the past and offered it to the public. The public would have to pay their portion of the expense. The Beautification Committee is interested in purchasing trees. The VOA is behind in replacing trees this could help us. Trustee McGarvey would like to open it to the public. Mayor suggested proceeds to be returned to the park. Notice will be placed in the paper.

**AUTHORIZE MAYOR TO SIGN CONSTELLATION ENERGY DEMAND RESPONSE CONTRACTS**

Motion by Trustee Koerner and seconded by Trustee McGarvey to authorize the Mayor to sign the contracts with Constellation Energy for a period of five years with a 30 day opt out. This contract will pay the VOA for dropping their electric load for a period of time at the VOA buildings. During this time the VOA will rely on generators which in turn give the VOA an opportunity to test generators.

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>		

**WAIVE FACILITY USE FEE**

Motion by Mayor May and seconded by Trustee McGarvey to waive the facility use fee for Hillside Children's Center for use of the park cabin for a foster parent appreciation dinner to be held on June 7, 2014.

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>		

**FIRE DEPARTMENT MEMBERSHIP**

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

- Carl Draper, Jason Hastings, Roger Hanley and Julie Skinner, Julie will remain in the Auxiliary (resigned)

Membership applications were received from the following individual and will be considered at the AFDs May 2014 meeting:

- Jacob Anderson  
100 Liberty St.  
Arcade NY

The following individual was voted in at the March 2014 meeting:

Valerie Lynch

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

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>		

**AUDIT BILLS**

Motion by Mayor May and seconded by Trustee Schiener, the Village bills be audited and paid in the amount of \$740,124.29 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:

<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 8:05pm upon motion by Trustee McGarvey and seconded by Trustee Rule.

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Clerk/Treasurer