

The regular meeting of the Village of Arcade (VOA) Board of Trustees, Wyoming County, New York was held on Tuesday, December 16, 2014 at 7:00 pm there were:

PRESENT

Mayor Jay May, 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

Trustee Ken Rule

ALSO PRESENT

Jason Foote, Tom Beiersdorf, Chris Lester, Carole Jones, Bob Tracy

PLEDGE OF ALLEGIANCE

Mayor May opened the meeting with the Pledge of Allegiance.

AWARD BIDS FOR CLEAR/CATTARAUGUS CREEK BANK STABILIZATION PROJECTS

Motion by Trustee Schiener and seconded by Trustee McGarvey to accept the base bid for Contract A: Clear Creek Bank Stabilization, received from D & H Excavating for a total amount of \$230,242, and awarding Contract to them contingent upon funding agency approval.

The motion was passed upon the following vote:

VOTE								
Mayor Jay May	X	Yes		No		Abstain		Absent
Trustee Andy Koerner		Yes		No	X	Abstain		Absent
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent
Trustee Ken Rule		Yes		No		Abstain	X	Absent
Trustee Donna Schiener	X	Yes		No		Abstain		Absent
VOTE TOTAL:								
	3	Yes	0	No	1	Abstain	1	Absent
RESULTS		X	PASS				FAIL	

Motion by Trustee McGarvey and seconded by Trustee Schiener to accept the base bid for Contract B: Cattaraugus Creek Bank Stabilization, received from Keeler Construction for a total amount of \$174,100, and awarding Contract B to them contingent upon funding agency approval.

The motion was passed upon the following vote:

VOTE								
Mayor Jay May	X	Yes		No		Abstain		Absent
Trustee Andy Koerner		Yes		No	X	Abstain		Absent
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent
Trustee Ken Rule		Yes		No		Abstain	X	Absent
Trustee Donna Schiener	X	Yes		No		Abstain		Absent
VOTE TOTAL:								
	3	Yes	0	No	1	Abstain	1	Absent
RESULTS		X	PASS				FAIL	

REQUEST VOA SEQR LEAD AGENCY

Motion by Trustee McGarvey and seconded by Trustee Koerner, the VOA Board of Trustees hereby declares itself as the intended Lead Agency for purposes of SEQR review regarding the proposed expansion to the waste water treatment plant. This motion also authorizes the Mayor to sign the environmental assessment form to initiate the coordinator review process.

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		Abstain	X	Absent
Trustee Donna Schiener	X	Yes		No		Abstain		Absent
VOTE TOTAL:								
	4	Yes	0	No	0	Abstain	1	Absent
RESULTS		X	PASS				FAIL	

BID OPENING CHIPPER

The following bids were received for the purchase of a diesel powered wood chipper with 18" capacity.

Salsco Inc. 105 Schoolhouse Rd. Cheshire CT 06410	\$58,588.00 delivery 8-10 weeks
Niagara Frontier Equipment 4060 Lake Ave. Lockport NY 14094	\$45,292.00 delivery 12 weeks \$54,408.00 delivery 12 weeks
Baschmann Services Inc. 1101 Maple Road/PO Box 320 Elma NY 14059-0320	\$56,849.00 delivery in 75 days after release of award
Kless Boys LLC 10921 Rt. 16 Delevan NY 14042	\$7,600

Motion by Trustee Koerner and seconded by Trustee McGarvey to turn the bids over to Superintendent of Public Works Kilburn for review and recommendation.

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		Abstain	X	Absent
Trustee Donna Schiener	X	Yes		No		Abstain		Absent
VOTE TOTAL:								
	4	Yes	0	No	0	Abstain	1	Absent
RESULTS		X	PASS				FAIL	

AFD RECOMMENDATION FOR PURCHASE OF FIRE TRUCK

Fire Chief Tom Beiersdorf discussed the bids that were received for the purchase of a new fire truck. One bid was considerably lower in price but upon review the fire truck did not meet the specifications that were required. In order to get the vehicle to the required specification it would cost additional money.

Motion by Trustee Koerner and seconded by Trustee McGarvey to accept the bid from Churchville Fire Equipment Corporation in the amount of \$319,452.00.

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		Yes		No		Abstain	X	Absent
Trustee Donna Schiener	X	Yes		No		Abstain		Absent
VOTE TOTAL:								
	4	Yes	0	No	0	Abstain	1	Absent
RESULTS								
	X	PASS				FAIL		

CHAPTER 44 PROPERTY MAINTENANCE LAW

Trustee Koerner discussed the proposed changes to the draft which included the Planning Board in the process of collecting fees. If the fee is a fine handled through the court system the Village will not be able to attach the fee onto the tax roll whereas if it was an administrative fee we could. Attorney Kutzuba is doing more research into how this should be handled in the best interest of the Village.

CANCELLATION OF DEBT

Motion by Trustee McGarvey and seconded by Trustee Schiener to authorize cancellation of the following debt:

Jerry Dallrymple (A/R Invoice)	\$415.12	Past Statute
Cheryl Gentner	\$ 89.40	Past Statute
Larry Keith	\$ 10.16	Past Statute
Thomas Miller	\$856.20	Past Statute
TOTAL	\$1370.88	

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		Abstain	X	Absent
Trustee Donna Schiener	X	Yes		No		Abstain		Absent
VOTE TOTAL:								
	4	Yes	0	No	0	Abstain	1	Absent
RESULTS								
	X	PASS				FAIL		

DESTROY RECORDS

Motion by Mayor May and seconded by Trustee McGarvey to authorize Clerk Treasurer Kraft to destroy the following records in accordance with NYS MU1 Records Retention guidelines:

- Vehicle files – 6 years after sale of vehicle
- 1998 Ford F150 sold 12/2008
- 2000 Chevy Cube Van sold 12/2008

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		Abstain		Absent
Trustee Donna Schiener	X	Yes		No		Abstain		Absent
VOTE TOTAL:								
	4	Yes	0	No	0	Abstain	1	Absent
RESULTS								
	X	PASS				FAIL		

AUTHORIZE MAYOR TO SIGN MUNICIPAL SOLUTIONS CONTRACT – WWTP

Motion by Trustee McGarvey and seconded by Trustee Koerner to authorize Mayor May to sign the contract between the Village of Arcade and Municipal Solutions. The agreement will authorize Municipal Solutions to assist

the VOA with financing needs for the upcoming WWTP expansion. The proposed contract is divided into three sections: Bond Anticipation Note Borrowings at a cost between \$1250 - \$4500 (dependent upon amount of borrowing), Sewer Exclusion Order at a cost of \$3500 and the General Financial Services are billed at \$115 per hour plus reimbursable expenses. The contract will be in effect for two years from the date of issuance.

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		Abstain	X	Absent
Trustee Donna Schiener	X	Yes		No		Abstain		Absent
VOTE TOTAL:								
	4	Yes	0	No	0	Abstain	1	Absent
RESULTS								
	X	PASS				FAIL		

CELL PHONE POLICY

Clerk Treasurer Kraft distributed a draft version of a proposed cell phone policy for review and discussion at the board meeting on January 6, 2015.

FY 2014-2015 BUDGET AMENDMENT

Motion by Trustee McGarvey and seconded by Trustee Mayor May, the FY 2014-2015 budget be amended as follows because funds have been received from TPI Arcade as a contribution to the police department in the amount of \$500.00.

INCREASE REVENUE	INCREASE EXPENDITURE
001-4-2705-0100	001-5-3120-200-2000
In the amount of \$500.00	

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		Yes		No		Abstain	X	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 Schiener and seconded by Trustee McGarvey the FY 2014-2015 budget be amended as follows because funds have been received from NYS DMV for the Governor’s Traffic Safety Committee in the amount of \$2538.30.

INCREASE REVENUE	INCREASE EXPENDITURE
001-4-4389-0100	001-5-3120-104-1007
In the amount of \$2538.30	

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		Abstain	X	Absent
Trustee Donna Schiener	X	Yes		No		Abstain		Absent
VOTE TOTAL:								
	4	Yes	0	No	0	Abstain	1	Absent

RESULTS	X	PASS		FAIL
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FY 2014-15 BUDGET ADJUSTMENTS

Motion by Mayor May and seconded by Trustee Schiener, the budget adjustments be approved as presented by the Clerk (attached).

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		Abstain	X	Absent
Trustee Donna Schiener	X	Yes		No		Abstain		Absent
VOTE TOTAL:								
	4	Yes	0	No	0	Abstain	1	Absent
RESULTS	X	PASS				FAIL		

FIRE DEPARTMENT MEMBERSHIP

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

- Chad Becker, County Line Road Arcade

Membership applications were received from the following individual and will be considered at the AFDs January 2015 meeting:

- Dale Swiatowy, 10630 Galen Hill Road, Freedom
- Alliya Okhamvilaysack, 67 Park Street, Arcade
- Aubrey Burch, 7838 Rt. 98, Arcade, moving from junior member to a senior member

Motion by Trustee Koerner and seconded by Trustee McGarvey, 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		Yes		No		Abstain	X	Absent
Trustee Donna Schiener	X	Yes		No		Abstain		Absent
VOTE TOTAL:								
	4	Yes	0	No	0	Abstain	1	Absent
RESULTS	X	PASS				FAIL		

AUDIT BILLS

Motion by Trustee McGarvey and seconded by Trustee Koerner, the Village bills be audited and paid in the amount of \$983,702.21 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		Yes		No		Abstain	X	Absent
Trustee Donna Schiener	X	Yes		No		Abstain		Absent
VOTE TOTAL:								
	4	Yes	0	No	0	Abstain	1	Absent
RESULTS	X	PASS				FAIL		

SUMMER RECREATION GRANT FROM THE ARTS COUNCIL OF WYOMING COUNTY

Trustee Schiener reported that the Village has received a grant from the Arts Council for Wyoming County for the summer recreation program for 2015-16 fiscal year. The monies will allow the summer recreation participants to paint a mural on the alley side of the Kibler building with the help of Urban Canvas. The project will include community members as well as summer recreation participants.

EXECUTIVE SESSION

Motion by Trustee McGarvey and seconded by Trustee Schiener, the Board enter into executive session to discuss the following topic(s) at 7:59 pm:

- Pending or current litigation
- Proposed acquisition, sale or lease of real property

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		Abstain	X	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 Koerner, the Board exit executive session at 8:26 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		Yes		No		Abstain	X	Absent
Trustee Donna Schiener	X	Yes		No		Abstain		Absent
VOTE TOTAL:	4	Yes	0	No	0	Abstain	1	Absent
RESULTS	X	PASS				FAIL		

REPORTS RECEIVED

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

- None.

ADJOURN

There being no further business to come before the Board the meeting duly adjourned at 8:26 pm upon motion by Trustee Koerner and seconded by Trustee McGarvey.

Clerk/Treasurer

12-17-2014 9:26 AM

BUDGET ADJUSTMENT REGISTER

PAGE:

PACKET: 00203-BUDGET ADJUSTMENTS 12/16/14

BUDGET CODE: CB-Current Budget

FUND ACCOUNT	DATE	DESCRIPTION	ADJUSTMENT	ORIGINAL BUDGET	PREVIOUS ADJUSTMENTS	NEW BUDGET	BUDGET BALANCE

Budget Adj. # 000519							
001 5-3410-200-2000	12/16/2014	PER BOARD DIRECTIVE	11,894.00	14,000.00	0.00	25,894.00	10,935.02
		EQUIPMENT					
001 5-3410-400-4300	12/16/2014	PER BOARD DIRECTIVE	892.00-	1,900.00	0.00	1,000.00	0.05
		SERVICE CONTRACTS-OFFICE EQUIP					
001 5-3410-400-4000	12/16/2014	PER BOARD DIRECTIVE	2,700.00-	5,000.00	0.00	2,300.00	1,041.74
		1995 GMC PUMPER #5					
001 5-3410-406-4000	12/16/2014	PER BOARD DIRECTIVE	3,300.00-	5,500.00	0.00	2,200.00	1,075.58
		1990 CHEVY TANKER #6					
001 5-3410-410-4000	12/16/2014	PER BOARD DIRECTIVE	650.00-	3,500.00	0.00	2,850.00	654.92
		1990 FORD PUMP/TANKER #10					
001 5-3410-400-4360	12/16/2014	PER BOARD DIRECTIVE	652.00	5,000.00	0.00	4,148.00	2,072.02
		BLDG MAINT/MATERIALS					
001 5-4540-401-4000	12/16/2014	PER BOARD DIRECTIVE	2,400.00-	6,000.00	0.00	3,600.00	1,880.79
		2010 FORD AMBULANCE #1					
001 5-4540-402-4000	12/16/2014	PER BOARD DIRECTIVE	1,100.00-	6,000.00	0.00	4,900.00	2,077.19
		2008 FORD AMBULANCE #2					

Budget Adj. # 000520							
007 5-0787-100-1000	12/16/2014	PER BOARD DIRECTIVE	7,300.00	0.00	7,656.36	14,956.36	4,603.04-
		REPAIRS TO GEN PROPERTY-REG					
007 5-0741-420-1000	12/16/2014	PER BOARD DIRECTIVE	7,300.00	384,000.00	79,537.92-	295,362.08	213,976.63
		OP OF OVRHD DISTR LINES-REG					

Budget Adj. # 000521							
007 5-0802-007-1000	12/16/2014	PER BOARD DIRECTIVE	1,000.00	0.00	3,263.18	5,063.18	538.80-
		PERSONNEL SERVICES-REG					
007 5-0741-420-1000	12/16/2014	PER BOARD DIRECTIVE	1,600.00-	384,000.00	79,537.92-	295,362.08	213,976.63
		OP OF OVRHD DISTR LINES-REG					

Budget Adj. # 000522							
001 5-1460-400-4690	12/16/2014	BOARD DIRECTIVE	344.00	0.00	13,565.00	13,909.00	27,817.95
		MATERIALS/SUPPLIES					
001 5-5010-400-4220	12/16/2014	BOARD DIRECTIVE	344.00-	4,000.00	0.00	3,656.00	2,768.00
		CONSULTANTS					

12-17-2014 9:26 AM

BUDGET ADJUSTMENT REGISTER

PAGE:

PACKET: 00203-BUDGET ADJUSTMENTS 12/16/14

BUDGET CODE: CB-Current Budget

FUND ACCOUNT	DATE	DESCRIPTION	ADJUSTMENT	ORIGINAL BUDGET	PREVIOUS ADJUSTMENTS	NEW BUDGET	BUDGET BALANCE

Budget Adj. # 000523							
001 5-5110 200-2060	12/16/2014	BOARD DIRECTIVE EQUIPMENT	741.00	10,000.00	0.00	10,741.00	0.50
001 5-5110 400-4690	12/16/2014	BOARD DIRECTIVE MATERIALS/SUPPLIES/MAINT	741.00-	10,000.00	0.00	14,259.00	5,344.15

Budget Adj. # 000524							
001 5-9730-700-7000	12/16/2014	BOARD DIRECTIVE INTEREST - BOND ANTICIPN NOTES	106.00	0.00	3.00	106.00	0.61
001 5-1325-400-4150	12/16/2014	BOARD DIRECTIVE TRAVEL/MTG/CONF/SCHOOLS	106.00-	2,250.00	200.00-	1,944.00	510.27
TOTAL IN PACKET						0.00	

*** BUDGET DEFICIT WARNINGS ***

FUND ACCOUNT	NAME	BALANCE
007 5-0787-100-1000	REPAIRS TO GEN PROPERTY-REG	4,603.04
007 5-0802-007-1000	PERSONNEL SERVICES-REG	538.80-

TOTAL WARNINGS: 2

*** NO ERRORS ***

*** END OF REPORT ***