

The regular meeting of the Village of Arcade (VOA) Board of Trustees, Wyoming County, New York was held on Tuesday, January 6, 2015 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, Sandi Dutton, Jeff Mason, Justin Lewandowski

PLEDGE OF ALLEGIANCE

Mayor May opened the meeting with the Pledge of Allegiance.

APPROVE MINUTES

Motion by Trustee Rule and seconded by Trustee Koerner, the minutes from the regular meeting held on December 2, 2014 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		Yes		No	X	Abstain		Absent
Trustee Ken Rule	X	Yes		No		Abstain		Absent
Trustee Donna Schiener		Yes		No	X	Abstain		Absent
VOTE TOTAL:								
	3	Yes	0	No	2	Abstain	0	Absent
RESULTS								
	X	PASS				FAIL		

APPROVE MINUTES

Motion by Trustee McGarvey and seconded by Trustee Koerner, the minutes from the regular meeting held on December 16, 2014 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		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		

APPROVE MINUTES

Motion by Trustee Rule and seconded by Trustee McGarvey, the minutes from the special meeting held on December 22, 2014 be approved as presented by Deputy Clerk/Treasurer Karpinski.

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	X	Yes		No		Abstain		Absent
Trustee Donna Schiener		Yes		No	X	Abstain		Absent
VOTE TOTAL:								
	3	Yes	0	No	2	Abstain	0	Absent
RESULTS								
	X	PASS				FAIL		

AUTHORIZATION TO EXECUTE ENGINEERING PLANNING STUDY GRANT SEWER SYSTEM

Motion by Trustee Rule and seconded by Trustee McGarvey to accept the following resolution:

RESOLUTION

WHEREAS, the Village of Arcade has acknowledged the approval of their application for the Engineering Planning Grant (for the sewer system), #39062, with the NYS Environment Facilities Corporation in the amount of \$26,000.00

NOW, THEREFORE, BE IT RESOLVED that Larry A. Kilburn, Superintendent of Public Works for the Village of Arcade, is authorized to execute a Grant Agreement with NYS Environmental Facilities Corporation and any and all other contracts, documents and instruments necessary to bring about the Project and to fulfill the Village of Arcade's obligations under the Engineering Planning Grant Agreement

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		

SEQR TYPE II DETERMINATION RESOLUTION

Motion by Trustee Schiener and seconded by Trustee Rule to approve the following resolution:

SEQR TYPE II DETERMINATION RESOLUTION

WHEREAS, 6 NYCRR Section 617.5 (Title 6 of the New York Code of Rules and Regulation) under the State Environmental Quality Review Act (SEQR) provides that certain actions identified in subdivision (c) of that section are not subject to environmental review under the Environmental Conservation Law;

NOW, THEREFORE, BE IT RESOLVED that the Village of Arcade hereby determines that the proposed Village of Arcade Sewer Study II Work is a Type II action in accordance with 6 NYCRR Section 617.5(c) (18) which constitutes the information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted action and is therefore not subject to review under 6 NYCRR Part 617.5.

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		

AUTHORIZATION TO APPROVE LOCAL MATCH OF EFC GRANT

Motion by Mayor May and seconded by Trustee McGarvey the following resolution was approved:

AUTHORIZATION AND APPROPRIATION OF LOCAL MATCH FOR EFC GRANT

NOW, THEREFORE, BE IT RESOLVED that the Village of Arcade authorizes and appropriates a minimum of \$20% local match as required by the Engineering Planning Grant Program for the Village of Arcade Sewer Study II Work.

Under the Engineering Planning Grant Program, this local match must be at least 20% of the total project cost. The maximum local share appropriated subject to any changes agreed to by the Superintendent of Public Works shall not exceed \$6,500 based upon a total estimated maximum project cost of \$32,500. The Superintendent of Public Works may increase this local match through the use of in kind services without further approval from the Village of Arcade.

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		

CELL PHONE POLICY

Motion by Trustee Rule and seconded by Trustee Schiener to accept the proposed changes to the Cell Phone policy. This policy will be reviewed annually.

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		

SCHEDULE PUBLIC HEARING LOCAL LAW 69 PROPERTY TAX CAP OVERRIDE

Motion by Trustee McGarvey and seconded by Trustee Koerner to schedule a public hearing regarding the adoption of Local Law Chapter 69, Property Tax Cap Override on January 20, 2015 at 7:00 pm in the Village of Arcade boardroom.

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		Abstain	0	Absent	
RESULTS	X	PASS					FAIL		

AUTHORIZE MAYOR TO SIGN CONTRACT FOR FIRE TRUCK PURCHASE

Motion by Trustee Koerner and seconded by Trustee McGarvey to authorize the Mayor to sign the purchase contract between the Village of Arcade and Pierce Manufacturing, Inc. for the purchase of the new Freightliner M2-106 Pumper Tanker 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	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		

AUTHORIZE CLERK TREASURER TO MOVE FUNDS FROM ERR RESERVE

Motion by Trustee McGarvey and seconded by Trustee Koerner to authorize Clerk Treasurer Kraft to move \$198,000 from the fire department Equipment Replacement Reserve to the operating checking account. These funds will be combined with \$52,000 received from the Towns of Arcade and Freedom and will be sent to Pierce Manufacturing Inc. as a down payment on the fire truck. Pierce Manufacturing will pay interest in the amount of 5% (\$7,812.50) which will be used to reduce the cost of the truck.

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		

AUTHORIZE MAYOR TO SIGN WORKSITE EXPERIENCE AGREEMENT

Motion by Trustee Rule and seconded by Trustee Schiener to authorize the Mayor to sign the Worksite Experience Agreement between the Village of Arcade and Wyoming County Department of Social Services. The agreement covers the period of January 1, 2015 through December 31, 2015.

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		Abstain	0	Absent	
RESULTS	X	PASS					FAIL		

NOTICE OF FINAL RAILROAD CEILING

Clerk/Treasurer Kraft reported that notice has been received from the NYS Board of Real Property Services that the final railroad ceiling for the Buffalo & Pittsburg RR, Inc. real property for the VOA assessment roll to be filed in 2015 is \$173,515. This is an increase of \$13,894 due to the equalization rate of 90.19 for 2015 versus 92.06 for 2014 tax year.

CANCELLATION OF DEBT

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

Fugle, Linda	\$615.67	Bankrupt
Myers, Mark	\$231.08	Past Statute
TOTAL	846.65	

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		

DESTROY RECORDS

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

RECORD	BOX #	RETENTION PERIOD
Daily Cash Receipts/Balance Aug – Dec 2008	0020	6 years
Work Orders Gen/Water/Sewer 1985-2008	0053	6 years
Time Sheets 2008	0178	6 years
Budget Prep File 2004-2008	0190	6 years
Payroll Labor Dist Periodic 2008	0350	6 years
Periodic Payroll Reports 2008	0351	6 years
Tax Bills, Collectors Copies 2008	0457	6 years
Grants 2005-2008	0770	6 years
Deposit Slips 2006-2008	0790	6 years
HEAP Payment Vouchers 2005-2006, 2007-2008		6 years

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 Schiener and seconded by Trustee Koerner to authorize Court Clerk Koerner to destroy the following records, approval has already been received from the Office of the State Comptroller, the Office of Court Administration and the Town of Arcade:

2007 vehicle and traffic dockets, 3 boxes
2007 Fiscal/Banking records
2007 Monthly Reports – Revenue Records
Monthly Reports JR/JKC 2002-2005 Town and Village, SBB Bail receipts 1988-2008, JR Bail records 2004-2006, WCB Bail Records 1984-1988
Civil Docket Books 1948-1958, 1 box
Civil Docket Books 1973-1974, 1 box
Vehicle and Traffic Mail Pleas 1984-1990, 7 boxes
Justice Snyder V&T Dockets 1971-1981, 1 box
Justice W. Beyer V&T Dockets 1984-1988, 2 boxes

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		

ARTS COUNCIL FOR WYOMING COUNTY ADDITIONAL FUNDING

Clerk Treasurer Kraft reported a letter had been received from the Arts Council for Wyoming County indicating that additional funding, in the amount of \$295 would be received by the Village for the Community Mural Project, which brings the total grant amount to \$1,495.00.

FY 2014-2015 BUDGET AMENDMENT

Motion by Trustee Rule and seconded by Trustee Koerner, the FY 2014-2015 budget be amended as follows because funds have been received in connection with the Safe Routes To School Grant.

INCREASE REVENUE	INCREASE EXPENDITURE
001-4-4089-1000 Federal Aid	001-5-5410-400-4220 Consultants
In the amount of \$9,208.08	

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 Rule, the Village bills be audited and paid in the amount of \$237,487.80 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		

RECERTIFICATION OF AMBULANCE SERVICE

Motion by Trustee Schiener and seconded by Trustee Koerner to authorize the Mayor to sign the application for EMS Operating Certificate for the re-certification of the Arcade Fire Department ambulances once it is completed. The certification is valid for two years and allows the ambulance to service the Village of Arcade, the towns of Arcade and Freedom as well as fire protection districts 1 and 3 for Freedom.

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 Mayor May, the Board enter into executive session to discuss the following topic(s) at 7:44 pm:

- Employment history of a particular employee

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 Rule and seconded by Trustee McGarvey, the Board exit executive session at 8:08 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		

WWTP NEW HIRE

Motion by Trustee McGarvey and seconded by Trustee Schiener to authorize Superintendent of Public Works Kilburn to post the position of Chief Sewage Treatment Plant Operator both internally and externally. The position requires the candidate to have a NYS 3A Wastewater Treatment Operator certification and the current residency law does apply.

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		

REPORTS RECEIVED

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

- Revenue/Expense Reports through 12/31/2014

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 McGarvey.

Clerk/Treasurer