

The regular meeting of the Village of Arcade (VOA) Board of Trustees, Wyoming County, New York was held on Tuesday, February 3, 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

Chris Lexer, Carole Jones

PLEDGE OF ALLEGIANCE

Mayor May opened the meeting with the Pledge of Allegiance.

ZONING – SIGNS AND FENCING

Zoning Officer Lexer proposed the VOA board review the zoning regulations pertaining to electronic signs and asked the VOA board to consider changing the regulations. Currently electronic signs are not allowed. Zoning Officer Lexer felt that with the changing technology and the ongoing interest by merchants to have this type of sign available to them, it would be worth writing the law to allow this type of sign but still be able to regulate the type allowed. Understandably no one wants an electronic sign that flashes as that creates distraction for drivers and becomes a safety issue. A local merchant has requested use of a digital read out sign with information changing every few seconds, but not a flashing sing. Zoning Officer Lexer offered new language to cover this type of signage and would like to submit this to the Village attorney for review. His language will include size limitations as well as setback constraints, flashing signs will not be allowed.

Fences, Section 710 of the local Zoning Law, Chapter 64

Zoning Officer Lexer offered new language for the fencing section of the local zoning law. Most changes pertain to the front yard limitations. He would like to submit his proposed language to the Village attorney for review and recommendation.

Zoning Officer Lexer will return to the board once he has approved language for both sections of the Zoning law.

APPROVE MINUTES

Motion by Trustee Rule and seconded by Trustee Koerner, the minutes from the regular meeting held on January 20, 2015 be approved as presented by Clerk/Treasurer Kraft.

The motion was passed upon the following vote:

VOTE								
Mayor Jay May		Yes		No	X	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:	4	Yes	0	No	1	Abstain	0	Absent
RESULTS	X	PASS				FAIL		

APPROVE MINUTES

Motion by Trustee McGarvey and seconded by Trustee Koerner, the minutes from the budget work session meeting held on January 27, 2015 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		Yes		No	X	Abstain		Absent
VOTE TOTAL:								
	4	Yes	0	No	1	Abstain	0	Absent
RESULTS								
	X	PASS				FAIL		

POLICE DEPARTMENT

Chief Biscaro handed out his annual report.

SPW

Superintendent of Public Works Kilburn provided copies of the draft for the Public Service Commission (PSC) rate increase report. We need to review this before submission.

AUTHORIZE MAYOR TO SIGN ENGAGEMENT WITH HODGSON RUSS

Motion by Trustee McGarvey and seconded by Trustee Rule to authorize Mayor May to sign the engagement letter with Hodgson Russ LLP for legal services involved with the bond issue for the Waste Water Treatment Plant and the I & I work. The estimated cost of legal services for the I & I Project is \$12,000.00 and the estimated cost of legal services for the Wastewater Treatment Facility Improvements Project is \$24,000.00.

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 MAYOR TO SIGN CULTURAL SERVICES AGREEMENT

Motion by Trustee Schiener and seconded by Trustee Koerner to authorize the Mayor to sign the Cultural Services Agreement between the Village of Arcade and the Arts Council for Wyoming County (ACWC). This agreement authorizes the ACWC to send grant funds in the amount of \$1495.00 for our summer recreation program, "Arcade's Downtown Mural Project."

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 DESTROY RECORDS

Motion by Trustee Schiener and seconded by Trustee Koerner to authorize Clerk Treasurer Kraft to destroy the following records in accordance with NYS MU1 schedule. All of the following records have a six (6) year retention period.

Correspondence Clerk Treasurer 2008

Sales Tax 2008
 NYS Qrtly Returns 2008
 IRS 941 Report 2008
 Electric Receipts 11/17/08 – 1/28/09

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		

FY 2014-2015 BUDGET AMENDMENT

Motion by Trustee McGarvey and seconded by Trustee Rule, the FY 2014-2015 budget be amended as follows because funds have been received by Wyoming County from a seized asset in the amount of \$4,034.40.

INCREASE REVENUE	INCREASE EXPENDITURE
001-4-2626-0100	001-5-3120-200-2001
In the amount of \$4,034.40	

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 Trustee Schiener and seconded by Trustee Koerner, the Village bills be audited and paid in the amount \$434,273.15 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		

LIBERTY STREET PARKING AREA

Trustee Rule would like to see the parking lot on Liberty Street open for public use. Perhaps we can use the tree boxes to landscape the parking area; the Village would maintain this area.

PROPERTY MAINTENANCE LAW

Trustee Koerner proposed the Village should impose a fee for the expenses incurred in the upkeep of someone's otherwise unkempt property rather than fine someone for lack of upkeep. The board concurred that having an

individual come before the VOA board might be the way to go. Trustee Koerner will contact Bob Kutzuba to finalize the language in the proposed law.

GRIEVANCE DAY

Mayor May will be out of town on Grievance Day, February 17, 2015, and he appointed Deputy Mayor Rule to act on his behalf.

REPORTS RECEIVED

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

- Revenue/Expense Reports General, Water, Sewer and Electric Funds
- Annual Police Department Report

ADJOURN

There being no further business to come before the Board the meeting duly adjourned at 8:17 pm upon motion by Trustee Koerner and seconded by Trustee Schiener.

Clerk/Treasurer

