

The regular meeting of the Village of Arcade (VOA) Board of Trustees, Wyoming County, New York was held on Tuesday, January 5, 2016 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

Maureen Boza, Steve Pinter, Joe Collins, Summer Phillipson

PLEDGE OF ALLEGIANCE

Mayor May opened the meeting with the Pledge of Allegiance.

WINTERFEST

Maureen Boza presented the agenda for the 2016 Winterfest. The Winterfest will be the weekend of February 12th, 13th, 14th. The theme this year is Celebrity Style. Most events will take place at the sledding hill end of the park. The pageant will take place in the Arcade Elementary building. There will be fireworks on Sunday night. The committee is hoping to have a bonfire the night of the fireworks display. There will a family tubing night on Saturday night, the Winterfest committee purchased tubes last year and they will be available for use. Some of the events are a 5K Fun Run, box sled derby, horse drawn wagon rides, s'more makings, snow games and kickball in the snow.

APPROVE MINUTES

Motion by Trustee Rule and seconded by Trustee Koerner, the minutes from the regular meeting held on December 15, 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	X	Yes		No		Abstain		Absent	
VOTE TOTAL:	5	Yes	0	No	0	Abstain	0	Absent	
RESULTS	X	PASS					FAIL		

LOCAL LAW CHAPTER 55 STREETS, SIDEWALKS AND OTHER MUNICIPAL OWNED PROPERTIES

Motion by Trustee Rule and seconded by Trustee Koerner to schedule a public hearing for the proposed changes to Chapter 55, Street, Sidewalks and other Municipal Owned Properties for January 19, 2016 at 7:00 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		

WATER DEPARTMENT PURCHASE OF CUBE VAN

Motion by Trustee Rule and seconded by Trustee McGarvey to authorize Superintendent of Public Works Kilburn to purchase the water department cube van from Basil Chevrolet in the amount of \$41,682.50. This cost includes the installation of helper springs.

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		

HYBRID BUCKET TRUCK

Motion by Trustee McGarvey and seconded by Trustee Koerner to authorize Superintendent of Public Works Kilburn to purchase an Altec hybrid bucket truck for \$292,161.00. IEEP will pay \$68,000 and the remainder, \$224,161, will be financed through NYPA.

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 EXPANSION UPDATE

Superintendent of Public Works Kilburn discussed the justification for the increase in the engineer’s estimate of expenses for the expansion of the WWTP. The original expansion was going to increase the hydraulic capacity from 0.5 MGD to 0.75 MGD. During the designing of the project the alternative treatment process that was utilized resulted in a capacity change increase up to 0.95. The design involves the conversion of the two existing contact stabilization tanks to sequential batch reactors (SBRs); construction of a new third SBR tank; construction of a new sludge digester tank; installation of process piping; replacement of selective process equipment; repairs and improvement to the existing buildings and the construction of two additions on the existing sludge storage buildings. These changes require a new SEQR negative declaration resolution.

WWTP EXPANSION AMENDED SEQR NEGATIVE DECLARATION

Motion by Trustee Rule and seconded by Trustee Schiener to approve the following resolution classifying the expansion of the Arcade WWTP in the Village of Arcade as a Type 1 Action, determining the significance of such action, and directing that the negative declaration be published in accordance with SEQRA:

RESOLUTION

WHEREAS, the Board of Trustees of the Village of Arcade, New York previously considered the financing and construction of improvement required for the expansion of the existing Arcade WWTF from 0.5 MGD to 0.75 MGD within the Village limits, together with improvements incidental thereto (the "project"); and

WHEREAS, the Board previously prepared an environmental assessment form or similar information ("EAF");

WHEREAS, the Board previously determined that the project was a "Type 1 Action" pursuant to SEQRA; and

WHEREAS, the Board previously determined that the project involved one or more involved agencies, mandating a coordinated review; and

WHEREAS, the Board duly previously notified the other involved agencies pursuant to 6 NYCRR 617.6(3)(i) and indicated its willingness to be designated Lead Agency status; and

WHEREAS, all of the involved agencies previously consented to the Board's request to be designated Lead Agency status; and

WHEREAS, the Board previously determined that the project would not result in any significant adverse environmental impacts and previously issued a Negative Declaration; and

WHEREAS, an alternative treatment process was utilized during the final design of the project resulting in an increase of the capacity of the WWTF from 0.5 MGD to 0.95 MGD; and

WHEREAS, the amended project involves the conversion of the two (2) exiting contact stabilization tanks to sequential batch reactors (SBRs); construction of a new third SBR tank; construction of a new sludge digester tank; installation of process piping; replacement of selective process equipment, repairs and improvements to the existing buildings and the construction of two additions on the existing sludge storage buildings; and

WHEREAS, to aid the Board in determining whether the amended Project and financing and other actions of the Board in connection therewith (the "action") might have a significant effect on the environment; and

WHEREAS, the Board duly reviewed the supporting documents with respect to the above-referenced amended project and duly considered the impacts which may be expected to result from the proposed amended action with the criteria set forth in the State Environmental Quality Review Act and the applicable regulations promulgated thereunder ("SEQRA"); and

NOW THEREFORE, BE IT RESOLVED BY THE VILLAGE OF ARCADE BOARD OF TRUSTEES, ARCADE, NEW YORK AS FOLLOWS:

1. Based upon the review by the Board of the supporting documentation, the Board hereby finds and determines that the proposed amended action will result in no significant impacts and therefore, such action is not one which "may include the potential for at least one significant adverse environmental impact," (b) "there will be no significant adverse environmental impacts," and (c) no "environmental impact statement" need be prepared, as such quoted terms are defined in SEQRA. Reasons supporting this amended determination are attached hereto and hereby made a part of this resolution for the purposes of SEQRA. This determination constitutes an amended negative declaration for purposes of SEQRA and it has been prepared in accordance with Article 8 of the Environmental Conservation Law.
2. A copy of this resolution shall be placed on file in the office of the Village Clerk, where the same shall be available for public inspection during business hours and such notice of the amended negative declaration shall be filed in such offices, posted in such places and published in such manner as shall be necessary to conform to the requirements of SEQRA.
3. A copy of the amended resolution and supporting documentation will also be sent to the involved agencies.

This resolution shall take effect immediately.

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	

MUNICIPAL SNOW AND ICE CONTRACT RESOLUTION

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

RESOLUTION

WHEREAS, the Village of Arcade entered into an Agreement No. D010645 entitled "Indexed Lump Sum Municipal Snow and Ice Agreement" between the New York State Department of Transportation (NYSDOT) and the Village of Arcade (VOA) dated October 5, 1996; and

WHEREAS, the term of the said Agreement is for a period of three years commencing July 1, 1996 and the said Agreement provides that the parties may at the end of each year of the term of the Agreement extend such term for an additional year; and

WHEREAS, the present term of the Agreement, as extended, expires June 30, 2017 and

WHEREAS, Section 7 of the said Agreement provides that the NYSDOT shall furnish the VOA with a suitable map for each term of the Agreement, or for any extended term thereof, modified to show the changes, if any, to the State Highways affected by this Agreement; and

WHEREAS, Section 9 of the said Agreement provided for an annual update of the estimated expenditure to be determined by the NYSDOT subject to the provisions of Section 9 at the time for extension of the Agreement; and

WHEREAS, Section 9 of the Agreement also provides for an adjustment to the actual payment amount based on the intensity and severity of the winter season;

NOW, THEREFORE, Be It Resolved, that the Mayor of the VOA be hereby authorized to enter into an Indexed Lump Sum Municipal Snow and Ice Agreement with the NYSDOT to extend the contract for a period of one year, now to expire on June 30, 2018. The highways or parts thereof affected by this Agreement are as delineated on the attached map and are agreed upon by the NYS DOT and the VOA, and shall be effective for the remainder of the term of the Agreement commencing on July 1, 2017 unless changed by future agreement. The Indexed Lump Sum estimated expenditure as specified in Section 9 of the aforementioned Agreement shall be \$5,500.66 per lane mile for 1.00 lane miles for a total of \$5,500.66 for the 2015-16 season and for the remainder of the term of the Agreement commencing July 1, 2015, unless changed by future update.

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		

DECLARE EQUIPMENT AS SURPLUS

Motion by Trustee McGarvey and seconded by Trustee Rule to declare the 1996 Trackless as surplus and as such it is to be sold to the highest bidder.

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 Mayor May to schedule a public hearing regarding the adoption of Local Law Chapter 69, Property Tax Cap Override on January 19, 2016 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		

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 2016 is \$195,085. This is an increase of \$21,570 due to the equalization rate of 89.82 for 2016 versus 90.15 for the 2015 tax year.

NOTICE OF TENTATIVE SPECIAL FRANCHISE ASSESSMENT FULL VALUE

Clerk/Treasurer Kraft reported that notice has been received from the NYS Board of Real Property Services that the tentative Special Franchise full values for the VOA assessment roll to be filed in 2016 is \$792,876. This includes National Fuel Gas at \$439,649 (last year \$446,582), Verizon at \$294,201 (last year \$314,770) and Time Warner at \$59,026 (last year \$60,940). Last year's figure was \$822,292.

PERMISSION TO DESTROY RECORDS

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

Vehicle records, all with a 6 year retention after they are sold:

- #712 2001 Chevy PU Sold 9/29/09
- # 76 2000 Ford bucket Truck Sold 6/04/09
- # 74 2007 Ford PU Sold 11/19/09
- # 52 1997 Ford Dump Truck Sold 11/19/09
- # 49 1992 Butler Pole Trailer Sold 11/19/09
- # 28 1999 Freightliner Dump Truck Sold 11/20/09
- # 24 2008 John Deere Loader Sold 7/06/09
- # 18 2005 Chevy Impala Sold 10/22/09
- # 4 1994 Chevy Van Sold 8/13/09

Recreation Employee Applications 2008 and 2009 6 year retention

Fuel Records July 2009 through December 2009 6 year retention

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 2015-2016 BUDGET ADJUSTMENTS

Motion by Trustee Schiener and seconded by Trustee McGarvey, 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	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 \$737,595.16 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		

EXECUTIVE SESSION

Motion by Trustee McGarvey and seconded by Trustee Koerner, the Board enter into executive session to discuss the following topic(s) at 8:07 pm:

- Pending or current litigation

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 McGarvey, the Board exit executive session at 8:25 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	

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 8:27 pm upon motion by Trustee Rule and seconded by Trustee McGarvey.

Clerk/Treasurer

VENDOR	AMOUNT	VENDOR	AMOUNT
AFLAC NEW YORK	\$ 2,249.34	NATIONAL FUEL GAS DISTRIB	\$ 19.22
AIRCRAFT DYNAMICS CORP	\$ 954.37	NATIONAL GRID	\$ 120,249.75
AIRGAS, INC	\$ 49.68	NEW YORK STATE DEFERRED COMP	\$ 2,295.82
ALTEC INDUSTRIES INC	\$ 2,146.28	NGT CORPORATION	\$ 845.00
AMI INVESTMENTS LLC	\$ 192.75	NOCO ENERGY CORP	\$ 1,137.53
ARCADE HERALD	\$ 85.80	NY POWER AUTHORITY	\$ 4,784.06
ARCADE SENIOR CITIZENS	\$ 555.00	NY POWER AUTHORITY	\$ 160,399.45
AUTOMOTIVE ALLEY INC	\$ 20.00	NYMPA	\$ 179,378.00
BENEFLEX INC	\$ 180.00	NYS & LOCAL RETIRE SYSTEM	\$ 3,934.96
BLUE COLLAR WORKWEAR	\$ 738.80	NYS INCOME TAX	\$ 3,696.88
BLUE HERON CONSTRUCTION CO L	\$ 38,637.69	NYS SALES TAX	\$ 8,856.21
CID DIVISION OF WASTE MANAGEM	\$ 9,041.67	PIKE HARDWARE	\$ 12.95
CINTAS CORPORATION #782	\$ 83.55	PIONEER FORD INC.	\$ 350.90
CLARK PATTERSON LEE	\$ 1,400.00	PLEACE, MELISSA	\$ 325.00
CLARK PATTERSON LEE	\$ 45,727.40	RICHARD-CIN SIGNS & SUPPLIES	\$ 823.40
CSEA	\$ 700.44	SOUTER, ROBERT A	\$ 275.00
CSEA BENEFIT UNIT	\$ 747.20	SOUTHWORTH-MILTON INC.	\$ 2,143.87
CSEA POLICE UNIT	\$ 153.83	TECHNICAL ASSISTANCE AND	\$ 6,428.78
DOMES INC	\$ 897.50	TIME WARNER CABLE	\$ 44.95
EATON OFFICE SUPPLY CO INC	\$ 308.00	TOMPKINS INSURANCE AGENCIES	\$ 665.00
FIRST NIAGARA BANK, N.A.	\$ 407.66	TRACTOR SUPPLY CREDIT PLAN	\$ 266.79
FLEET MAINTENANCE INC	\$ 1,959.46	UNIVAR USA INC.	\$ 1,172.65
HD SUPPLY WATERWORKS LTD	\$ 1,747.20	UNIVERA HEALTH CARE	\$ 27,600.93
INDEPENDENT HEALTH	\$ 10,725.80	USA BLUEBOOK	\$ 556.67
IRS - FEDERAL PAYROLL TAX PAY	\$ 20,921.22	VALLEY FAB & EQUIPMENT INC	\$ 224.40
IRS - FEDERAL PAYROLL TAX PAY	\$ 551.24	VERIZON WIRELESS	\$ 734.23
ITRON, INC.	\$ 716.37	VILLAGE OF ARCADE	\$ 90.00
JIM'S EQUIPMENT REPAIR	\$ 260.10	WESCO DISTRIBUTION INC.	\$ 8,091.60
MARCOS PIZZA & SUBS	\$ 39.70	WILLDAN ENERGY SOLUTIONS	\$ 58,000.00
MARTIN BROS CHEVROLET INC	\$ 115.47	WYOMING COUNTY SHERIFF	\$ 293.41
MEUA - MUNICIPAL ELECTRIC UT	\$ 1,050.00	ZEE MEDICAL SERVICE CO.	\$ 534.23
COLUMN TOTAL	\$ 143,363.52	COLUMN TOTAL	\$ 594,231.64
		GRAND TOTAL	\$ 737,595.16

1-05-2016 6:24 PM

BUDGET ADJUSTMENT REGISTER

PAGE: 1

PACKET: 00252-PER BOARD DIRECTIVE 1/5/2016

BUDGET CODE: CB-Current Budget

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

001 5-7140-200-2000	1/05/2016	PER BOARD DIRECTIVE	3,000.00-	11,200.00	1,317.30	9,517.30	8,510.30	
		EQUIPMENT						
001 5-5110-200-2000	1/05/2016	PER BOARD DIRECTIVE	3,000.00-	10,000.00	6,191.62	13,191.62	8,354.68	
		EQUIPMENT						
001 5-5410-400-4470	1/05/2016	PER BOARD DIRECTIVE	6,000.00	0.00	0.00	6,000.00	0.00	
		EQUIP RENTALS						
TOTAL IN PACKET--						0.00		

*** NO WARNINGS ***

*** NO ERRORS ***

*** END OF REPORT ***