

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

Carole Jones, Joe Collins, John Camiolo, Jace Drennan

**PLEDGE OF ALLEGIANCE**

Mayor May opened the meeting with the Pledge of Allegiance.

**LOCAL LAW CHAPTER 61 TRAFFIC CONTROL**

Superintendent of Public Works Kilburn discussed changing the speed limit on North Street from the intersection at Hurdville to Cramer Drive. In the fall there was discussion regarding the speed limit which is currently set at 25 mph. Chief Biscaro suggested a 35-40mph limit. The board agreed to the 35 mph.

Motion by Trustee Koerner and seconded by Trustee Rule to hold a public hearing to discuss the proposed changes to Local Law Chapter 61 Traffic Control. The public hearing will be held on June 7, 2016 at 7:00 pm, followed by the regular board meeting.

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 Koerner, the minutes from the regular meeting held on April 19, 2016 be approved as presented by Clerk/Treasurer Kraft.

The motion was passed upon the following vote:

| <b>VOTE</b>            |          |             |   |    |   |             |   |        |
|------------------------|----------|-------------|---|----|---|-------------|---|--------|
| 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 |
| <b>VOTE TOTAL:</b>     | 4        | Yes         | 0 | No | 1 | Abstain     | 0 | Absent |
| <b>RESULTS</b>         | <b>X</b> | <b>PASS</b> |   |    |   | <b>FAIL</b> |   |        |

**AUTHORIZE EMPLOYEE TRANSFER WWTP TO WATER DEPARTMENT**

Motion by Trustee Rule and seconded by Trustee Koerner to authorize the transfer of employee Jason George from the WWTP to the Water Department as a Public Works Maintenance Worker B at an hourly rate of \$17.18 effective May 9, 2016.

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> |        |

**RESOLUTION – NYMPA ANNUAL MEETING**

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

**RESOLUTION**

**WHEREAS**, the Board of Trustees of the Village of Arcade, New York, is a municipal member of the New York Municipal Power Agency (NYMPA) and

**WHEREAS**, the annual meeting of NYMPA has been called on May 25, 2016 to be held at the Embassy Suites Hotel, 6646 Old Collamer Road., East Syracuse, New York, 13057 and,

**WHEREAS**, in accordance with the bylaws of NYMPA, each municipal member may cast one vote on each transaction properly brought before this meeting,

**NOW THEREFORE BE IT RESOLVED**, that Superintendent of Public Works Larry Kilburn be and is hereby designated as the accredited delegate of the Village of Arcade, New York.

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> |        |

**RESOLUTION - 2016 TAX LEVY**

The following resolution was offered by Trustee Rule and seconded by Trustee Koerner:

**RESOLUTION**

**WHEREAS**, Real Property Tax Law §1420 mandates that the Board of Trustees levy the tax for the ensuing year by May 15<sup>th</sup>; and

**WHEREAS**, the Board of Trustees has adopted a budget for the period June 1, 2016 through May 31, 2017 showing an amount to be raised by taxation; and

**WHEREAS**, the taxable assessed value of the Village for the period June 1, 2016 through May 31, 2017 has been set forth in the final assessment roll and verified by the assessors; and

**BE IT RESOLVED**, that Clerk/Treasurer Kraft be hereby authorized and directed to extend and carry out upon the roll the amount to be levied against each parcel of real property with a tax rate of 16.573278 per thousand of assessed valuation.

Total General Fund Tax Levy .....\$, 1,537,671

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>         |   |             |   |    |   |             |   |        |
|                        | X | <b>PASS</b> |   |    |   | <b>FAIL</b> |   |        |

**2015 TAX WARRANT**

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

To: Jennifer Kraft, Clerk Treasurer

**YOU ARE HEREBY COMMANDED** to receive and collect from the persons named in the tax roll hereunto annexed, the several sums stated in the last column hereof opposite their respective names, being a total of **\$1,537,671**

|   |                       |
|---|-----------------------|
| For General Fund.....   | \$1,537,671.00        |
| For Omitted Taxes .....   | \$0.00                |
| For Delinquent Water Rents, Charges, & Interest .....             | \$0.00                |
| For Delinquent Sewer Rents, Charges, & Interest.....              | \$0.00                |
| For Miscellaneous General Fund Accounts Receivable.....           | \$0.00                |
| For Miscellaneous Water Fund Accounts Receivable .....            | \$0.00                |
| For Miscellaneous Sewer Fund Accounts Receivable .....            | \$0.00                |
| For Tax Rebate .....  | \$0.00                |
| <b>Total Real Property Taxes &amp; Other Charges on Roll.....</b> | <b>\$1,537,671.00</b> |

**YOU ARE FURTHER COMMANDED** to receive and collect such sums without additional charge between June 1, 2016 and July 1, 2016, both inclusive; and thereafter to collect with such of the sums as have not been theretofore collected, an additional charge of five percent (5%) between July 2, 2016 and July 31, 2016 and an additional one percent (1%) for each month thereafter. No payments shall be accepted after October 31, 2016. Unpaid taxes will be re-levied January 1, 2017 by Wyoming County with an additional seven percent (7%).

**YOU ARE FURTHER COMMANDED** to collect the unpaid taxes, with interest as herein provided, and to impose a charge of \$2.00 to offset the expense of mailing notices of unpaid taxes.

**YOU ARE FURTHER COMMANDED** to return the tax roll and warrant on or before November 1, 2016, and at the same time deliver an account of the unpaid taxes to the Board of Trustees. The account must describe each parcel of real property upon which taxes are unpaid, the person(s) whose name the property is assessed, and the amount of unpaid tax.

**YOU ARE FURTHER COMMANDED** to publish a notice in the Arcade Herald newspaper, once a week for two (2) successive weeks, stating that the tax roll and warrant have been delivered to you for the collection of the taxes levied on such roll. The notice must designate that taxes will be collected at the Village of Arcade Office, 17 Church Street, Arcade NY from June 1 to an including June 30 from 7:00am to 4:00pm, except Saturdays, Sundays, and holidays. The notice must state the interest required to be added after J as herein provided.

**IN WITNESS WHEREOF:** The Village of Arcade Board of Trustees has caused this tax warrant to be signed by its Mayor and Clerk/Treasurer of the said Village and the seal of the Village hereby be affixed, May 3, 2016.

The motion was passed upon the following vote:

| <b>VOTE</b>                 |          |             |   |           |   |                |             |               |  |
|-----------------------------|----------|-------------|---|-----------|---|----------------|-------------|---------------|--|
| Mayor Jay May               | X        | Yes         |   | No        |   | Abstain        |             | Absent        |  |
| <b>Trustee Andy Koerner</b> | <b>X</b> | <b>Yes</b>  |   | <b>No</b> |   | <b>Abstain</b> |             | <b>Absent</b> |  |
| 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 \$226,799.53 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> |        |  |

**CLEAN UP ARCADE**

Trustee Schiener thanked all the volunteers that participated in the Clean-Up Arcade Day, it was a great success. Volunteers cleaned up all the streets and parks and all the garbage bags were removed that day.

**SUMMER RECREATION**

In response to concerns shared by parents last year regarding summer recreation the YMCA has announced field trips will return this year. Sign-ups are June 6<sup>th</sup> and 8<sup>th</sup> from 4:00 – 7:00 pm at the Village Board Room. Fees are the same as last year, \$35.00 for Arcade residents and \$75 for non-residents.

**SCULPTURE DONATION**

Motion by Trustee Schiener and seconded by Trustee McGarvey to accept the metal sculpture created by a BOCES welding student, Bailey Hughson, as a gift to the Village to Arcade.

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> |        |  |

**LIME LAKE PROJECT UPDATE**

Trustee McGarvey reported that Pioneer Central School has once again turned down the request to allow the Lime Lake Sewer Expansion project to tap in to their force main. If allowed it would save \$1,000,000 in the overall cost of the project. Trustee McGarvey has met with school officials but was unable to sway their decision.

**EXECUTIVE SESSION**

Motion by Trustee McGarvey and seconded by Trustee Rule, the Board enter into executive session to discuss the following topic(s) at 7:49 pm:

Contract Negotiations

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>         |   |             |   |    |   |         |             |        |  |
|                        | X | <b>PASS</b> |   |    |   |         | <b>FAIL</b> |        |  |

Motion by Trustee Schiener and seconded by Trustee Rule, the Board exit executive session at 8:20 pm.

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>         |   |             |   |    |   |         |             |        |  |
|                        | X | <b>PASS</b> |   |    |   |         | <b>FAIL</b> |        |  |

**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 8:28 pm upon motion by Trustee McGarvey and seconded by Trustee Rule.

\_\_\_\_\_  
Clerk/Treasurer

| VENDOR                       | AMOUNT              | VENDOR                      | AMOUNT               |
|------------------------------|---------------------|-----------------------------|----------------------|
| ARCADE HERALD                | \$ 40.41            | E.R. RULE & SONS INC.       | \$ 675.00            |
| ARCADE HISTORICAL SOCIETY    | \$ 9.26             | VFW POST 374                | \$ 250.00            |
| NEW YORK STATE DEFERRED COM  | \$ 2,186.77         | DANNY HEINEMAN & SONS INC   | \$ 35.45             |
| IRS - FEDERAL PAYROLL TAX PA | \$ 8,408.98         | MAPLE GROVE ENTERPRISES     | \$ 579.00            |
| IRS - FEDERAL PAYROLL TAX PA | \$ 9,404.14         | MARTIN BROS CHEVROLET INC   | \$ 29.95             |
| IRS - FEDERAL PAYROLL TAX PA | \$ 2,199.36         | MATUSZAK'S BLACKTOPPING INC | \$ 825.00            |
| C.W. ELECTRONICS             | \$ 180.00           | KOERNER, GILLIAN            | \$ 29.10             |
| SHELTERPOINT LIFE INSURANCE  | \$ 193.50           | MOORE MEDICAL, LLC          | \$ 1,942.88          |
| SHELTERPOINT LIFE INSURANCE  | \$ 309.60           | NATIONAL FUEL GAS DISTRIB   | \$ 19.77             |
| CLARK PATTERSON LEE          | \$ 2,254.74         | NATIONAL GRID               | \$ 94,310.37         |
| INDEPENDENT HEALTH           | \$ 9,907.54         | NYS INCOME TAX              | \$ 3,595.88          |
| NGT CORPORATION              | \$ 845.00           | NYS & LOCAL RETIRE SYSTEM   | \$ 213.42            |
| SS DIESEL & AUTO LLC         | \$ 2,023.11         | NYS & LOCAL RETIRE SYSTEM   | \$ 304.97            |
| THOMSON REUTERS - WEST       | \$ 104.70           | NYS & LOCAL RETIRE SYSTEM   | \$ 90.74             |
| BENEFLEX INC                 | \$ 175.00           | NYS & LOCAL RETIRE SYSTEM   | \$ 66.36             |
| ATTICA AUTO SUPPLY           | \$ 250.26           | NYS & LOCAL RETIRE SYSTEM   | \$ 3.24              |
| FIRST NIAGARA BANK, N.A.     | \$ 404.66           | NYS & LOCAL RETIRE SYSTEM   | \$ 54.23             |
| 697 WEST MAIN ST LLC         | \$ 600.00           | NYS & LOCAL RETIRE SYSTEM   | \$ 1,265.00          |
| GENERAL PHYSICIAN PC         | \$ 45.00            | NYS & LOCAL RETIRE SYSTEM   | \$ 17.59             |
| BIEL'S DOCUMENT MANAGEMENT   | \$ 1,860.00         | NYS SALES TAX               | \$ 17,034.13         |
| SECURITY INVESTORS GROUP IN  | \$ 310.00           | SOUTER, ROBERT A            | \$ 335.00            |
| UNIVERA HEALTH CARE          | \$ 27,600.93        | SPRINGVILLE DOOR & WINDOW   | \$ 542.52            |
| COMMUNITY PAPERS OF WESTERN  | \$ 1,121.40         | TRACTOR SUPPLY CREDIT PLAN  | \$ 20.97             |
| SOUTHERN TIER ELECTRIC SUPP  | \$ 106.28           | UNITED STATES POSTAL SERVIC | \$ 1,500.00          |
| GOOD NEIGHBOR SERVICES       | \$ 9,100.00         | UPS                         | \$ 20.65             |
| WYOMING COUNTY SHERIFF       | \$ 242.53           | UNITED UNIFORM CO INC       | \$ 58.57             |
| PROMARK INTERNATIONAL INC    | \$ 5,862.36         | UTZ TIRE SERVICE OF ARCADE, | \$ 877.84            |
| THEON, JAMES A               | \$ 342.90           | VERIZON WIRELESS            | \$ 684.19            |
| CROUSE, BRANDON E            | \$ 1,300.00         | VERIZON                     | \$ 146.93            |
| CID DIVSION OF WASTE MANAGE  | \$ 9,041.67         | VILLAGE OF ARCADE           | \$ 90.00             |
| CINTAS CORPORATION #782      | \$ 55.70            | WESCO DISTRIBUTION, INC.    | \$ 547.00            |
| CSEA                         | \$ 721.24           | WORKPLACE HEALTH SERVICES   | \$ 190.00            |
| CSEA POLICE UNIT             | \$ 131.80           | WYOMING COUNTY VILLAGE ASSO | \$ 108.00            |
| NOCO ENERGY CORP             | \$ 1,330.27         | YORKSHIRE BATTERY & TIRE    | \$ 1,111.67          |
| FORBES, EDITH E              | \$ 105.00           | ZUECH'S ENVIRONMENTAL SRVCS | \$ 450.00            |
| <b>COLUMN TOTAL</b>          | <b>\$ 98,774.11</b> | <b>COLUMN TOTAL</b>         | <b>\$ 128,025.42</b> |
|                              |                     | <b>GRAND TOTAL</b>          | <b>\$ 226,799.53</b> |