

The regular meeting of the Village of Arcade (VOA) Board of Trustees, Wyoming County, New York was held on Tuesday, December 20, 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, Sandra Dutton, Jason Foote, Mike McElheny, Don Saulter, Hunter Saulter

PLEDGE OF ALLEGIANCE

Mayor May opened the meeting with the Pledge of Allegiance.

APPROVE MINUTES

Motion by Trustee McGarvey and seconded by Trustee Koerner, the minutes from the regular meeting held on December 6, 2016 be approved with the change in the total amount of capital bills to be sent to EFC. Although all the bills were listed, the total dollar amount on the spreadsheet was incorrect. The original amount on the spreadsheet read \$975,812.55 and should have read \$983,949.55. The correction has been made 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		

UPDATE ON WWTP CONSTRUCTION

Jason Foote, Clark Patterson Lee, updated the VOA board on the expansion project at the WWTP. Jason addressed the role Clark Patterson Lee has played in this project. Going forward summaries of the bi-weekly progress meetings will be sent to the board members. They are always welcome to attend the meetings, their feedback is always welcome. From a dollar standpoint the general contractor is about 50% complete and the electrical contractor is about 64% complete. The electrical contractor is finished with what can be done until the general contractor completes more work. Jason discussed the various major deductions/additions to the project. The general contract has an allowance in the amount of \$60,539 for incidental costs/changes. There is still some discussion on paving certain areas of the driveway and parking area. There is still some concern regarding the new blacktop adhering to the old blacktop in the compost building. Given the amount of traffic in the building Jason's recommendation would be to remove the blacktop and use concrete, he is waiting on a price quote. The electrical contractor has an allowance in the amount of \$20,000 for incidental costs/changes. There is \$279,000 in contingency for the overall project which does not include the allowances. Jason discussed the meeting held earlier in the week in which concerns of the board were addressed. These concerns included the proposed covering for the fascia board, the lack of sonotubes in the installation of the poles for the UV building and the compost buildings as well as the doweling of the concrete to the poles in the UV building. Maintaining the system during the expansion has been a challenge. Jason will return to the January 17th board meeting to update the board.

AWARD BID HOME RUN FENCE

The following bids were received for the Home Run Fence:

VENDOR	AMOUNT
Armor Fence of WNY Inc. PO Box 745 Orchard Park NY 14127	\$17,319 (8') \$15,212 (6')
NYS Fence Co. Inc. 838 Manitou Rd. Hilton NY 14468	\$18,680 (8') \$16,800 (6')

Motion by Trustee Rule and seconded by Trustee Koerner to award the home run fence to Armor Fence per a recommendation by Superintendent of Public Works Kilburn not to exceed the amount of \$17,319 for an 8' fence or \$15,212 for a 6' fence.

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		

MEUA SPECIAL MEETING

Superintendent of Public Works Kilburn discussed the MEUA special meeting that he will be attending on January 25, 2017. The purpose will be to discuss the upcoming hydro contract extension the MEUA has been negotiating. This contract would extend the current contract out 15 years, from 2025-2040.

Another topic will be the implementation of the REC and ZEC charges that will be imposed on all electric utility customers. The RECs will subsidize the nuclear power plants and the charge will be minimal in the first year, 2017; this charge will increase over time. ZECs will subsidize clean energy.

MEUA SPECIAL MEETING RESOLUTION

Motion by Mayor May and seconded by Trustee Schiener the following motion was offered:

RESOLUTION

WHEREAS, the Board of Trustees of the Village of Arcade, New York, is a municipal member of the Municipal Electric Utilities Association (MEUA) of New York State, and

WHEREAS, the Special Meeting of the Municipal Electric Utilities Association of New York State has been called on January 25, 2017, 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 the MEUA, 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:

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		

EMPIRE STATE DEVELOPEMENT GRANT

We have been approved for a \$15,000 grant through Empire State Development for a feasibility study to run the water and sewer lines up North Street and then south on Hurdville to the WWTP.

POST- ISSUANCE TAX COMPLIANCE POLICY

Motion by Trustee Schiener and seconded by Trustee Rule to accept the Post Issuance Tax Compliance Policy as presented by Clerk Treasurer Kraft. This policy would supersede the Interim Post Issuance Tax Compliance Policy that was adopted by the VOA Board on November 6, 2012. The following resolution was approved:

WHEREAS, the Internal Revenue Service has issued regulations requiring issuers of tax-exempt obligations to certify on various forms that they actively monitor compliance with federal tax rules following the issuance of such obligations; and

WHEREAS, the Village is an occasional issuer of tax-exempt obligations and thus is subject to the aforementioned compliance requirements which are critical for the preservation of the preferential tax status of those obligations; and

WHEREAS, it is therefore in the best interest of the Village to adopt formal written procedures to ensure such compliance and to designate an official responsible for ensuring that such procedures are followed; and

WHEREAS, the Village previously adopted interim post-issuance tax compliance procedures (the "Original Procedures"); and

WHEREAS, it was intended that the Original Procedures would be periodically updated and supplemented; and

WHEREAS, Hodgson Russ LLP, as bond counsel to the Village, has prepared and has recommended that the Village adopt updated and more comprehensive post-issuance tax compliance procedures;

NOW THEREFORE, BE IT RESOLVED, that the Village hereby adopts the updated and more comprehensive post-issuance tax compliance procedures that are attached hereto as Schedule A" and resolved to be governed thereby; and be it further

RESOLVED, that such Schedule A will be placed in its entirety in the official records, files and minutes of the Village and adhered to going forward; and be it further

RESOLVED, that this resolution shall take effect immediately upon its adoption.

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 BUDGET MEETINGS

Motion by Trustee Koerner and seconded by Trustee McGarvey to schedule budget work sessions on January 10th, 23rd and 31st, as well as February 14th and 27th. Meetings will be held from 7:00 pm to 9:00 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		

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 2017 is \$207,642. This is an increase of \$12,557 due to the equalization rate of 89.27 for 2017 versus 89.82 for the 2016 tax year, last year the increase was \$21,570.

FY 2016-2017 BUDGET AMENDMENT

Motion by Trustee Schiener and seconded by Trustee Koerner, the FY 2016-2017 budget be amended as follows because funds have been received from the VOA insurance company to cover the loss of two sets of turn out gear. The equipment was damaged while in a vehicle belonging to fire department members that was involved in a garage fire.

INCREASE REVENUE	INCREASE EXPENDITURE
001-4-2680-0100	001-5-3410-200-2000
In the amount of \$5,984.80	

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 2016-2017 BUDGET ADJUSTMENTS

Motion by Mayor May 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 CAPITAL PROJECT INVOICES

Motion by Mayor May and seconded by Trustee Rule the Village Capital Project bills be audited and paid in the amount of \$11,543 and that the Clerk be authorized to submit bills to Environmental Facilities Corporation (EFC) for payment via the funding for the WWTP Expansion.

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 \$1,892,153.72 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		

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 McGarvey and seconded by Trustee Koerner.

Clerk/Treasurer

VENDOR	AMOUNT	VENDOR	AMOUNT
ABBOTT ANSWERING 581 LLC	\$ 122.05	KOSMERL, RICHARD	\$ 200.00
ACTION ROOFING	\$ 1,000.00	KRAFT, JENNIFER	\$ 180.00
AIRGAS, INC	\$ 11.00	LARRY ROMANCE & SON INC.	\$ 5.90
ALTEC INDUSTRIES INC	\$ 4,611.76	LEXISNEXIS RISK DATA MGMT I	\$ 50.00
AMEIS, LEE	\$ 80.00	LINEAGE	\$ 101.02
ARCADE HERALD	\$ 230.23	MARCOS PIZZA & SUBS	\$ 125.65
ARCADE LUMBER & MILLWORK	\$ 430.76	MEUA - MUNICIPAL ELECTRIC U	\$ 12,210.00
ARCADE POSTMASTER	\$ 1,711.51	MUNICIPAL SOLUTIONS, INC	\$ 2,127.55
ARCADE POSTMASTER	\$ 192.51	NATIONAL FUEL GAS DISTRIB	\$ 435.95
AUTOMOTIVE ALLEY INC	\$ 112.00	NATIONAL GRID	\$ 98,188.81
BALDWIN POLE & PILING CO IN	\$ 21,450.00	NEW HORIZON COMMUNICATIONS	\$ 752.50
BIJHOUWER, PAUL	\$ 250.00	NEW YORK STATE DEFERRED COM	\$ 2,240.72
BISON LABORATORIES INC.	\$ 791.00	NOCO ENERGY CORP	\$ 1,619.79
BLUE COLLAR WORKWEAR	\$ 2,998.10	NY PLANNING FEDERATION	\$ 250.00
C & G ELECTRICAL SUPPLY	\$ 735.40	NY POWER AUTHORITY	\$ 153,631.83
CATT CO DSS	\$ 401.00	NYMPA	\$ 179,805.00
CATTARAUGUS COUNTY	\$ 120.00	NYS & LOCAL RETIRE SYSTEM	\$ 345,678.00
CATTARAUGUS COUNTY MAGISTRA	\$ 15.00	NYS CHILD SPRT PROCESSING	\$ 500.46
CID-DIV WASTE MANAGEMENT	\$ 65.08	NYS DEC	\$ 110.00
CINTAS CORPORATION #782	\$ 27.85	NYS INCOME TAX	\$ 3,514.41
CLARK PATTERSON LEE	\$ 16,490.00	NYS SALES TAX	\$ 8,400.17
CONNOR, FRANCIS S.	\$ 86.00	O'BRIEN, JONATHAN	\$ 4,930.00
CSEA	\$ 621.24	OFFICE OF STATE COMPTROLLER	\$ 4,458.75
CSEA POLICE UNIT	\$ 141.35	PIONEER FORD INC.	\$ 23.90
CURR A/C ELECTRIC	\$ 5,889.31	QUALITROL COMPANY LLC	\$ 570.81
CURR A/C SEWER	\$ 108.04	RICHARD-CIN SIGNS & SUPPLIE	\$ 2,487.00
CURR A/C SEWER	\$ 388.95	SANDERS, PAUL	\$ 80.00
CURR A/C SEWER	\$ 1,138.02	SATCHELL, JASON M	\$ 15.00
CURR A/C SEWER	\$ 172.99	SCHNITZLER, ANDREW	\$ 240.00
CURR A/C WATER	\$ 772.72	SCHWAB AGGREGATES	\$ 641.84
DRENNAN, JACE	\$ 15.00	SECURITY INVESTORS GROUP IN	\$ 360.00
EIGENBROD, DOUGLAS	\$ 80.00	SJB SERVICES INC	\$ 570.00
FASO, ELIZABETH	\$ 204.52	SNYDER, JEFFREY	\$ 100.00
FASTENAL COMPANY	\$ 103.26	SONNER, MICHAEL JR.	\$ 80.00
FELBER, AARON	\$ 120.00	STAPLES CONTRACT & COMMERC	\$ 356.59
FORMS IN A WINK	\$ 474.30	STRYKERSVILLE HARDWARE	\$ 3,190.62
GEORGE, JASON	\$ 15.00	SULLIVAN, PATRICIA	\$ 257.10
GERWITZ & MCNEIL ELECTRIC I	\$ 22,724.00	SUTTELL, DONALD	\$ 240.00
GRAINGER	\$ 175.06	TIME WARNER CABLE	\$ 306.26
HALEY CONCRETE INC	\$ 1,170.00	TRI-COUNTY TOOL RENTAL & SA	\$ 175.00
HODGSON RUSS LLP	\$ 11,637.00	UTZ TIRE SERVICE OF ARCADE,	\$ 136.00
IEEP:IND ENERGY EFF PROG	\$ 9,132.68	VILLAGE OF ARCADE	\$ 90.00
IRS - FEDERAL PAYROLL TAX PA	\$ 19,379.93	W.G. MALDEN	\$ 500.00
JIM'S EQUIPMENT REPAIR	\$ 138.60	WIND-SUN CONSTRUCTION, INC	\$ 932,528.55
JOHN SIXT & SON, INC.	\$ 241.60	WOODRUFF CONSTRUCTION & GRA	\$ 318.78
KARPINSKI, MICHELLE	\$ 152.00	WYOMING CO DSS	\$ 486.25
KEESLER, NICOLE	\$ 1.93	ZIMMER AUTO PARTS & SALES I	\$ 1,954.76
COLUMN TOTAL	\$ 126,928.75	COLUMN TOTAL	\$ 1,765,224.97
		GRAND TOTAL	\$ 1,892,153.72

12-20-2016 6:32 PM

BUDGET ADJUSTMENT REGISTER

PAGE:

PACKET: ~~99999-2016~~ ADJ PER BOARD 12/20/2016

BUDGET CODE: CB-Current Budget

FUND ACCOUNT	DATE	DESCRIPTION	ADJUSTMENT	ORIGI.NAL BUDGET	PREVIOUS ADJUSTMENTS	NEW BUDGET	BUDGET BALANCE

Budget Adj. # 000822							
001 5-5110-100-1000	12/20/2016	BUDG ADJ PER BOARD	200.00-	112,000.00	40.00-	111,760.00	42,717.92
		PERSONNEL SERVICES-REG					
001 5-5132-091-1000	12/20/2016	BUDG ADJ PER BOARD	200.00	0.00	40.00	240.00	132.32
		GENERATOR;50 MILL ST GARAGE					
001 5-7140-400-4350	12/20/2016	BUDG ADJ PER BOARD	3,000.00-	20,000.00	104.80	17,104.80	2,924.99
		GROUNDS					
001 5-7140-200-2000	12/20/2016	BUDG ADJ PER BOARD	3,000.00	20,000.00	22,574.00	45,574.00	151.56
		EQUIPMENT					
001 5-8560-400-4690	12/20/2016	BUDG ADJ PER BOARD	50.00-	500.00	0.00	450.00	200.00
		MATERIALS/SUPPLIES/MAINT					
001 5-8560-129-1000	12/20/2016	BUDG ADJ PER BOARD	50.00	0.00	0.00	50.00	16.73
		200G PRT MOUNT JRAF MACH #29					
TOTAL IN PACKET--						0.00	

*** NO WARNINGS ***

*** NO ERRORS ***

*** END OF REPORT ***