

The regular meeting of the Village of Arcade (VOA) Board of Trustees, Wyoming County, New York was held on Tuesday, August 1, 2017 at 7:00 pm there were:

PRESENT

Mayor Jay May, 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.

ABSENT

Trustee Ken Rule

ALSO PRESENT

Carole Jones, Justa Goodell, Carey Reukauf, Laura Sims, Justa Goodell, John Camiolo, Steve Kanner

PLEDGE OF ALLEGIANCE

Mayor May opened the meeting with the Pledge of Allegiance.

CHAPTER 13 DOG CONTROL LAW

Justa Goodell, Wyoming County Dog Control Officer has reviewed our Dog Control Law and felt it is comprehensive. She stated "The law will work but you need enforcement, people must notify the police of issues". She explained to the Board that some Villages and Towns do limit the number of dogs allowed on property. Generally those controls are handled through the Zoning Law. She gave examples of laws that limit the number of animals. As an example the Town of Warsaw requires a special use permit for properties with dogs numbering in excess of the law. Justa reminded the audience that anyone that currently has more dogs than any new law may limit, will not be impacted by the new law. She stated" You cannot change an existing number of dogs by passing a new law".

The Mayor discussed the special use permit idea and felt that this type of permit would aid in managing a number of dogs. The Mayor stated "I am not suggesting this to make it prohibitive to have a number of dogs, just to be aware of the special circumstances that owning a number of dogs creates".

Justa offered to work with Clerk Treasurer Kraft on making appropriate changes to the law. She did suggest reviewing and re-writing the section regarding barking. The proposed changes will be presented to the Board. The Mayor stated again "The Board is not trying to be restrictive".

Carrie Reukauf suggested that if anyone has an issue with her dogs, she would like to be notified.

APPROVE MINUTES

Motion by Trustee Koerner and seconded by Trustee McGarvey, the minutes from the regular meeting held on July 18, 2017 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		Yes		No		Abstain	X	Absent
Trustee Donna Schiener	X	Yes		No		Abstain		Absent
VOTE TOTAL:								
	3	Yes	0	No	1	Abstain	1	Absent
RESULTS		X PASS			FAIL			

RESOLUTION - MEUA ANNUAL MEETING

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

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 annual conference of the MEUA has been called on September 19th through September 22nd, 2017, to be held at Holiday Inn, Saratoga Springs, New York, 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		Yes		No		Abstain	X	Absent
Trustee Donna Schiener	X	Yes		No		Abstain		Absent
VOTE TOTAL:								
	4	Yes	0	No	0	Abstain	1	Absent
RESULTS								
	X	PASS				FAIL		

AUTHORIZE MAYOR TO SIGN MOBILITIE LLC CONTRACT

Motion by Trustee Koerner and seconded by Trustee McGarvey to authorize the Mayor to sign the contract between the Village of Arcade and Mobilite LLC. The contract term is five (5) years to commence once construction of the facility begins and will automatically renew for up to five (5) additional terms of five (5) years each unless either party provides written notice to the other of its intent not to renew. Mobilite LLC will pay rent in advance of \$1,000 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		Yes		No		Abstain	X	Absent
Trustee Donna Schiener	X	Yes		No		Abstain		Absent
VOTE TOTAL:								
	4	Yes	0	No	0	Abstain	1	Absent
RESULTS								
	X	PASS				FAIL		

PROJECT UPDATE

Superintendent of Public Works Kilburn presented a project update.

Water

The upper reservoir has been inspected and the water department has begun power washing it. Once that is complete they will begin painting.

Sewer

The last tank is in the start-up phase so testing will begin in a couple of weeks, it should be on-line in three weeks. The site clean-up should begin later this week. A long punch list has been developed and should be sent out to everyone later this week.

Streets

They are hoping to begin milling and paving next week on Part Street and Mt. View. The water and sewer work is complete.

Electric

Work at Gernatt Gravel is almost complete. The next project will be the industrial park substation and see what is required for the expansion down there.

CONFIDENTIALITY AGREEMENT NEXTERA ENERGY, LLC.

Superintendent of Public Works Kilburn discussed the Confidentiality Agreement with NextEra Energy Resources Acquisitions, LLC. This agreement is in regard to a feasibility study that NextEra Energy Resources Acquisitions,

LLC will conduct at no cost to the Village and no future commitment on the part of the Village. This feasibility study is the result of an earlier discussion between Superintendent of Public Works Kilburn and two representatives of NextEra Energy Resources Acquisitions, LLC regarding an energy storage project for the Village.

Motion by Trustee McGarvey and seconded by Trustee Schiener to authorize the Mayor to sign the Confidentiality Agreement between the Village of Arcade and NextEra Energy Resources Acquisitions, LLC.

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		Abstain	X	Absent	
Trustee Donna Schiener	X	Yes		No		Abstain		Absent	
VOTE TOTAL:									
	4	Yes	0	No	0	Abstain	1	Absent	
RESULTS									
	X	PASS					FAIL		

NYCOM CONFERENCE

Motion by Trustee Schiener and seconded by Trustee Koerner to authorize Clerk Treasurer Kraft to attend the annual NYCOM Conference to be held at the Saratoga Hilton in Saratoga Springs NY, September 10 – 15, 2017. The cost is \$295 to register and the hotel and meals are \$1,590, for a total of \$1,885.

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		Abstain	X	Absent	
Trustee Donna Schiener	X	Yes		No		Abstain		Absent	
VOTE TOTAL:									
	4	Yes	0	No	0	Abstain	1	Absent	
RESULTS									
	X	PASS					FAIL		

BANK OF CASTILE DONATION

The Bank of Castile notified Clerk Treasurer Kraft the Village will be receiving a \$500 donation for the purchase of two new park benches. The donation is part of a celebration by the bank of 25 years of business in the Village of Arcade.

AUDIT CAPITAL PROJECT INVOICES

Motion by Trustee McGarvey and seconded by Trustee Koerner the Village Capital Project bills be audited and paid in the amount of \$158,716.52 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		Yes		No		Abstain	X	Absent	
Trustee Donna Schiener	X	Yes		No		Abstain		Absent	
VOTE TOTAL:									
	4	Yes	0	No	0	Abstain	1	Absent	
RESULTS									
	X	PASS					FAIL		

AUDIT BILLS

Motion by Mayor May and seconded by Trustee Schiener, the Village bills be audited and paid in the amount of \$201,981.46 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		Yes		No		Abstain	X	Absent
Trustee Donna Schiener	X	Yes		No		Abstain		Absent
VOTE TOTAL:								
	4	Yes	0	No	0	Abstain	1	Absent
RESULTS								
	X	PASS				FAIL		

PARK STREET

Trustees Koerner and McGarvey shared concern over the quality of work on Park Street. Superintendent of Public Works Kilburn will drive up and investigate.

CODE OF CONDUCT

Mayor May distributed a sample of a Code of Conduct for review and comment at the next meeting.

EXECUTIVE SESSION

Motion by Trustee McGarvey and seconded by Trustee Koerner, the Board enter into executive session to discuss the following topic(s) at 8:30pm:

- Employment history of a particular employee
Possible Litigation
Possible Sale or Acquisition of Property

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		Abstain	X	Absent
Trustee Donna Schiener	X	Yes		No		Abstain		Absent
VOTE TOTAL:								
	4	Yes	0	No	0	Abstain	1	Absent
RESULTS								
	X	PASS				FAIL		

Motion by Trustee McGarvey and seconded by Trustee Schiener, the Board exit executive session at 9:21 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		Yes		No		Abstain	X	Absent
Trustee Donna Schiener	X	Yes		No		Abstain		Absent
VOTE TOTAL:								
	4	Yes	0	No	0	Abstain	1	Absent
RESULTS								
	X	PASS				FAIL		

EXECUTIVE SESSION

Motion by Mayor May and seconded by Trustee McGarvey, the Board re-enter into executive session to discuss the following topic(s) at 9:26 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		Yes		No		Abstain	X	Absent
Trustee Donna Schiener	X	Yes		No		Abstain		Absent
VOTE TOTAL:								
	4	Yes	0	No	0	Abstain	1	Absent
RESULTS								
	X	PASS				FAIL		

Motion by Trustee McGarvey and seconded by Trustee Schiener, the Board exit executive session at 9:31 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		Yes		No		Abstain	X	Absent
Trustee Donna Schiener	X	Yes		No		Abstain		Absent
VOTE TOTAL:								
	4	Yes	0	No	0	Abstain	1	Absent
RESULTS								
	X	PASS				FAIL		

TERMINATION OF EMPLOYMENT

Motion by Trustee McGarvey and seconded by Trustee Koerner to terminate the employment of WWTP foreman Adam Paquet, effective July 31, 2017 at 7:00 am.

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		Abstain	X	Absent
Trustee Donna Schiener	X	Yes		No		Abstain		Absent
VOTE TOTAL:								
	4	Yes	0	No	0	Abstain	1	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 9:34 pm upon motion by Trustee McGarvey and seconded by Trustee Schiener.

Clerk/Treasurer

VENDOR	AMOUNT	VENDOR	AMOUNT
21ST CENTURY ELECTRONICS	\$ 187.48	IRS - FEDRAL PAYROLL TAX PAYME	\$ 21,639.39
697 WEST MAIN ST LLC	\$ 1,200.00	JIM'S EQUIPMENT REPAIR INC	\$ 10.20
A.H. HARRIS & SONS INC	\$ 5,645.13	KEY BANK	\$ 150.78
AFLAC NEW YORK	\$ 2,413.56	MAPLE GROVE ENTERPRISES	\$ 705.00
AIRGAS, INC	\$ 50.71	MARTIN BROS CHEVROLET INC	\$ 58.95
APPLIED MAINTENANCE SUPPLIES &	\$ 186.99	MOORE MEDICAL, LLC	\$ 819.66
ARCADE HERALD	\$ 39.64	NATIONAL GRID	\$ 60,637.59
AUTOZONE	\$ 47.51	NEW YORK STATE DEFERRED COMPEN	\$ 2,634.82
BARTZ, ANDREW	\$ 172.50	NY POWER AUTHORITY	\$ 6,218.75
BENEFLEX INC	\$ 180.00	NY POWER AUTHORITY	\$ 6,218.75
BISCARO, ANTHONY	\$ 181.02	NYS & LOCAL RETIRE SYSTEM	\$ 4,012.42
BST & CO. CPAS, LLP	\$ 800.00	NYS ASSOC OF CITY & VILL CLERK	\$ 50.00
CARRIER CONTROLS II	\$ 106.54	NYS CHILD SPRT PROCESSING	\$ 500.46
CID DIVISION OF WASTE MANAGEMEN	\$ 9,394.30	NYS INCOME TAX	\$ 3,936.84
CID-DIV WASTE MANAGEMENT	\$ 974.15	NYS SALES TAX	\$ 9,345.31
CINTAS CORPORATION #782	\$ 55.70	O'BRIEN, JONATHAN	\$ 288.34
CLARK PATTERSON LEE	\$ 13,192.00	PIONEER FORD INC.	\$ 43.94
CONNOR, FRANCIS S.	\$ 116.00	PIONEER MANUFACTURING COMPANY	\$ 504.85
CONNOR, FRANCIS S.	\$ 360.00	SHARP ELECTRONICS CORP	\$ 99.49
COUNTY OF ERIE, NY	\$ 704.00	SHELTERPOINT LIFE INSURANCE CO	\$ 228.30
CSEA	\$ 669.37	SHELTERPOINT LIFE INSURANCE CO	\$ 266.40
CSEA BENEFIT UNIT	\$ 1,065.26	SIB SERVICES INC	\$ 570.00
CSEA POLICE UNIT	\$ 144.85	SOUTER, ROBERT A	\$ 275.00
EMERLING FORD, INC	\$ 690.04	TIFCO INDUSTRIES	\$ 223.23
GLOW YMCA INC	\$ 1,755.00	TRACTOR SUPPLY CREDIT PLAN	\$ 305.35
GRAINGER	\$ 647.64	TUCKER, DAVID	\$ 400.00
HACH COMPANY	\$ 644.85	VERIZON WIRELESS	\$ 612.37
HAMPTON INN & SUITES	\$ 624.00	VILLAGE OF ARCADE	\$ 90.00
HILTS, GENE	\$ 320.00	ZUECH'S ENVIRONMENTAL SRVCS IN	\$ 2,850.00
INDEPENDENT HEALTH	\$ 35,717.03	COLUMN TOTAL	\$ 123,696.19
COLUMN TOTAL	\$ 78,285.27	GRAND TOTAL	\$ 201,981.46