

The regular meeting of the Village of Arcade (VOA) Board of Trustees, Wyoming County, New York was held on Tuesday, February 20, 2018 at 7:00 pm there were:

**PRESENT**

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.

**ABSENT**

Mayor Jay May,

**ALSO PRESENT**

Chuck Skillman, Dan Meyers

**PLEDGE OF ALLEGIANCE**

Deputy Mayor Ken Rule opened the meeting with the Pledge of Allegiance.

**WAIVE USE OF FACILITY FOR CHAMBER OF COMMERCE EVENT**

Kelly Morgan of the Arcade Area Chamber of Commerce requested the Board waive the facility use fee for a fund raiser scheduled at the Arcade Fire Hall on September 21- 22, 2018.

Motion by Trustee Koerner and seconded by Trustee Schiener to authorize the use of facility fee be waived for the Arcade Area Chamber of Commerce event to be held at the Arcade Fire Hall on September 21-22, 2018.

The motion was passed upon the following vote:

<b>VOTE</b>								
Mayor Jay May		Yes		No		Abstain	X	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	0	Abstain	1	Absent
<b>RESULTS</b>	<b>X</b>	<b>PASS</b>				<b>FAIL</b>		

**APPROVE MINUTES**

Motion by Trustee Schiener and seconded by Trustee Koerner, the minutes from the budget work session held on January 24, 2018 be approved as presented by Clerk/Treasurer Kraft.

The motion was passed upon the following vote:

<b>VOTE</b>								
Mayor Jay May		Yes		No		Abstain	X	Absent
Trustee Andy Koerner	X	Yes		No		Abstain		Absent
Trustee Jim McGarvey		Yes		No	X	Abstain		Absent
Trustee Ken Rule	X	Yes		No		Abstain		Absent
Trustee Donna Schiener	X	Yes		No		Abstain		Absent
<b>VOTE TOTAL:</b>	3	Yes	0	No	1	Abstain	1	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 budget work session held on January 30, 2018 be approved as presented by Clerk/Treasurer Kraft.

The motion was passed upon the following vote:

<b>VOTE</b>								
Mayor Jay May		Yes		No		Abstain	X	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
<b>VOTE TOTAL:</b>								
	3	Yes	0	No	1	Abstain	1	Absent
<b>RESULTS</b>								
	X	<b>PASS</b>				<b>FAIL</b>		

**APPROVE MINUTES**

Motion by Trustee McGarvey and seconded by Trustee Schiener, the minutes from the regular meeting held on held on February 6, 2018 be approved as presented by Clerk/Treasurer Kraft.

The motion was passed upon the following vote:

<b>VOTE</b>								
Mayor Jay May		Yes		No		Abstain	X	Absent
Trustee Andy Koerner		Yes		No	X	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>								
	3	Yes	0	No	1	Abstain	1	Absent
<b>RESULTS</b>								
	X	<b>PASS</b>				<b>FAIL</b>		

**APPROVE MINUTES**

Motion by Trustee Schiener and seconded by Trustee Koerner, the minutes from the budget work session held on February 13, 2018 be approved as presented by Clerk/Treasurer Kraft.

The motion was passed upon the following vote:

<b>VOTE</b>								
Mayor Jay May		Yes		No		Abstain	X	Absent
Trustee Andy Koerner	X	Yes		No		Abstain		Absent
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent
Trustee Ken Rule		Yes		No	X	Abstain		Absent
Trustee Donna Schiener	X	Yes		No		Abstain		Absent
<b>VOTE TOTAL:</b>								
	3	Yes	0	No	1	Abstain	1	Absent
<b>RESULTS</b>								
	X	<b>PASS</b>				<b>FAIL</b>		

**HIRE POLICE CLERK**

Motion by Trustee Schiener and seconded by Trustee Koerner to hire Pamela Crawford as the police clerk. The starting wage is \$13.50 per hour and the effective date is March 1, 2018.

The motion was passed upon the following vote:

<b>VOTE</b>								
Mayor Jay May		Yes		No		Abstain	X	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	0	Abstain	1	Absent
<b>RESULTS</b>								
	X	<b>PASS</b>				<b>FAIL</b>		

**PERMISSION TO BID PARK RESTROOM**

Motion by Trustee Schiener and seconded by Trustee Koerner to authorize Superintendent of Public Works Kilburn to prepare and publish a bid for the restroom at the Village of Arcade Park. This restroom will be paid for with a grant from Senator Gallivan.

The motion was passed upon the following vote:

<b>VOTE</b>								
Mayor Jay May		Yes		No		Abstain	X	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	0	Abstain	1	Absent
<b>RESULTS</b>		<b>X</b>	<b>PASS</b>				<b>FAIL</b>	

**REVIEW CABLE FRANCHISE AGREEMENT**

Superintendent of Public Works Kilburn reviewed the proposed cable franchise agreement between the Village of Arcade and Charter Communications. The proposed fee is 5% of gross revenue, it had been only 3%, and the agreement is for 10 years. Also included is free television service to the VOA office, the Arcade Free Library, the VOA park cabin, Arcade Elementary school and the AFD. This agreement only pertains to cable television, not internet service. The franchise agreement has been reviewed by Attorney Strassel of Ward & Kutzuba.

**SCHEDULE PUBLIC HEARING CABLE FRANCHISE AGREEMENT**

Motion by Trustee McGarvey and seconded by Trustee Koerner to schedule a public hearing regarding the proposed cable franchise agreement for March 21, 2018.

The motion was passed upon the following vote:

<b>VOTE</b>								
Mayor Jay May		Yes		No		Abstain	X	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	0	Abstain	1	Absent
<b>RESULTS</b>		<b>X</b>	<b>PASS</b>				<b>FAIL</b>	

**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 25, 1966; 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, 2019 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, 2020. 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, 2019 unless changed by future agreement. The Indexed Lump Sum estimated expenditure as specified in Section 9 of the aforementioned Agreement shall be \$5,721.08 per lane mile for 1.00 lane miles for a total of \$5,721.08 for the 2017-2018 season and for the remainder of the term of the Agreement commencing July 1, 2017, unless changed by future update.

The motion was passed upon the following vote:

<b>VOTE</b>								
Mayor Jay May		Yes		No		Abstain	X	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	0	Abstain	1	Absent
<b>RESULTS</b>		<b>X PASS</b>			<b>FAIL</b>			

**TYPE II SEQR DETERMINATION ENGINEERING PLANNING GRANT**

Motion by Trustee McGarvey and seconded by Trustee Schiener to approve the following resolution:

**SEQR TYPE II DETERMINATION RESOLUTION**

WHEREAS, 6 NYCRR Section 617.5 (Title 6 of the New York Code of Rules and Regulation) under the State Environmental Quality Review Act (SEQR) provides that certain actions identified in subdivision (c) of that section are not subject to environmental review under the Environmental Conservation Law;

NOW, THEREFORE, BE IT RESOLVED that the Village of Arcade hereby determines that the proposed Village of Arcade I/I Study 2B is a Type II action in accordance with 6 NYCRR Section 617.5(c) (18) which constitutes the information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted action and is therefore not subject to review under 6 NYCRR Part 617.5.

The motion was passed upon the following vote:

<b>VOTE</b>								
Mayor Jay May		Yes		No		Abstain	X	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	0	Abstain	1	Absent
<b>RESULTS</b>		<b>X PASS</b>			<b>FAIL</b>			

**AUTHORIZATION TO APPROVE LOCAL MATCH ENGINEERING PLANNING GRANT**

Motion by Trustee Rule and seconded by Trustee McGarvey the following resolution was approved:

**AUTHORIZATION AND APPROPRIATION OF LOCAL MATCH FOR EFC GRANT**

NOW, THEREFORE, BE IT RESOLVED that the Village of Arcade authorizes and appropriates a minimum of \$20% local match as required by the Engineering Planning Grant Program for the Village of Arcade I/I Study 2B.

Under the Engineering Planning Grant Program, this local match must be at least 20% of the total project cost. The maximum local share appropriated subject to any changes agreed to by the Superintendent of Public Works shall not exceed \$7,500 based upon a total estimated maximum project cost of \$37,500. The Superintendent of Public

Works may increase this local match through the use of in kind services without further approval from the Village of Arcade Board.

The motion was passed upon the following vote:

<b>VOTE</b>								
Mayor Jay May		Yes		No		Abstain	X	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	0	Abstain	1	Absent
<b>RESULTS</b>		<b>X</b>	<b>PASS</b>				<b>FAIL</b>	

**AUTHORIZATION TO EXECUTE ENGINEERING PLANNING STUDY GRANT AGREEMENT SEWER SYSTEM**

Motion by Trustee Schiener and seconded by Trustee Koerner to accept the following resolution:

**RESOLUTION**

WHEREAS, the Village of Arcade has acknowledged the approval of their application for the Engineering Planning Grant (for the sewer system), #75712, with the NYS Environment Facilities Corporation in the amount of \$30,000

NOW, THEREFORE, BE IT RESOLVED that Larry A. Kilburn, Superintendent of Public Works for the Village of Arcade, is authorized to execute a Grant Agreement with NYS Environmental Facilities Corporation and any and all other contracts, documents and instruments necessary to bring about the Project and to fulfill the Village of Arcade’s obligations under the Engineering Planning Grant Agreement

The motion was passed upon the following vote:

<b>VOTE</b>								
Mayor Jay May		Yes		No		Abstain	X	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	0	Abstain	1	Absent
<b>RESULTS</b>		<b>X</b>	<b>PASS</b>				<b>FAIL</b>	

**UPDATE SULLIVAN AVENUE GARAGE FIRE**

Superintendent of Public Works Kilburn updated the VOA Board regarding the fire at the Sullivan Avenue garage.

Gernatt’s has installed new locks on the doors and the heating system has been ordered for the building we are renting. Selective has approved our request for a second opinion on the structural integrity of the building. The next step is to retain an engineer and develop a scope of work. At the current time we have about \$517K for the rebuild of the existing garage; we could go up to \$860K depending upon the actual bids for the work. Superintendent of Public Works Kilburn is setting up a phone conference with George Dickover, Don Roberts, Trustee Schiener and Trustee McGarvey to get a better understanding of addressing the code issues in rebuilding vs remodeling the building. Clark Patterson Lee and MDA Consulting Engineers have both expressed an interest in preparing an engineering package for review.

Currently we are working on cost of the lost inventory.

The inspection of the bucket truck that started fire is scheduled for 3/14/2018. We are still waiting on written report from Altec on the truck they inspected. The second truck will be taken apart next week.

**PERMISSION TO DESTROY RECORDS**

Motion by Trustee Schiener and seconded by Trustee McGarvey to authorize Clerk Treasurer Kraft to destroy the following records in accordance with NYS MU 1:

DESCRIPTION	RETENTION	BOX #
Budget Prep File 2008-2011	6 years	0283
PR Labor Distribution/Periodic PR Reports 2011	6 years	0357
Tax Bills, Collectors Copies 2010-2011	6 years	0459
Electric Receipts 6/2011-8/2011	6 years	0729
Tax Receipts 2007-2011	6 years	0741
Bank Statements 2009-2011	6 years	0783
Journal Entries 2009-2011	6 years	0787
Time Sheets 2011	6 years	0798
Utility Billing 6/2011-11/2011	6 years	0804
PR Labor Distribution/Periodic PR Reports 2011	6 years	0844
Electric Receipts 10/24/11-12/28/11	6 years	0849
PPA Folders Informational Copies 2005-2011	6 years	
Sales Tax 2010	6 years	
Bank Deposit Tickets 2001-2011	6 years	
Overheads 2011	6 years	
A/P Payroll Registers 2011	6 years	

The motion was passed upon the following vote:

VOTE								
Mayor Jay May		Yes		No		Abstain	X	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	0	Abstain	1	Absent
<b>RESULTS</b>	<b>X</b>	<b>PASS</b>				<b>FAIL</b>		

**AUDIT BILLS**

Motion by Deputy Mayor Rule and seconded by Trustee McGarvey, the Village bills be audited and paid in the amount of \$1,353,285.04 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		Yes		No		Abstain	X	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	0	Abstain	1	Absent
<b>RESULTS</b>	<b>X</b>	<b>PASS</b>				<b>FAIL</b>		

**REPORTS RECEIVED**

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

- Annual Police Department Report

**ADJOURN**

There being no further business to come before the Board the meeting duly adjourned at 7:37 pm upon motion by Trustee Schiener and seconded by Trustee Koerner.

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

VENDOR	AMOUNT	VENDOR	AMOUNT
ABBOTT ANSWERING 581 LLC	\$ 166.10	NATIONAL GRID	\$ 125,547.40
ACTIVE IT DESIGN, LLC	\$ 356.25	NEW HORIZON COMMUNICATIONS CO	\$ 765.89
AFLAC NEW YORK	\$ 2,116.38	NEW YORK STATE DEFERRED COMPE	\$ 2,618.93
AIRGAS, INC	\$ 30.42	NOCO ENERGY CORP	\$ 3,813.06
ARCADE HERALD	\$ 316.94	NY POWER AUTHORITY	\$ 6,218.75
ARCADE LUMBER & MILLWORK	\$ 40.66	NYMPA	\$ 546,823.00
ARCADE LUMBER & MILLWORK	\$ 490.76	NYS & LOCAL RETIRE SYSTEM	\$ 3,233.45
ATTICA AUTO SUPPLY	\$ 209.95	NYS CHILD SPRT PROCESSING	\$ 500.46
BATES, SCOTT	\$ 45.00	NYS DEPT OF PUBLIC SRVC	\$ 9,608.39
BRASS' SHURFINE	\$ 93.26	NYS INCOME TAX	\$ 3,850.77
C & G ELECTRICAL SUPPLY	\$ 142.70	NYS MAGISTRATES ASSOCIATION	\$ 80.00
CHURCHVILLE FIRE EQUIPMENT CO	\$ 36.60	NYS SALES TAX	\$ 17,757.50
CINTAS CORPORATION #782	\$ 52.32	OSEA INC	\$ 900.00
CORROSION PRODUCTS & EQUIPME	\$ 10,000.00	PIONEER FORD INC.	\$ 107.83
COUNTRY LINE SUPPLY LLC	\$ 678.00	POLLARD WATER	\$ 554.01
CSEA	\$ 697.22	R. B. U'REN EQUIPMENT INC	\$ 1,325.00
CSEA BENEFIT UNIT	\$ 988.33	RICHARD-CIN SIGNS & SAFETY SU	\$ 375.50
CSEA POLICE UNIT	\$ 150.10	RONAN, DOUGLAS	\$ 300.00
CURR A/C ELECTRIC	\$ 9,324.49	SATCHELL, JASON M	\$ 45.00
CURR A/C SEWER	\$ 167.54	SOUTER, ROBERT A	\$ 275.00
CURR A/C WATER	\$ 1,365.99	SOUTHERN TIER ELECTRIC SUPPLY	\$ 506.00
DEPOSITORY TRUST AND CLEARING	\$ 59,818.75	SOUTHTOWNS STAPLE SUPPLY INC	\$ 52.40
DIVAL SAFETY EQUIPMENT	\$ 701.25	STANGTEK SERVICES LLC	\$ 242.63
DRENNAN, JACE	\$ 45.00	STAPLES CONTRACT & COMMERCIAL	\$ 787.46
GALLS LLC	\$ 41.40	STUART C IRBY CO	\$ 9,300.10
GEORGE, JASON	\$ 45.00	TECHNICAL ASSISTANCE AND	\$ 1,980.00
GLOBAL RENTAL COMPANY INC	\$ 8,700.00	TIME WARNER CABLE	\$ 428.26
GRAINGER	\$ 1,034.47	TYLER TECHNOLOGIES INC	\$ 20,313.35
IEEP:IND ENERGY EFF PROG	\$ 15,876.90	USA BLUEBOOK	\$ 1,658.90
IRS - FEDERAL PAYROLL TAX PAYM	\$ 19,932.00	USA BLUEBOOK	\$ 154.95
JOE BASIL CHEVROLET	\$ 28,082.94	VILLAGE OF ARCADE	\$ 90.00
JOE BASIL CHEVROLET	\$ 2,405.00	VILLAGE OF WELLSVILLE	\$ 20,000.00
JOHN SIXT & SON, INC.	\$ 210.93	WARD & KUTZUBA	\$ 157.50
JOHN SIXT & SON, INC.	\$ 583.07	WESCO DISTRIBUTION, INC.	\$ 13,213.02
LEXISNEXIS RISK DATA MGMT INC	\$ 50.00	WIND-SUN CONSTRUCTION, INC	\$ 391,099.89
MAILFINANCE INC	\$ 157.44	WORKPLACE HEALTH SERVICES	\$ 50.00
MAPLE GROVE ENTERPRISES	\$ 2,240.00	WYOMING CO DSS	\$ 217.18
MCELHENY, MICHAEL	\$ 53.43	ZIMMER AUTO PARTS & SALES INC	\$ 97.36
NATIONAL FUEL GAS DISTRIB	\$ 272.08	ZIMMER AUTO PARTS & SALES INC	\$ 517.43
<b>COLUMN TOTAL</b>	<b>\$ 167,718.67</b>	<b>COLUMN TOTAL</b>	<b>\$ 1,185,566.37</b>
		<b>GRAND TOTAL</b>	<b>\$ 1,353,285.04</b>