

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

PRESENT

Mayor Jay May, Trustee Ken Rule, Trustee Jim McGarvey, Trustee Andrew Koerner, Superintendent of Public Works Larry Kilburn, Police Chief Anthony Biscaro, Clerk/Treasurer Jennifer Kraft, Deputy Clerk/Treasurer Michelle Karpinski.

ABSENT

Trustee Donna Schiener

ALSO PRESENT

Valessa Souter-Kline, Invenergy and Robert Strassel, Atty.

PLEDGE OF ALLEGIANCE

Mayor May opened the meeting with the Pledge of Allegiance.

RESIGNATION ASSOCIATE VILLAGE JUSTICE

Motion by Trustee Rule and seconded by Trustee McGarvey to accept the resignation of Acting Village Justice Shad Salzler, effective December 31, 2018.

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

PROPOSED LEASE AGREEMENT INVENERGY

Valessa Souter-Kline of Invenergy and Robert Strassel, Attorney for the Village, discussed the proposed lease agreement between the Village of Arcade and Invenergy. Invenergy is proposing the Alle-Catt turbine project and they are currently in the pre-application stage. This project falls under the Article 10 guidelines and will require one year of review once the application has been submitted to New York State. The project will be within 5 towns, Farmersville, Freedom, Centerville, Arcade and Rushford. Three of the five communities have updated their local law to allow for the 585 foot turbines. As a rule all of Invenergy’s collection lines are underground with only the transmission lines overhead. The Village comes into the project as Invenergy would like to run an overhead line downslope from the water supply in Sandusky. The original plan would have been to run an underground line, but the concerns of doing so have caused Invenergy to agree to run an overhead line through this area. The lease under review outlines the payment to the Village as well as the Village’s access to the springs via the access road. The Village would still maintain full mineral rights and access rights and would be covered under Invenergy’s commercial liability insurance as a loss payee should any damage occur to the water source.

The Village would receive \$500 a year during the development term. Once the project is operational the payment will increase to \$1000 a year. Invenergy expects to be operational by 12/31/2020.

Robert brought up the idea of a road use agreement with the Village, should any Village roads be used for transport of the turbines. Valessa will be looking into that and reviewing the proposed routes for transport.

The Board requested clarification to road access and maintenance as well as working conditions under the lines along with a possible road use agreement. Valessa will return to the Board with this additional information.

APPROVE MINUTES

Motion by Trustee Rule and seconded by Trustee Koerner, the minutes from the regular meeting held on November 6, 2018 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		Yes		No		Abstain	X	Absent	
VOTE TOTAL:									
	4	Yes	0	No	0	Abstain	1	Absent	
RESULTS									
	X	PASS					FAIL		

SANITARY SEWER PHASE 2A CHANGE ORDER #2

Motion by Trustee Rule and seconded by Trustee Koerner to authorize the Mayor to sign the Sanitary Sewer Phase 2A Change Order #2. The change order is requesting an extension of time for substantial completion from October 31, 2018 to December 15, 2018 and ready for final payment from November 30, 2018 to January 15, 2019. There are no associated expenses with this change.

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

AUTHORIZE MAYOR TO SIGN EMPIRE STATE DEVELOPMENT (ESD) AGREEMENT PROJECT AC078

Motion by Trustee McGarvey and seconded by Trustee Rule to authorize Mayor May to sign the agreement between the Village of Arcade and Empire State Development for a grant (AC078) in the amount of \$8,000. The grant will be used to cover some of the costs of the water/sewer extension feasibility study performed by Clark Paterson Lee.

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

SIGN CSEA GENERAL UNIT CONTRACT

Motion by Trustee Rule and seconded by Trustee Koerner to authorize the board to sign the proposed contract by and between the Village of Arcade and CSEA, Local 1000 AFSCME, AFL-CIO, Village of Arcade General Unit #9252 Wyoming County Local 861, with an effective date of June 1, 2018 through May 31, 2022.

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

APPOINT ASSOCIATE VILLAGE JUSTICE

Motion by Trustee McGarvey and seconded by Trustee Rule to appoint Brian Burton as Associate Village Justice, effective January 1, 2019 through April 4, 2019 at an annual salary of \$7,325.

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

DELINQUENT TAXES TO WYOMING COUNTY

In accordance with the tax warrant, Clerk/Treasurer Kraft hereby delivered an account of the unpaid taxes as of November 1, 2018 in the amount of \$42,593.79, a decrease of \$21,491.88, including penalties and postage charges, to the Board of Trustees. The account describes 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. (See attached.)

Motion by Trustee McGarvey and seconded by Trustee Koerner the Board hereby accepts the account of unpaid VOA taxes in the amount of \$42,593.79 for the taxable year 2018 as correct and in accordance with Real Property Tax Law §1436 and hereby execute a statement certifying the account as a true transcript thereof to be transmitted to the Wyoming County Treasurer.

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

TENTATIVE RAILROAD CEILING

Clerk Treasurer Kraft notified the board the Notice of Tentative Railroad Ceiling was received with an amount of \$262,931 for the 2019 tax year. This is an increase of 17.3%.

HOLIDAY LUNCHEON

Motion was made by Trustee McGarvey and seconded by Trustee Koerner authorizing the closing of the office for one hour, noon to 1pm, Thursday December 20, 2018 for the office Christmas luncheon.

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

CHICKENS IN THE VILLAGE

The Planning Board determined the Comprehensive Plan does not agree nor disagree with the keeping of chickens. The Planning Board offered three recommendations:

- 1) The Village could keep the law as is and deny the keeping of chickens as it currently states
- 2) The Village could create a policy modeled with restrictions as per the example of the City of Buffalo and the Village of Perry if the Village chose to allow the keeping of chickens.
- 3) The Village could create a policy to allow chickens in certain places within the Village depending on lot size and setbacks.

The Board chose to keep the law as is, not allowing for the keeping of chickens by Village residents.

AUDIT CAPITAL PROJECT INVOICES

Motion by Mayor May and seconded by Trustee McGarvey the Village Capital Project bills be audited and paid in the amount of \$118,071.70 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		Yes		No		Abstain	X	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 Rule, the Village bills be audited and paid in the amount of \$577,585.07 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		Yes		No		Abstain	X	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:

- Revenue and Expense Report

ADJOURN

There being no further business to come before the Board the meeting duly adjourned at 8:18 pm upon motion by Trustee Rule and seconded by Trustee McGarvey.

Clerk/Treasurer

VENDOR	AMOUNT	VENDOR	AMOUNT
ABBOTT ANSWERING 5	\$ 172.40	NATIONAL GRID	\$ 93,929.30
ARCADE HERALD	\$ 360.00	NEW YORK STATE DEF	\$ 2,766.47
ARCADE POSTMASTER	\$ 229.83	NOCO ENERGY CORP	\$ 1,693.30
ATTICA AUTO SUPPLY	\$ 370.25	NY POWER AUTHORITY	\$ 154,678.32
BARLOW, TIM R.	\$ 600.00	NYMPA	\$ 50.00
BATES, SCOTT	\$ 45.00	NYMPA	\$ 190,922.00
BLACKBURN MANUFACT	\$ 202.02	NYS CHILD SPRT PRO	\$ 500.46
BLUE COLLAR WORKWE	\$ 1,554.00	NYS INCOME TAX	\$ 4,084.96
CATT CO DSS	\$ 56.05	NYS SALES TAX	\$ 9,472.10
CINTAS CORPORATION	\$ 141.47	OFFICE OF STATE CO	\$ 4,364.00
CONNOR, FRANCIS S.	\$ 116.00	PIONEER FORD INC.	\$ 139.95
CRAFT CLOTHES, INC	\$ 335.00	RICHARD-CIN SIGNS	\$ 3,274.25
CSEA	\$ 704.79	SAIA COMMUNICATION	\$ 55.40
CSEA POLICE UNIT	\$ 176.05	SATCHELL, JASON M	\$ 45.00
CUMMINS NORTHEAST	\$ 5,316.73	SECURITY INVESTORS	\$ 711.95
CURR A/C ELECTRIC	\$ 5,985.35	SHARP ELECTRONICS	\$ 99.49
CURR A/C SEWER	\$ 218.64	SOLLY INDUSTRIES	\$ 20,735.00
CURR A/C WATER	\$ 2,621.49	STAPLES CONTRACT &	\$ 558.87
DANNY HEINEMAN & S	\$ 28.59	SZABO, LOUIS	\$ 30.00
DE LAGE LANDEN FIN	\$ 99.00	TECHNICAL ASSISTAN	\$ 671.50
DELL MARKETING LP	\$ 158.00	TIFCO INDUSTRIES	\$ 200.39
DRENNAN, JACE	\$ 45.00	TIME WARNER CABLE	\$ 244.97
FORBES COURT REPOR	\$ 256.67	UHTEG, TIM	\$ 30.00
GEORGE, JASON	\$ 45.00	UNITED UNIFORM CO	\$ 420.35
GOVERNMENT PAYMENT	\$ 975.01	UPS	\$ 43.21
GRAINGER	\$ 701.24	USDA - RURAL DEVEL	\$ 4,000.00
GREENE COUNTY COMM	\$ 9,423.75	UTZ TIRE SERVICE O	\$ 125.00
HALEY CONCRETE INC	\$ 5,450.00	VALLEY FAB & EQUIPM	\$ 2,106.40
HULL ELECTRIC, INC	\$ 521.33	VERIZON WIRELESS	\$ 734.63
IEEP:IND ENERGY EF	\$ 10,488.42	VILLAGE OF ARCADE	\$ 90.00
INDUSTRIAL APPRAIS	\$ 6,213.00	WILLIAM J TUCKER I	\$ 2,000.00
IRS - FEDRAL PAYRO	\$ 21,167.40	WORKPLACE HEALTH S	\$ 285.00
JIM'S EQUIPMENT RE	\$ 291.26	WYOMING CO DSS	\$ 41.83
KOERNER, GILLIAN	\$ 30.52	WYOMING CO DSS	\$ 1,045.18
LAMB & WEBSTER	\$ 640.69	WYOMING COUNTY CLE	\$ 50.00
LEXISNEXIS RISK DA	\$ 50.00	WYOMING COUNTY CLE	\$ 50.00
MAILFINANCE INC	\$ 157.44	WYOMING COUNTY DEP	\$ 64.00
MARCOS PIZZA & SUB	\$ 94.87	WYOMING COUNTY WAT	\$ 250.00
MOORE MEDICAL, LLC	\$ 690.76	ZUECH'S ENVIRONMEN	\$ 240.00
NATIONAL FUEL	\$ 48.77	COLUMN TOTAL	\$ 500,803.28
COLUMN TOTAL	\$ 76,781.79	GRAND TOTAL	\$ 577,585.07

STATE OF NEW YORK
 COUNTY - WYOMING
 TOWN - ARCADE
 VILLAGE - ARCADE
 SWIS - 562001

TAX PAYMENT SCHEDULE

BILL NUMBER	PARCEL IDENTIFICATION OWNERS NAME PROPERTY LOCATION MAILING ADDRESS (IF DIFFERENT)	PAYMENT #1 07/03/2018	+ PENALTY 8.00% DUE 11/01/2018		+ PENALTY 7.00% DUE 01/01/2019	
			108.00%		107.00%	
6	183.14-2-13 Aldridge, Steven R. 47 Maple St PO Box 941 Arcade, NY 14009	\$ 531.84	574.17	2.00	616.50	
85	183.14-2-14 Brown, Lavern C 31 Grove Street 40 Prospect St Arcade, NY 14009	\$ 1,329.09	1,435.42	2.00	1,538.04	
100	183.14-4-10 Butts, Estate of Kristine A 44 Maple Street PO Box 11 Arcade, NY 14009	\$ 1,488.58	1,607.67	2.00	1,722.35	
99	183.14-4-9.1 Butts, Estate of Kristine A Maple Street PO Box 11 Arcade, NY 14009	\$ 5.32	5.76	2.00	8.30	
102	183.9-1-32.1 Cadare Inc 58 Church Street PO Box 504 Elmsford, NY 10523-0504	\$ 17.72	19.14	2.00	22.62	
116	183.14-1-93 Church, Edward R Horning, Charles 266 Main Street Arcade, NY 14009	\$ 1,329.09	1,435.43	2.00	1,538.05	
146	183.13-2-26 Cummings, Nathan A 24 Prospect St Arcade, NY 14009	\$ 1,240.49	1,339.73	2.00	1,435.65	
188	183.14-4-13 Duschen, Judith M 43 Allen Steet 526 Cayuga Road-Right Arcade, NY 14009	\$ 1,222.77	1,320.59	2.00	1,415.17	
194	183.18-1-9.1 Eckel, Kevin 160 Park Street Arcade, NY 14009	\$ 1,683.52	1,818.20	2.00	1,947.61	
197	183.9-1-32.2 Emkay Trading Corp 58 Church Street Arcade, NY 14009	\$ 17.72	19.14	2.00	22.62	
206	183.14-1-30 Fisher, Jack 8 Park St Arcade, NY 14009	\$ 708.85	765.57	2.00	821.30	
281	182.15-1-28 Green, Jerry J 20 Sawmill Drive PO Box 137 Yorkshire, NY 14173	\$ 265.82	287.10	2.00	309.34	
309	182.15-1-5 Hawk, Ronald 4 Rule Drive 11830 Route 16 Chaffee, NY 14030	\$ 2,480.97	2,679.45	2.00	2,869.15	

STATE OF NEW YORK
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TAX PAYMENT SCHEDULE

BILL NUMBER	PARCEL IDENTIFICATION OWNERS NAME PROPERTY LOCATION <i>MAILING ADDRESS (IF DIFFERENT)</i>	PAYMENT #1 07/03/2018	+ PENALTY 8.00% DUE 11/01/2018		+ PENALTY 7.00% DUE 01/01/2019	
322	183.9-1-6 Hinckley, Glenn 78 West Street Arcade, NY 14009	\$ 1,222.77	1,320.58	2.00	1,415.16	
337	183.14-1-96 Horning, Charles 266 1/2 Main St PO Box 441 Machias, NY 14101	\$ 1,772.12	1,913.89	2.00	2,050.00	
413	183.14-2-76 Krause, Mark J Jr 84 Grove St Arcade, NY 14009	\$ 1,417.70	1,531.12	2.00	1,640.44	
415	183.14-2-23 Kurzdorfer, David A 22 Pearl St PO Box 126 Freedom, NY 14065-0126	\$ 1,045.55	1,129.19	2.00	1,210.37	
477	183.14-2-44 Mersmann, Jeffrey W 248 Main Street 258 Park Street Arcade, NY 14009	\$ 655.69	708.15	2.00	759.86	
481	183.14-4-29 Meyers, John 34 Allen Street Arcade, NY 14009	\$ 1,329.09	1,435.42	2.00	1,538.04	
543	183.14-1-59 Osgood, Jerry 102 Park Street Arcade, NY 14009	\$ 1,399.98	1,511.97	2.00	1,619.95	
546	183.9-1-15.1 Pacelli, Antoinina M 353 North Street Arcade, NY 14009	\$ 1,594.91	1,722.51	2.00	1,845.23	
547	183.18-1-32 Palmer, Darryl W 9 Deacon Drive Arcade, NY 14009	\$ 1,821.49	1,751.21	2.00	1,875.93	
578	183.14-1-28.1 Pratt, Cynthia 286 Main Street 3471 West Yorkshire Rd Chaffee, NY 14030	\$ 2,126.55	2,296.67	2.00	2,459.58	
579	183.13-2-59 Pratt, Steven 11 Park Street 3471 West Yorkshire Rd Arcade, NY 14009	\$ 354.42	382.77	2.00	411.70	
580	183.13-2-61 Pratt, Steven 302 Main Street Arcade, NY 14009	\$ 1,594.91	1,722.50	2.00	1,845.22	
673	183.18-3-12 Smith, Mark 3 Clearview Drive Arcade, NY 14009	\$ 2,037.94	2,200.88	2.00	2,357.19	
675	183.9-1-5 Snyder, Amy 84 West Street Arcade, NY 14009	\$ 469.61	507.18	2.00	544.82	

STATE OF NEW YORK
 COUNTY - WYOMING
 TOWN - ARCADE
 VILLAGE - ARCADE
 SWIS - 562001

TAX PAYMENT SCHEDULE

BILL NUMBER	PARCEL IDENTIFICATION OWNERS NAME PROPERTY LOCATION <i>MAILING ADDRESS (IF DIFFERENT)</i>	PAYMENT #1 07/03/2018	+ PENALTY 8.00% DUE 11/01/2018		+ PENALTY 7.00% DUE 01/01/2019	
686	183.14-2-63 Sonner, Richard 86 Liberty Street Arcade, NY 14009	\$ 1,506.31	1,626.80	2.00	1,742.82	
687	183.14-2-64 Sonner, Richard 90 Liberty Street Arcade, NY 14009	\$ 177.21	191.40	2.00	206.94	
713	183.13-2-21 Stojek, Donald 19 Prospect Street Arcade, NY 14009	\$ 1,088.72	1,186.63	2.00	1,271.83	
731	183.9-1-33 Tingue, Michael North Street Arcade, NY 14009	\$ 26.58	28.72	2.00	32.87	
738	183.9-1-3 Estate of John Tucker 503 North Street Arcade, NY 14009	\$ 177.21	191.40	2.00	206.94	
789	183.14-1-52 Wilmington Savings Fund Soc Trustee for BCAT 2014-4TT c/o Shellpoint Mortgage Serv 62 Mill Street 55 Beattie Place, Suite 500 Greenville, SC 29601	\$ 1,293.65	1,397.15	2.00	1,497.09	
796	183.14-2-62 Wright, Charles 80 Liberty Street Arcade, NY 14009	\$ 1,488.58	1,607.87	2.00	1,722.35	
		\$ 36,732.57	39,671.28	68.00	42,521.03	R
			68.00			
			39,739.28	72.76	42,593.79	