

The regular meeting of the Village of Arcade (VOA) Board of Trustees, Wyoming County, New York was held on Tuesday, January 5, 2021 at 7:00 pm there were:

**PRESENT VIA ZOOM**

Mayor Jay May, Trustee Ken Rule, Trustee Elwyn Roll, 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 VIA ZOOM**

Michelle Karpinski, Matt Krist, Sandra Dutton, Mike McElheny, Jace Drennan, Don Knight

**PLEDGE OF ALLEGIANCE**

Mayor May opened the meeting with the Pledge of Allegiance.

**PROPERTY MAINTENANCE**

Don Roberts, Wyoming County Code Enforcement updated the Board on actions being taken on properties in the Village. The properties are: 161 East Main Street, 31 Grove Street, 34 Water Street (Hummingbird), the Emkay property on Church Street and 533 West Main Street. . The building at 161 East Main sustained fire damage in December 2017, no action has been taken. Don Roberts stated he never received notification from the fire department regarding the fire. He will follow up on this. 31 Grove Street, his department has sent a violation letter but there has been no response, a violation order is pending. The county clerk is delayed 10 months; the office is very far behind on property maintenance issues. 34 Water Street, his department has sent the second violation letter, they have received no response, and a violation order is pending. In May, NYS changed the code on property maintenance. Any time a building is posted as unsafe or no occupancy, the owner must be given a chance to file an appeal with the Department of State against the to the code enforcement complaint. The only time the County can take emergency action is if the building is in eminent danger of collapse. Any time the County has authority to clean up, repair or demolish a property the Village board will be notified. Arrangements will be made as to who will perform the work and any expenses will be billed to the Village and then assessed as a lien against the property and will be due with the next taxes. Emkay building, the Carriers, the company hired to demolish some of the buildings, has filed a second appeal on the violation order that was filed months ago. The County originally filed a stop work order against them and Carriers filed an appeal against stop work order; the Department of State upheld the County's order. The County filed a violation order that required them to remove equipment from the site and that has been done but Carriers has filed an appeal and the hearing on the second appeal has not taken place yet. IDA is working on this site as well, looking for a developer that is willing to work on a Brownfield site. The property at 533 West Main Street has two outbuildings that appear to be ready to collapse. Don Roberts stated they had given the land owner one year to correct the issues and the year is nearly up. He will finalize his legal work and they will get access to the property and they will demolish the buildings in question. He will keep the Village informed. The Village will be billed by the County and the expense will be reassessed on the taxes.

The Mayor asked for updates from time to time from Don Roberts. Don stated he would send updates to Larry Kilburn on a monthly basis.

**APPROVE MINUTES**

Motion by Trustee Schiener and seconded by Trustee Roll, the minutes from the regular meeting held on December 15, 2020 be approved as presented by Clerk/Treasurer Kraft.

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 Elwyn Roll	X	Yes		No		Abstain		Absent
Trustee Ken Rule		Yes		No		Abstain	X	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 CHANGE ORDER #5 SANITARY SEWER REHABILITATION PROJECT 2B**

Motion by Trustee Schiener and seconded by Trustee Koerner to approve the Sanitary Sewer Rehabilitation Project 2B change order number #5. The change order includes additional work for truing and leveling North Street-Church Street to create positive drainage along with the installation of a new 6” lateral at 265 North Street. The cost of the work is \$8,370.64.

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 Elwyn Roll	X	Yes		No		Abstain		Absent	
Trustee Ken Rule		Yes		No		Abstain	X	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>		

**APPROVE CHANGE ORDER #6 SANITARY SEWER REHABILITATION PROJECT 2B**

Motion by Trustee Roll and seconded by Trustee Koerner approve the Sanitary Sewer Rehabilitation Project 2B change order number #6. The change order includes the reconciliation and adjustment of final quantities. This change order is a decrease of \$57,576.94.

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 Elwyn Roll	X	Yes		No		Abstain		Absent	
Trustee Ken Rule		Yes		No		Abstain	X	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>		

**AUTHORIZE MAYOR TO SIGN CERTIFICATE OF SUBSTANTIAL COMPLETION PROJECT 2B**

Motion by Trustee Koerner and seconded by Trustee Roll to authorize the Mayor to sign the Certificate of Substantial Completion document for the sanitary sewers rehabilitation project 2B.

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 Elwyn Roll	X	Yes		No		Abstain		Absent	
Trustee Ken Rule		Yes		No		Abstain	X	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>		

**AUTHORIZE MAYOR TO SIGN PAY APPLICATION #6, MILHERST CONSTRUCTION, PROJ 2B**

Motion by Trustee Roll and seconded by Trustee Schiener to authorize the Mayor to sign pay application #6 for Milherst Construction for sanitary sewers project 2B in the amount of \$53,194.52.

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 Elwyn Roll	X	Yes		No		Abstain		Absent	
Trustee Ken Rule		Yes		No		Abstain	X	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>		

**2021 SNOW & ICE AGREEMENT ADJUSTMENT**

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

**WHEREAS**, the Village of Arcade entered into an Agreement in 2019, No. D014860 entitled "Municipal Snow and Ice Agreement" between the New York State Department of Transportation (NYSDOT) and the Village of Arcade (VOA), for a five year term, and

**WHEREAS**, the NYS DOT is required to adjust the estimated expenditure in years 2 through 5 of the contract, and

**WHEREAS**, the agreement amends the estimated expenditure for the 2020/2021 season by adding funding to adjust the Estimated Expenditure to account for increase in labor, materials, equipment and/or overall costs, per the terms in Paragraph 9 and 10 in the original Agreement, and

**WHEREAS**, this amendment results in an increase in labor of \$39.70,

**NOW, THEREFORE, Be It Resolved**, that the Mayor of the VOA be hereby authorized to sign the Agreement/Adjustment Calculation Worksheet and the Supplemental Agreement No. 1 to Contract No. D014860.

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 Elwyn Roll	X	Yes		No		Abstain		Absent	
Trustee Ken Rule		Yes		No		Abstain	X	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>		

**RESOLUTION MAIN STREET TECHNICAL ASSISTANCE PROGRAM**

Motion by Trustee Schiener and seconded by Trustee Koerner to accept the following resolution the Village of Arcade in its application to NYS Homes and Community Renewal for funding under the NY Main Street Technical Assistance Program:

**RESOLUTION**

**WHEREAS**, the Village of Arcade desires to apply for \$20,000 in financial assistance through the 2021 Consolidated Funding Application (CFA) under the New York Main Street technical assistance program; and

**WHEREAS**, the application proposes funding to assist property owners in planning to complete building renovations to downtown "Main Street" buildings, and

**WHEREAS**, the proposed funding will contribute to ongoing community revitalization efforts, and

**WHEREAS**, the grant application requires that the applicant obtain the approval and endorsement of the governing body of the municipality in which the project will be located.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Trustees of the Village of Arcade approves and endorses the 2021 Main Street Planning Project for assistance prepared and to be submitted by the Village of 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 Elwyn Roll	X	Yes		No		Abstain		Absent
Trustee Ken Rule		Yes		No		Abstain	X	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>		

**AUTHORIZE MAYOR TO SIGN INTERMUNICIPAL AGREEMENT SRO OFFICER**

Motion by Trustee Roll and seconded by Trustee Koerner to authorize Mayor May to sign the Inter-municipal agreement between the Village of Arcade, the Town of Arcade and the Pioneer Central School District. The Town of Arcade and the School District will pay the wages of the officer when working as the SRO, the Village will pay his wages the remainder of the year.

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 Elwyn Roll	X	Yes		No		Abstain		Absent
Trustee Ken Rule		Yes		No		Abstain	X	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>		

**SCHEDULE PUBLIC HEARING LOCAL LAW 69, TAX CAP**

Motion by Trustee Koerner and seconded by Trustee Schiener to schedule the public hearing for review of local law Chapter 69, Property Tax Cap on February 2, 2021.

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 Elwyn Roll	X	Yes		No		Abstain		Absent
Trustee Ken Rule		Yes		No		Abstain	X	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>		

**CANCELLATION OF DEBT**

Motion by Trustee Schiener and seconded by Trustee Koerner to authorize the cancellation of the following debt:

NAME	ACCOUNT NUMBER	AMOUNT	REASON
Patricia Ford	05-15900-02-0	\$ 74.58	Past Statute
Brandon Pleace	08-30400-13	\$ 15.77	Amount
Kelly Towne	01-03500-03-0	\$ 860.64	Past Statute
	<b>TOTAL</b>	<b>\$ 950.99</b>	

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 Elwyn Roll	X	Yes		No		Abstain		Absent
Trustee Ken Rule		Yes		No		Abstain	X	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>		

**FY 2020-2021 BUDGET AMENDMENT**

Motion by Trustee Roll and seconded by Trustee Koerner, the FY 2020-2021 budget be amended as follows: Grant funds were received from the Police Traffic Services Grant in the amount of \$2,702.91, this covers labor for the project. See attached.

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 Elwyn Roll	X	Yes		No		Abstain		Absent
Trustee Ken Rule		Yes		No		Abstain	X	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 Trustee Schiener and seconded by Trustee Roll , the Village bills be audited and paid in the amount of \$242,922.93 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 Elwyn Roll	X	Yes		No		Abstain		Absent
Trustee Ken Rule		Yes		No		Abstain	X	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:

- None.

**ADJOURN**

There being no further business to come before the Board the meeting duly adjourned at 8:17 pm upon motion by Trustee Koerner and seconded by Trustee Roll.

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

1-06-2021 8:59 AM  
 PACKET: 00423-BUDGET AMEND 1/5/2021  
 BUDGET CODE: CB-Current Budget

BUDGET ADJUSTMENT REGISTER

FUND ACCOUNT	DATE	DESCRIPTION	ADJUSTMENT	ORIGINAL BUDGET	PREVIOUS ADJUSTMENTS	NEW BUDGET	BUDGET BALANCE
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001 4-4389-0100	1/05/2021	BUDGET AMENDMENT FED AID: OTHER PUBLIC SAFETY	2,702.91	0.00	0.00	2,702.91-	0.00
001 5-3120-104-1007	1/05/2021	BUDGET AMENDMENT PTS PROJECT 222 DEPT: POLICE DEPARTMENT PACKET NOTES: GRANT PROCEEDS REC'D PTS GRANT. JMK	2,702.91	0.00	0.00	2,702.91	8.62-
TOTAL NO. ADJUSTMENTS--REVENUE:					1	2,702.91	
TOTAL NO. ADJUSTMENTS--EXPENSE:					1	2,702.91	
TOTAL IN PACKET--						5,405.82	

\*\*\* BUDGET DEFICIT WARNINGS \*\*\*

FUND ACCOUNT	NAME	BALANCE
001 5-3120-104-1007	PTS PROJECT 222	8.62-

TOTAL WARNINGS: 1

\*\*\* NO ERRORS \*\*\*

\*\*\* END OF REPORT \*\*\*

VENDOR	AMOUNT	VENDOR	AMOUNT
21ST CENTURY ELECTRONICS	\$ 14.99	NEW YORK STATE DEFERRED COMPEN	\$ 3,511.10
AFLAC NEW YORK	\$ 1,563.94	NGT CORPORATION	\$ 1,315.00
AUTOMOTIVE ALLEY INC	\$ 803.09	NOCO ENERGY CORP	\$ 981.85
BLUE COLLAR WORKWEAR	\$ 12,751.20	NYS & LOCAL RETIRE SYSTEM	\$ 4,726.06
BLUE CROSS BLUE SHIELD OF WNY	\$ 36,030.78	NYS & LOCAL RETIRE SYSTEM	\$ 2,377.78
BROWN WOOD PRESERVING CO, INC.	\$ 38,862.00	NYS CHILD SPRT PROCESSING	\$ 500.46
CINTAS CORPORATION #782	\$ 213.18	NYS CHILD SPRT PROCESSING	\$ 500.46
CLARK PATTERSON LEE	\$ 500.00	NYS INCOME TAX	\$ 5,181.50
CLARK PATTERSON LEE	\$ 1,484.52	NYS INCOME TAX	\$ 5,029.58
CONNOR, FRANCIS S.	\$ 96.00	NYS SALES TAX	\$ 11,416.76
CSEA	\$ 748.24	PIONEER FORD INC.	\$ 1,241.90
CSEA	\$ 769.70	QUALITY INDUSTRIAL SERVICES, I	\$ 2,900.00
CSEA BENEFIT UNIT	\$ 1,173.90	RENAISSANCE LIFE & HEALTH INSU	\$ 136.50
CSEA POLICE UNIT	\$ 197.61	SAFETY-KLEEN SYSTEMS INC	\$ 1,635.00
CSEA POLICE UNIT	\$ 234.18	SAIA COMMUNICATIONS INC	\$ 1,091.83
DE LAGE LANDEN FINANCIAL SERVI	\$ 99.00	SCHWAB AGGREGATES	\$ 433.01
E.J. PRESCOTT, INC	\$ 3,041.77	SHARP ELECTRONICS CORPORATION	\$ 99.49
GLOBAL EQUIPMENT COMPANY INC	\$ 139.84	SOUTER, ROBERT A	\$ 275.00
GRAINGER	\$ 46.88	SS DIESEL & AUTO LLC	\$ 443.00
HODGSON RUSS LLP	\$ 152.50	STRYKER SALE CORPORATION	\$ 135.00
IRS - FEDRAL PAYROLL TAX PAYME	\$ 28,199.56	STUART C IRBY CO	\$ 3,663.45
IRS - FEDRAL PAYROLL TAX PAYME	\$ 26,673.56	T L SCHWAB TRANSPORT LLC	\$ 145.86
ITRON, INC.	\$ 1,362.16	TIFCO INDUSTRIES INC	\$ 239.90
J & S AGEN, INC	\$ 1,085.00	TIME WARNER CABLE	\$ 121.97
KEY BANK	\$ 932.48	TIME WARNER CABLE	\$ 158.40
L&R ROLL-OFF, INC.	\$ 330.40	TOMPKINS INSURANCE AGENCIES IN	\$ 117.00
LINEAGE	\$ 240.00	TRACTOR SUPPLY CREDIT PLAN	\$ 151.42
LINSTAR	\$ 12.80	UTZ TIRE SERVICE OF ARCADE, IN	\$ 158.50
MAPLE GROVE ENTERPRISES	\$ 1,660.00	VERIZON	\$ 138.72
MAZIUK WHOLESALE DISTRIBUTORS	\$ 2,233.80	VERIZON WIRELESS	\$ 564.42
MAZZA MECHANICAL SERVICES, INC	\$ 3,691.75	VILLAGE OF ARCADE	\$ 165.00
MCKESSON MEDICAL-SURGICAL GOV'	\$ 1,122.92	VILLAGE OF ARCADE	\$ 165.00
MUNICIPAL SOLUTIONS, INC	\$ 200.00	VILLAGE OF ARCADE	\$ 877.58
NATIONAL FUEL	\$ 1,002.82	WASTE MANAGEMENT OF NEW YORK L	\$ 9,869.89
NEW YORK STATE DEFERRED COMPEN	\$ 3,786.27	WEF MEMBERSHIP	\$ 210.00
<b>COLUMN TOTAL</b>	<b>\$ 171,456.84</b>	WESCO DISTRIBUTION, INC.	\$ 10,787.70
		<b>COLUMN TOTAL</b>	<b>\$ 71,466.09</b>
		<b>GRAND TOTAL</b>	<b>\$ 242,922.93</b>