

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

**PRESENT**

Mayor Donna Schiener, Trustee Andrew Koerner, Trustee Elwyn Roll, Trustee Eric Szucs, Superintendent of Public Works Larry Kilburn, Clerk/Treasurer Jennifer Kraft, Police Chief Matt Krist,

**ABSENT**

Trustee Ken Rule, Deputy Clerk/Treasurer Michelle Karpinski

**ALSO PRESENT**

Jim Pierce, Wyoming County Business Center (WCBC) North LLC, Lydia Dziedzic, Partners for Prevention

**EMKAY UPDATE**

Jim Pierce, WCBC North LLC, updated the Board on progress that has been made on the Emkay property. Wyoming County has foreclosed on the property but has not taken control because of the potential for environmental contamination. WCBC North LLC was developed for this project and is administered by the Wyoming County IDA. WCBC North LLC hired Labella to perform a phase 1 and phase 2 environmental assessment. The report was completed March 2020 and it has been determined the property qualifies for the NYS Brownfield Grant Program. The report findings showed the siding on one of the buildings is galbestos, which is essentially asbestos. The contractor that tried to dismantle the facility did not do their due diligence and as a result the asbestos material is co-mingled with other debris. There is friable asbestos containing material located on the western portion of the site. There is material of an unknown origin across the site, some as deep as 7 feet. There are four (4) unregistered storage tanks in a former filling station. The soil/fill and ground water in this area is contaminated with petroleum. As a result of these finding the DEC has been notified and they have opened an active spill file assigned to this site. Arsenic, lead, mercury, polycyclic aromatic hydrocarbons (PAHs) and polychlorinated biphenyl (PCB) were detected on the site as well. The rough order of magnitude to remediate and demolish this site is estimated at \$1.9 M.

WCBC North LLC has found a developer with experience in private sector brownfield development who is interested in working with WCBC North LLC. The developer suggested WCBC North LLC apply for an EPA Brownfield clean up grant., the application must be in October 2021. WCBC North LLC met with EPA representatives along with a representative of CCLR, Creative Center for Land Recycling, an advisor to help in the grant application preparation. The EPA has given WCBC North LLC positive feedback. The EPA grant requires community involvement and WCBC North LLC is requesting inv from VOA board along with community members from various groups such as Senior Citizens, Youth groups, Veterans, etc., to support the redevelopment and make suggestions as to what the redevelopment would look like. The current ideas for the redevelopment include senior housing and a small warehouse, possibly mixed use. This would probably require zoning review.

WCBC North LLC will finalize and execute the Designated Developer Agreement; the developer will to remediation, demolition, and redevelopment, WCBC North LLC will be coordinating the process. The WCBC North LLC must take ownership of the property, as they are a not for profit, prior to grant application, Jim Pierce has contacted the county attorney. The EPA grant process could take up to three-years.

**PARTNERS FOR PREVENTION PROGRAM**

Lydia Dziedzic explained the Partner for Prevention Program. One of their goals is to hold youth friendly family activities. They have had events in other communities, they would like to have an event in the Arcade Village Park, utilizing the playground end of the park. This event would include vendors and organizations as well as hands on activities. The date of the event is October 23, 2021, from 10:00 am to 1:00 pm. The Board offered full support for this program.

**APPROVE MINUTES**

Motion by Trustee Szucs and seconded by Trustee Koerner, the minutes from the regular meeting held on August 17, 2021, be approved as presented by Clerk/Treasurer Kraft.

The motion was passed upon the following vote:

<b>VOTE</b>								
Mayor Donna Schiener	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 Eric Szucs	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>		

**AUTHORIZATION TO PURSUE TWO PART TIME OFFICER POSITIONS**

Motion by Trustee Koerner and seconded by Trustee Szucs to authorize Chief Krist to pursue two part time officers. Currently a part time officer will be resigning at the end of the month.

The motion was passed upon the following vote:

<b>VOTE</b>								
Mayor Donna Schiener	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 Eric Szucs	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>		

**AUTHORIZATION TO DESTROY RECORDS**

Motion by Trustee Szucs and seconded by Trustee Roll to authorize Clerk Treasurer Kraft to destroy the following records in accordance with NYS LGS-1:

DESCRIPTION	RETENTION	BOX #
Utility Billing 1/2015-6/30/2015	6 years	0864
Electric Receipts 4/15/2015-6/30/2015	6 years	0875
Checks (remote deposit) 1/1/2021 -2/28/2021	6 months	
Certificates of Insurance 6/1/2014-5/31/2015	6 years	
Insurance Folder 6/1/2014-5/31/2015	6 years	
Personnel Folder E. Davis (in Filebound)	Zero after scanning	
Clerk’s Correspondence 2014-2015	6 years	
Working Papers for AUD 2013-2018 and informational copies	Zero when no longer needed	
Bank Documents 2007-2011	6 years	
NSF Letters 2014	6 years	
Budget Worksheets 2014-2015	6 years	

The motion was passed upon the following vote:

<b>VOTE</b>								
Mayor Donna Schiener	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 Eric Szucs	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>		

**CANCELLATION OF DEBT**

Motion by Trustee Szucs and seconded by Trustee Roll to authorize the cancellation of the following debt:

NAME	ACCOUNT NUMBER	AMOUNT	REASON
Clara Becker (Reinhart)	05-05300-09-0	\$ 23.29	Past Statute
Melissa Isaacs (Burfield)	10-22800-17-0	\$ 317.30	Past Statute
Cindy Jablonski	09-05800-00-0	\$ 88.84	Past Statute
Christine Pascale	12-11500-03-0	\$ 293.40	Past Statute
Melissa Perkins	16-15200-05-0	\$ 30.63	Past Statute
William Phillips	16-24600-08-0	\$ 91.73	Past Statute
Cody Slomba	12-34900-04-0	\$ 269.37	Past Statute
James Staub	04-22000-05-0	\$ 123.27	Past Statute
<b>TOTAL</b>		<b>\$ 1,237.83</b>	

The motion was passed upon the following vote:

VOTE								
Mayor Donna Schiener	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 Eric Szucs	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>		

**FY 2021-2022 BUDGET AMENDMENT**

Motion by Trustee Koerner and seconded by Trustee Szucs, the FY 2021-2022 budget be amended as follows because funds have been received from the sale of surplus guns in the amount of \$2,400 and from Wyoming County for the Drug Recognition Expert (DRE) labor overtime expense in the amount of \$532.07. See Attached.

The motion was passed upon the following vote:

VOTE								
Mayor Donna Schiener	X	Yes		No		Abstain		Absent
Trustee Andy Koerner	X	Yes		No		Abstain		Absent
Trustee Elwyn Roll	X	Yes		No		Abstain		Absent
Trustee Ken Rule	X	Yes		No		Abstain		Absent
Trustee Eric Szucs	X	Yes		No		Abstain		Absent
<b>VOTE TOTAL:</b>								
	5	Yes	0	No	0	Abstain	0	Absent
<b>RESULTS</b>								
	X	<b>PASS</b>				<b>FAIL</b>		

**AUDIT BILLS**

Motion by Trustee Koerner and seconded by Trustee Szucs, the Village bills be audited and paid in the amount of \$694,710.21 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 Donna Schiener	X	Yes		No		Abstain		Absent
Trustee Andy Koerner	X	Yes		No		Abstain		Absent
Trustee Elwyn Roll	X	Yes		No		Abstain		Absent
Trustee Ken Rule	X	Yes		No		Abstain		Absent
Trustee Eric Szucs	X	Yes		No		Abstain		Absent
<b>VOTE TOTAL:</b>								
	5	Yes	0	No	0	Abstain	0	Absent
<b>RESULTS</b>								
	X	<b>PASS</b>				<b>FAIL</b>		

**SUMMER RECREATION**

Trustee Roll reported the summer recreation program was very successful, they had on average 25-30 children each week. Trustee Roll requested some updates to the Boy Scout building, the bathrooms need improvements, the building is rather noisy, perhaps some sound boards to reduce the noise. SPW Kilburn said improvements could be made over the winter months. Also, there was a request for more sand.

**ARTS COUNCIL FOR WYOMING COUNTY**

Trustee Szucs reported applying for a micro grant in collaboration with Springville Center for the Arts with Arts Council for Wyoming County, in the amount of \$1,000. The funds would support theater workshops, puppet making along with other workshops. There is another grant that is going to be available, through the Arts Council, and we will be applying for that, it funds up to \$5,000. These funds may be used to subsidize Shake on the Lake in the Village Park as well as music Mondays. These grants will be discussed with Revitalize Arcade.

Trustee Szucs also requested the Village of Arcade join the Wyoming County Chamber organization.

**150<sup>th</sup> ANNIVERSARY CELEBRATION**

Trustee Koerner updated the Board on the celebration. There will be a parade of classic cars and it will end at the Arcade Elementary Building. The banner has been ordered. The celebration will be throughout the Village. The Village will not be charging food truck vendors. Tents will be allowed on the sidewalk for vendors. Trustee Koerner requested SPW Kilburn to arrange for Village trucks to be parked in the Village.

**EXECUTIVE SESSION**

Motion by Trustee Szucs and seconded by Trustee Roll, the Board enter into executive session to discuss the following topic(s) at 8:39 pm:

- Employment history of a particular employee

The motion was passed upon the following vote:

<b>VOTE</b>								
Mayor Donna Schiener	X	Yes		No		Abstain		Absent
Trustee Andy Koerner	X	Yes		No		Abstain		Absent
Trustee Elwyn Roll	X	Yes		No		Abstain		Absent
Trustee Ken Rule	X	Yes		No		Abstain		Absent
Trustee Eric Szucs	X	Yes		No		Abstain		Absent
<b>VOTE TOTAL:</b>	5	Yes	0	No	0	Abstain	0	Absent
<b>RESULTS</b>	<b>X</b>	<b>PASS</b>				<b>FAIL</b>		

Motion by Trustee Roll and seconded by Trustee Koerner, the Board exit executive session at 8:47 pm.

The motion was passed upon the following vote:

<b>VOTE</b>								
Mayor Donna Schiener	X	Yes		No		Abstain		Absent
Trustee Andy Koerner	X	Yes		No		Abstain		Absent
Trustee Elwyn Roll	X	Yes		No		Abstain		Absent
Trustee Ken Rule	X	Yes		No		Abstain		Absent
Trustee Eric Szucs	X	Yes		No		Abstain		Absent
<b>VOTE TOTAL:</b>	5	Yes	0	No	0	Abstain	0	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 8:48 pm upon motion by Trustee Roll and seconded by Trustee Koerner.

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Clerk/Treasurer

9-08-2021 9:39 AM

BUDGET ADJUSTMENT REGISTER

PAGE: 1

PACKET: 00444-BUDGET AMENDMENT 9/7/2021

BUDGET CODE: CB-Current Budget

FUND ACCOUNT	DATE	DESCRIPTION	ADJUSTMENT	ORIGINAL BUDGET	PREVIOUS ADJUSTMENTS	NEW BUDGET	BUDGET BALANCE
-----							
Budget Adj. # 000991							
001 5-3120-200-2000	8/19/2021	BUDGET AMEND SURPLU EQUIPMENT DEPT: POLICE DEPARTMENT	2,400.00	6,000.00	0.00	8,400.00	7,140.23
001 4-2665-0100	8/19/2021	BUDGET AMEND SURPLU SALE OF EQUIPMENT	2,400.00	20,000.00-	0.00	22,400.00-	6,370.00
-----							
Budget Adj. # 000992							
001 5-3120-100-1210	9/07/2021	STOP DWI DRE EVALUATIONS- OT DEPT: POLICE DEPARTMENT	532.07	0.00	0.00	532.07	463.19-
001 4-3089-0120	9/07/2021	STOP DWI NYS STOP DWI PROGRAM PACKET NOTES: SALE OF SURPLUS EQUIPMENT PD. JMK	532.07	0.00	0.00	532.07-	1,031.54
					TOTAL NO. ADJUSTMENTS--REVENUE:	2	2,932.07
					TOTAL NO. ADJUSTMENTS--EXPENSE:	2	2,932.07
					TOTAL IN PACKET--		<u>5,864.14</u>

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

FUND ACCOUNT	NAME	BALANCE
001 5-3120-100-1210	DRE EVALUATIONS- OT	463.19-
TOTAL WARNINGS:	1	

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

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

<b>VENDOR</b>	<b>AMOUNT</b>	<b>VENDOR</b>	<b>AMOUNT</b>
534 SARATOGA BROADWAY LP	\$ 1,445.00	KOESTER ASSOCIATES INC	\$ 338.56
ACTIVE IT DESIGN, LLC	\$ 3,390.00	KUTZUBA, ROBERT	\$ 1,782.50
AFLAC NEW YORK	\$ 1,563.94	LINEMENS SUPPLY INC	\$ 170.37
AMCHAR WHOLESAL, INC	\$ 29.96	MARCOS PIZZA & SUBS	\$ 84.03
ARCADE POSTMASTER	\$ 1,971.11	MATUSZAK'S BLACKTOPPING INC	\$ 2,800.00
AUTOMOTIVE ALLEY INC	\$ 930.63	MCKESSON MEDICAL-SURGICAL GOV'	\$ 537.37
BENEFLEX-ERIE	\$ 180.00	MEUA - MUNICIPAL ELECTRIC UTIL	\$ 25.00
BLUE COLLAR WORKWEAR	\$ 334.90	NATIONAL GRID	\$ 81,359.36
BLUE CROSS BLUE SHIELD OF WNY	\$ 35,815.44	NEW YORK POWER AUTHORITY	\$ 172,714.58
CINTAS CORPORATION #782	\$ 253.99	NEW YORK STATE DEFERRED COMPEN	\$ 4,451.09
CONNOR, FRANCIS S.	\$ 252.00	NOCO ENERGY CORP	\$ 4,110.55
CORE & MAIN LP	\$ 758.78	NYMPA	\$ 106,111.00
CSEA	\$ 827.14	NYS & LOCAL RETIRE SYSTEM	\$ 4,998.27
CSEA BENEFIT UNIT	\$ 1,007.24	NYS CHILD SPRT PROCESSING	\$ 500.47
CSEA POLICE UNIT	\$ 189.44	NYS INCOME TAX	\$ 4,876.97
DE LAGE LANDEN FINANCIAL SERVI	\$ 99.00	NYS SALES TAX	\$ 12,312.39
DEPOSITORY TRUST AND CLEARING	\$ 116,725.00	RENAISSANCE LIFE & HEALTH INSU	\$ 185.88
E.J. PRESCOTT, INC	\$ 277.76	SECURITY INVESTORS GROUP INC	\$ 702.98
FIRST COLONIE COMPANY	\$ 883.00	SMITH, KENNETH	\$ 4,425.00
FIRST STUDENT, INC	\$ 2,100.00	SOUTER, ROBERT A	\$ 625.00
FLEET MAINTENANCE INC	\$ 282.66	STATE INDUSTRIAL PRODUCTS	\$ 114.71
FORMS IN A WINK	\$ 1,063.91	STUART C IRBY CO	\$ 6,731.42
GALLS LLC	\$ 127.46	TIFCO INDUSTRIES INC	\$ 89.95
GENUINE PARTS COMPANY	\$ 171.73	TIME WARNER CABLE	\$ 144.98
GERNATT ASPHALT PRODUCTS, INC.	\$ 1,561.24	TOMPKINS INSURANCE AGENCIES IN	\$ 28,249.00
GRAINGER	\$ 489.72	TRACTOR SUPPLY CREDIT PLAN	\$ 522.89
GRAYBAR ELECTRIC CO.	\$ 8,174.10	VERIZON	\$ 79.05
HALEY CONCRETE INC	\$ 15,336.00	VERIZON WIRELESS	\$ 571.18
IRS - FEDRAL PAYROLL TAX PAYME	\$ 26,287.03	VILLAGE OF ARCADE	\$ 165.00
KEY BANK	\$ 244.60	VILLAGE OF ARCADE	\$ 740.00
KISTNER CONCRETE PROD INC	\$ 21,046.00	WASTE MANAGEMENT OF NEW YORK L	\$ 10,116.64
KOERNER, GILLIAN	\$ 30.24	ZUECH'S ENVIRONMENTAL SRVCS IN	\$ 225.00
<b>COLUMN TOTALS</b>	<b>\$ 243,849.02</b>	<b>COLUMN TOTALS</b>	<b>\$ 450,861.19</b>
		<b>GRAND TOTAL</b>	<b>\$ 694,710.21</b>