

The public hearing and regular meeting of the Village of Arcade (VOA) Board of Trustees, Wyoming County, New York was held on Tuesday, January 3, 2023, at 7:00 pm there were:

PRESENT

Mayor Donna Schiener, Trustee Lisa Byers, Trustee Andrew Koerner, Trustee Elwyn Roll, Trustee Eric Szucs, Superintendent of Public Works Andrew Bartz, Clerk/Treasurer Jennifer Kraft, Police Chief Matt Krist, Deputy Clerk/Treasurer Michelle Karpinski.

ALSO PRESENT

Rich Kosmerl, Dan Meyers, Pat Howlett, Sheila and Jim Vrenna, Jay May, Dave Bray, Johsua Graham, Chris Lester, Jeff Ely, Jacob Anderson, Hailey Andrews, Maya Borer, Deborah Austin, Eric Slocum, John Cope and Mike McElheny

PLEDGE OF ALLEGIANCE

Mayor Schiener opened the meeting with the Pledge of Allegiance.

PUBLIC HEARING VIDEO CONFERENCE RESOLUTION

The Mayor opened the public hearing at 7:00 pm to discuss the proposed Video Conference Resolution.

PUBLIC COMMENT

Jay May asked if the Board is allowed to shut people off if they become belligerent? The Mayor responded it would be no different than if you were at an in-person meeting and we will be developing procedures.

ADJOURN

There being no further questions or comments there was a motion by Trustee Koerner and seconded by Trustee Roll to close the Public Hearing at 7:04 pm.

ADOPT VIDEO CONFERENCE RESOLUTION

Motion by Trustee Roll and seconded by Trustee Byers to adopt the following video conference resolution:

VILLAGE OF ARCADE VIDEO CONFERENCING RESOLUTION

WHEREAS, by passing Chapter 56 of the Law of 2022 (Chapter 56), the New York State Legislature amended Section 103 of the Open Meetings Law; and

WHEREAS, Chapter 56 adds Section 103-a of the Open Meetings Law, permitting the Village of Arcade Board of Trustees to authorize its members to attend meetings by videoconferencing under extraordinary circumstances; and

WHEREAS, Section 103-a (2) (a) requires the Village of Arcade Board of Trustees to adopt a resolution following a public hearing authorizing the limited use of videoconferencing under such circumstances; and

WHEREAS, Section 103-a (2) allows for hybrid meetings by requiring “that a minimum number of members are present to fulfill the public body’s quorum requirement in the same physical location or locations where the public can attend”; and

WHEREAS, Section 103-a(2)(c) requires that members be physically present at any such meeting “unless such member is unable to be physically present at any such meeting location due to extraordinary circumstances...including disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event which precludes the member’s physical attendance at such meeting”, and

WHEREAS, in accordance with Section 103-a(2)(d), any members attending by videoconference must, excerpt during executive session, be “heard, seen and identified, while the meeting is being conducted, including but not limited to any motions, proposals, resolutions, and any other matter formally discussed or voted upon”, and

WHEREAS, section 103-a(2)(g) requires that any meeting where a member attends by videoconference be recorded, posted to the Village of Arcade webpage within five business days, and transcribed upon request; and

WHEREAS, Section 103-a(2)(h) requires that members of the public be permitted to attend and participate, if authorized, in any meeting by videoconference when a member attends by videoconference.

BE IT RESOLVED, that the Village of Arcade Board of Trustees authorizes its members who experience an extraordinary circumstance, as described above and further defined by any rules or written procedures later adopted, to attend meetings by videoconference: (i) as long as a quorum of the members attend in-person at one or more locations open to the public, (ii) as long as the member can be seen, heard, and identified while the open portion of the meeting is being conducted; and (iii) as otherwise permitted under Chapter 56 of the Laws of 2022; and be it further

RESOLVED, that the Village of Arcade Board of Trustees shall create written procedures further governing its use of videoconferencing by its members in compliance with Chapter 56 of the Laws of 2022.

The motion was passed upon the following vote:

VOTE								
Mayor Donna Schiener	X	Yes		No		Abstain		Absent
Trustee Lisa Byers	X	Yes		No		Abstain		Absent
Trustee Andy Koerner	X	Yes		No		Abstain		Absent
Trustee Elwyn Roll	X	Yes		No		Abstain		Absent
Trustee Eric Szucs	X	Yes		No		Abstain		Absent
VOTE TOTAL:	5	Yes	0	No	0	Abstain	0	Absent
RESULTS	X	PASS				FAIL		

ACKNOWLEDGING ARCADE FIRE DEPARTMENT MEMBERS

The Mayor acknowledged the fire department members for the mutual aid they offered during the snowstorms on November 19th and December 27th, 2022. The members were Jenna Johnson, Dave Bray, Josh Graham, Jake Anderson, Eric Slocum, Hailey Andrews and Jeff Ely. The Mayor thanked them for their service and for going “above and beyond”, and the Board, along with the audience, gave them a standing ovation.

APPROVE MINUTES

Motion by Trustee Szucs and seconded by Trustee Koerner, the minutes from the regular meeting held on December 20, 2022, be approved as presented by Deputy Clerk/Treasurer Karpinski.

The motion was passed upon the following vote:

VOTE								
Mayor Donna Schiener	X	Yes		No		Abstain		Absent
Trustee Lisa Byers	X	Yes		No		Abstain		Absent
Trustee Andy Koerner	X	Yes		No		Abstain		Absent
Trustee Elwyn Roll	X	Yes		No		Abstain		Absent
Trustee Eric Szucs	X	Yes		No		Abstain		Absent
VOTE TOTAL:	5	Yes	0	No	0	Abstain	0	Absent
RESULTS	X	PASS				FAIL		

AUTHORIZE ATTENDANCE NYS CHILD PASSENGER SAFETY TECHNICAL CONFERENCE

Motion by Trustee Byers and seconded by Trustee Szucs to authorize the following employees to attend the NYS Child passenger Safety Technical Conference: Gillian Koerner, Jared Benkelman and Michael Lococo. The conference will be held at the Lake Placid Conference and Convention Center, 2608 Main Street, Lake Placid NY 12946, May 2-4, 2023. The conference registration is \$200 per person and includes an evening reception, conference sessions on Wednesday May 3rd and Thursday May 4th, along with breakfast and lunch. The hotel expense is covered by NYS Association of Traffic Safety Boards.

The motion was passed upon the following vote:

VOTE									
Mayor Donna Schiener	X	Yes		No		Abstain		Absent	
Trustee Lisa Byers	X	Yes		No		Abstain		Absent	
Trustee Andy Koerner	X	Yes		No		Abstain		Absent	
Trustee Elwyn Roll	X	Yes		No		Abstain		Absent	
Trustee Eric Szucs	X	Yes		No		Abstain		Absent	
VOTE TOTAL:									
	5	Yes	0	No	0	Abstain	0	Absent	
RESULTS		X	PASS				FAIL		

PROJECT UPDATES

SPW Bartz updated the Board on various projects. The documentation for the CHIPS, PAVE NY, Extreme Winter and Pave Our Potholes (POP) has been completed. The total amount of reimbursement will be \$78,590. CHIPS \$47,322, Extreme Winter \$9,933. POP \$8,534 and Pave NY \$12,801. The reimbursement should be received in March 2023.

Another bucket truck has been paid off (#75) that leaves only one left to pay on.

The Water Department water shed inspection report has been filed with the Wyoming County Health Department.

We have begun the Water Department budget for 2023-24.

COVID POLICY

The Board reviewed the current COVID policy and with a motion by Trustee Roll and seconded by Trustee Byers the policy is no longer in effect as of 1/3/2023.

The motion was passed upon the following vote:

VOTE									
Mayor Donna Schiener	X	Yes		No		Abstain		Absent	
Trustee Lisa Byers	X	Yes		No		Abstain		Absent	
Trustee Andy Koerner	X	Yes		No		Abstain		Absent	
Trustee Elwyn Roll	X	Yes		No		Abstain		Absent	
Trustee Eric Szucs	X	Yes		No		Abstain		Absent	
VOTE TOTAL:									
	5	Yes	0	No	0	Abstain	0	Absent	
RESULTS		X	PASS				FAIL		

AUTHORIZATION TO DESTROY RECORDS

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

DESCRIPTION	RETENTION	BOX #
Daily Reports 5/2/2016-10/31/2016	6 years	912
Time Sheets 1/1/2016-12/31/2016	6 years	914
Permanent Handicap Parking Permits 1/1/2016-12/31/2016	1 year after expiration	
Temporary Handicap Parking Permits 1/1/2016-12/31/2016	1 year after expiration	
Sandwich Board Sign Permits 1/1/2013-12/31/2016	6 years	

The motion was passed upon the following vote:

VOTE								
Mayor Donna Schiener	X	Yes		No		Abstain		Absent
Trustee Lisa Byers	X	Yes		No		Abstain		Absent
Trustee Andy Koerner	X	Yes		No		Abstain		Absent
Trustee Elwyn Roll	X	Yes		No		Abstain		Absent
Trustee Eric Szucs	X	Yes		No		Abstain		Absent
VOTE TOTAL:	5	Yes	0	No	0	Abstain	0	Absent
RESULTS	X	PASS				FAIL		

FY 2022-2023 BUDGET AMENDMENTS

Motion by Trustee Koerner and seconded by Trustee Roll, the FY 2022-2023 budget be amended as a donation was received from A&A Railroad in the amount of \$200 for the Beautification Committee. Also, there are budget amendments closing out encumbrances from the prior fiscal year and using fund balance to adjust the current budget for the invoices. See Attached.

The motion was passed upon the following vote:

VOTE								
Mayor Donna Schiener	X	Yes		No		Abstain		Absent
Trustee Lisa Byers	X	Yes		No		Abstain		Absent
Trustee Andy Koerner	X	Yes		No		Abstain		Absent
Trustee Elwyn Roll	X	Yes		No		Abstain		Absent
Trustee Eric Szucs	X	Yes		No		Abstain		Absent
VOTE TOTAL:	5	Yes	0	No	0	Abstain	0	Absent
RESULTS	X	PASS				FAIL		

AUDIT BILLS

Motion by Trustee Byers and seconded by Trustee Koerner, the Village bills be audited and paid in the amount of \$124,680.30 and that the Clerk 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 Lisa Byers	X	Yes		No		Abstain		Absent
Trustee Andy Koerner	X	Yes		No		Abstain		Absent
Trustee Elwyn Roll	X	Yes		No		Abstain		Absent
Trustee Eric Szucs	X	Yes		No		Abstain		Absent
VOTE TOTAL:	5	Yes	0	No	0	Abstain	0	Absent
RESULTS	X	PASS				FAIL		

BOARD UPDATES

Trustee Byers reported the dugout roof was blown off during the winter storm. Jace Drennan came out and took care of it. Winterfest is going very well.

The Mayor inquired as to how the new website is coming along. Clerk Treasurer Kraft responded that she and Deputy Clerk Treasurer have begun training and hope to have more to report in a few weeks.

Jay May inquired about the burned-out Mill Fab building, when will the building be torn down? Per Don Roberts, Wyoming County Building and Code, the demolition will not take place until the insurance company signs off on the building. Jay expressed concerns over ammo, gas tanks, propane tanks. Chris Lester assured everyone that while it was a large fire it was no more dangerous than other fires. The fire hydrant that was not working; it is a private hydrant, not the Village's responsibility.

EXECUTIVE SESSION

Motion by Trustee Roll and seconded by Trustee Szucs, the Board enter into executive session to discuss the following topic(s) at 7:45 pm:

Employment history of a particular employee

The motion was passed upon the following vote:

VOTE									
Mayor Donna Schiener	X	Yes		No		Abstain		Absent	
Trustee Lisa Byers	X	Yes		No		Abstain		Absent	
Trustee Andy Koerner	X	Yes		No		Abstain		Absent	
Trustee Elwyn Roll	X	Yes		No		Abstain		Absent	
Trustee Eric Szucs	X	Yes		No		Abstain		Absent	
VOTE TOTAL:									
	5	Yes	0	No	0	Abstain	0	Absent	
RESULTS									
	X	PASS					FAIL		

Motion by Trustee Szucs and seconded by Trustee Roll, the Board exit executive session at 8:05 pm.

The motion was passed upon the following vote:

VOTE									
Mayor Donna Schiener	X	Yes		No		Abstain		Absent	
Trustee Lisa Byers	X	Yes		No		Abstain		Absent	
Trustee Andy Koerner	X	Yes		No		Abstain		Absent	
Trustee Elwyn Roll	X	Yes		No		Abstain		Absent	
Trustee Eric Szucs	X	Yes		No		Abstain		Absent	
VOTE TOTAL:									
	5	Yes	0	No	0	Abstain	0	Absent	
RESULTS									
	X	PASS					FAIL		

CONSULTANT PER DIEM AGREEMENT

Motion by Trustee Szucs and seconded by Trustee Roll to authorize the Mayor to sign the per diem agreement between the Village of Arcade and consultant Larry Kilburn. The consultant will work upon request of SPW Bartz, the Mayor and or the Board of Trustees at an hourly rate of \$51.50. There will be no benefit accrual, no paid time off and no health insurance. The agreement becomes effective once both parties have signed it.

The motion was passed upon the following vote:

VOTE									
Mayor Donna Schiener	X	Yes		No		Abstain		Absent	
Trustee Lisa Byers	X	Yes		No		Abstain		Absent	
Trustee Andy Koerner	X	Yes		No		Abstain		Absent	
Trustee Elwyn Roll	X	Yes		No		Abstain		Absent	
Trustee Eric Szucs	X	Yes		No		Abstain		Absent	
VOTE TOTAL:									
	5	Yes	0	No	0	Abstain	0	Absent	
RESULTS									
	X	PASS					FAIL		

SALARY FOR SPW BARTZ

Motion by Trustee Szucs and seconded by Trustee Byers to approve the salary of SPW Bartz at an hourly rate of \$50 per hour. All other salary employee benefits are in effect. The effective date is 1/3/2023.

The motion was passed upon the following vote:

VOTE								
Mayor Donna Schiener	X	Yes		No		Abstain		Absent
Trustee Lisa Byers	X	Yes		No		Abstain		Absent
Trustee Andy Koerner	X	Yes		No		Abstain		Absent
Trustee Elwyn Roll	X	Yes		No		Abstain		Absent
Trustee Eric Szucs	X	Yes		No		Abstain		Absent
VOTE TOTAL:	5	Yes	0	No	0	Abstain	0	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 8:06 pm upon motion by Trustee Roll and seconded by Trustee Byers.

Clerk/Treasurer

12-30-2022 11:40 AM
 PACKET: 00484-BUDGET AMENDMENT 1/3/2023
 BUDGET CODE: CB-Current Budget

BUDGET ADJUSTMENT REGISTER

PAGE: 1

FUND ACCOUNT	DATE	DESCRIPTION	ADJUSTMENT	ORIGINAL BUDGET	PREVIOUS ADJUSTMENTS	NEW BUDGET	BUDGET BALANCE

001 4-2705-0100	1/03/2023	BUDGET AMEND DONATI GIFTS & DONATIONS	200.00	0.00	2,060.00	2,260.00-	200.00-
001 5-7550-400-4690	1/03/2023	BUDGET AMEND DONATI MATERIALS/SUPPLIES/MAINT DEPT: CELEBRATIONS PACKET NOTES: DONATION TO BEAUTIFICATION FROM A&A RR. JMK	200.00	15,000.00	100.00	15,300.00	5,560.56
TOTAL NO. ADJUSTMENTS--REVENUE:					1	200.00	
TOTAL NO. ADJUSTMENTS--EXPENSE:					1	200.00	
TOTAL IN PACKET--						<u>400.00</u>	

*** NO WARNINGS ***

*** NO ERRORS ***

*** END OF REPORT ***

1-04-2023 3:02 PM
 PACKET: 00483-PO'S PRIOR YEAR
 BUDGET CODE: CB-Current Budget

BUDGET ADJUSTMENT REGISTER

PAGE: 1

FUND ACCOUNT	DATE	DESCRIPTION	ADJUSTMENT	ORIGINAL BUDGET	PREVIOUS ADJUSTMENTS	NEW BUDGET	BUDGET BALANCE

Budget Adj. # 001045							
001 5-3120-400-4040	1/03/2023	BUDG AMEND PO PRIOR SUPPLIES-AMMUNITION DEPT: POLICE DEPARTMENT	430.36	1,500.00	0.00	1,930.36	1,229.96
001 5-4540-200-2000	1/03/2023	BUDG AMEND PO PRIOR EQUIPMENT DEPT: AMBULANCE	7,003.98	0.00	0.00	7,003.98	1,164.94
006 5-8130-400-4360	1/03/2023	BUDG AMEND PO PRIOR BLDG MAINT/MATERIALS DEPT: SEWAGE TREATMENT	20,309.00	10,000.00	0.00	30,309.00	7,471.23
001 5-3120-200-2000	1/03/2023	BUDG AMEND PO PRIOR EQUIPMENT DEPT: POLICE DEPARTMENT	410.32	1,000.00	2,461.00	3,871.32	2,845.13
005 5-8310-400-4160	1/03/2023	BUDG AMEND PO PRIOR ADVERTISING/NOTICES DEPT: WATER ADMINISTRATION	1,331.22	1,500.00	0.00	2,831.22	1,500.00
001 4-9999-9999	1/03/2023	BUDG AMEND PO PRIOR FROM FUND BAL BUDGET ONLY	7,844.66	157,210.00-	0.00	165,054.66-	165,054.66-
006 4-9999-9999	1/03/2023	BUDG AMEND PO PRIOR FROM FUND BAL BUDGET ONLY	20,309.00	39,520.00-	0.00	59,829.00-	59,829.00-
005 4-9999-9999	1/03/2023	BUDG AMEND PO PRIOR FROM FUND BAL BUDGET ONLY PACKET NOTES: THIS AMENDMENT INCREASES THE EXPENSE AND INCREASE THE REVENUE FROM FUND BALANCE, ENCUMBRANCE, FOR ALL PO'S THAT WERE ISSUED IN THE PRIOR FISCAL YEAR BUT THE INVOICE HAD NOT BEEN RECEIVED AT THE END OF THE FY, THEY WERE REC'D IN THE CURRENT FISCAL YEAR. JMK	1,331.22	73,735.00-	0.00	75,066.22-	75,066.22-
					TOTAL NO. ADJUSTMENTS--REVENUE:	3	29,484.88
					TOTAL NO. ADJUSTMENTS--EXPENSE:	5	29,484.88
					TOTAL IN PACKET--		58,969.76

*** NO WARNINGS ***

*** NO ERRORS ***

*** END OF REPORT ***

VENDOR	AMOUNT	VENDOR	AMOUNT
AFLAC NEW YORK	\$ 1,365.50	KEY BANK	\$ 650.83
ALTEC INDUSTRIES INC	\$ 1,702.39	KEY BANK	\$ 321.16
ARCADE HERALD	\$ 137.60	MARCOS PIZZA & SUBS	\$ 78.59
ASHCROFT, ADAM	\$ 44.99	NEW YORK STATE DEFERRED COMPEN	\$ 4,791.59
ATTICA ACE HARDWARE	\$ 60.97	NOCO ENERGY CORP	\$ 2,789.10
AUTOMOTIVE ALLEY INC	\$ 1,479.44	NYS & LOCAL RETIRE SYSTEM	\$ 7,969.02
AUTOZONE	\$ 24.99	NYS CHILD SPRT PROCESSING	\$ 500.46
CINTAS CORPORATION #782	\$ 215.60	NYS INCOME TAX	\$ 5,459.19
CONNOR, FRANCIS S.	\$ 248.00	OCHOA, MICHAEL	\$ 93.75
CSEA	\$ 872.52	OFFICE OF STATE COMPTROLLER	\$ 2,777.00
CSEA BENEFIT UNIT	\$ 1,437.70	PVS - CDI CHEMICALS, INC	\$ 3,480.75
CSEA POLICE UNIT	\$ 217.79	REL COMM, INC.	\$ 427.50
DE LAGE LANDEN FINANCIAL SERVI	\$ 99.00	RENAISSANCE LIFE & HEALTH INSU	\$ 247.02
GRAINGER	\$ 171.27	SOUTER, ROBERT A	\$ 295.00
GRAINGER	\$ 72.52	SPENCER'S SPORTING GOODS	\$ 15.00
HIGHMARK WESTERN & NORTHEASTER	\$ 37,852.74	SS DIESEL & AUTO LLC	\$ 1,502.60
HODGSON RUSS LLP	\$ 364.76	TRACTOR SUPPLY CREDIT PLAN	\$ 309.97
HODGSON RUSS LLP	\$ 8,754.24	VERIZON	\$ 140.36
IRS - FEDRAL PAYROLL TAX PAYME	\$ 29,529.33	VERIZON WIRELESS	\$ 600.87
ITRON, INC.	\$ 6,596.36	VILLAGE OF ARCADE	\$ 360.00
JIM'S EQUIPMENT REPAIR INC	\$ 29.67	VILLAGE OF ARCADE	\$ 529.16
COLUMN TOTAL	\$ 91,277.38	WYOMING COUNTY DEPT OF HEALTH	\$ 64.00
		COLUMN TOTAL	\$ 33,402.92
		GRAND TOTAL	\$ 124,680.30