

**VILLAGE OF PERRY
VILLAGE BOARD MEETING
ANNUAL ORGANIZATIONAL MEETING
APRIL 6, 2009**

The Organizational and Regular Board Meeting of the Village of Perry was held at the Village Hall 46 North Main Street Perry New York at 7:30 p.m. on the 6th day of April 2009.

PRESENT:	Howard Wood David J. Davis Mandi Harvey Michael Laraby J. Richard Barth	Mayor Trustee Trustee Trustee Trustee
ALSO PRESENT:	Terrence Murphy Gail Vosburg Edward Koziel Renee Koziel Todd Hinz James Case	Village Administrator Village Clerk Supt. Public Works Park Maint. Supervisor Chief Water & Sewer Operator Chief of Police
GUESTS:	Len Lonsbury Bill Bark Henry Woitscheck	Lorraine Sturm Tracy Rozanski

Mayor Wood called the Meeting to order at 7:30 PM.

Mayor Wood led in the pledge to the flag.

Organizational Meeting

Mayor Wood introduced new Trustee J. Richard Barth to the public and welcomed *him* to the board.

Mayor Wood presented the following names for appointment:

Deputy Mayor	Michael Laraby	1 year term
Village Clerk/Deputy Treasurer	Gail Vosburg	2 year term
Treasurer	Terrence Murphy	2 year term
Supt. of Public Works	Edward Koziel	1 year term
Deputy Village Clerk	Tisha Sylvester	1 year term
Acting Village Justice	Michael Rhodes	1 year term
Village Attorney	David DiMatteo	1 year term
Registrar of Vital Statistics	Gail Vosburg	2 year term
Deputy Registrar of Vital Statistics	Tisha Sylvester	2 year term
Zoning Officer	Donald Roberts	1 year term
Zoning Clerk/ Secretary	Tisha Sylvester	1 year term
Fair Housing Officer	Howard Wood	1 year term
Zoning Board of Appeals	Fred Eickhoff	5 year term until 3/31/2014
Zoning Board of Appeals - Alternate	Daniel Russell	1 year term until 3/31/2010
Planning Board – Alternate	Cynthia Hendrickson	1 year term until 3/31/2010

Appointments approved - Upon motion by Trustee Harvey, second by Trustee Laraby the appointments presented by Mayor Wood are approved. The motion was carried with all voting aye.

Mayor Wood then presented the following committee assignments:

**COMMITTEE ASSIGNMENTS
APRIL 2009**

BUDGET	Wood, Davis, Barth, Laraby, Harvey
POLICE	Davis, Laraby
FIRE	Davis, Laraby
PUBLIC WORKS/WATER & SEWER	Davis, Laraby
RECREATION/ENVIRONMENT	Harvey, Barth
EMPLOYEE RELATIONS/OFFICE OPERATIONS/INSURANCE	Laraby, Barth
PLANNING/ZONING/CABLE ACCESS	Wood, Harvey
GRANTS/DEVELOPMENT/REVITALIZATION	Harvey, Barth
SILVER LAKE WATERSHED COMMISSION	Laraby, Wood
TECHNOLOGY	Harvey, Barth

Committee Assignments approved - Upon motion by Trustee Laraby, second by Trustee Barth, the committee assignment as presented by Mayor Wood are approved. The motion was carried with all voting aye.

RESOLUTIONS

BE IT RESOLVED: The Perry Herald, weekly publication in the Village of Perry, be designated the official newspaper for publication of legal notices;

AND

Manufacturers and Traders Trust Company be named the official depository for the General Fund, Water/Sewer Funds, Solid Waste, Community Development, Silver Lake Watershed Commission and Capital Monies; Perry Office of the Bank of Castle to be the official depository for General Fund, Trust and Agency, Water/Sewer Funds, Payroll and Capital Monies. JP Morgan Chase Bank is hereby authorized as a depository for Certificate of Deposits and Capital Monies. Also, the Treasurer is authorized to invest Village Monies pursuant to the Village Investment Policy adopted on December 7, 1992;

AND

Village Board Meetings will be held on the first and third Mondays of each month at 7:30 p.m. unless such day falls on a holiday. The annual Village Organizational Meeting shall be held the first Monday of the month following the month of the village election. Notice of meeting changes will be published and posted at least 72 hours prior to holding said meetings. In the event a special meeting is called, notice will given to the public and news media as soon as practicable after the calling of the meeting. Special meetings may be called by the Mayor or two Trustees acting together. The Clerk shall notify the other board members of the special meeting. Minutes of the Board Meeting shall be made available to the public after approval by the board at the next regular Board Meeting. Minutes will be available at the convenience of the Clerk, and as such shall not be misused.

BE IT FURTHER RESOLVED: Village Officials and employees will be reimbursed the federal IRS rate per mile for travel related to municipal business when using private transportation;

AND

Authorization is given for payment, in advance of audit claims for public utility services, postage, petty cash, payroll, PDC Services, debt service and invoices providing discounts for early payment providing there is prior department head approval;

AND

Authorization is given to municipal official and employees to attend schools, conferences, association meetings and seminars that would benefit the municipality for fiscal year provided funds are available and prior approval has been given by the Board.

AND

The Village will require two signatures for disbursement of funds by check from Village bank accounts with one signature from an elected official and one appointed official. The Treasurers signature is required on all investments including savings and CD's as per the investment policy. The designated Officials authorized to be signers for the Bank accounts are Mayor Howard Wood, Deputy Mayor Michael Laraby, Treasurer Terrence Murphy and Village Clerk Gail Vosburg;

AND

It is the Policy of the Perry Village Board that any Grant Application or any form of financial assistance or obligation that is intended to be made on the Village of Perry's behalf, must submitted to the board in writing prior to the Village Board granting its approval. The Village's approval must be received PRIOR to any grant application being made. This includes any public area the Village has jurisdiction over and any program or policy that is within the purview of the Village, per municipal law.

Resolutions approved – Upon motion by Trustee Harvey, seconded by Trustee Laraby, the above read resolutions were approved with all voting aye.

Mayor Wood presented the following auditing schedule:

AUDITING SCHEDULE FOR 2009-2010

April	Harvey
May & Year End 2009	Laraby
June	Wood
July	Barth
August	Davis
September	Laraby
October	Harvey
November	Wood
December	Barth
January 2010	Davis
February	Harvey
March	Laraby
April	Wood
May & Year End 2010	Barth

Auditing schedule approved - Upon motion by Trustee Laraby, second by Trustee Davis, the auditing schedule as presented by Mayor Wood is approval. Motion carried with all voting aye.

MARCH 16, 2009 MINUTES APPROVED - Correction on page two, "...authorizing the Mayor to sign the *contract* with the YMCA...", and on page three, "... **NYS Route 246 retaining wall** ...", and on page four, "... **Motion to adjourn meeting at 10:58 p.m. was...**" Upon motion by Trustee Laraby, second by Trustee Davis the minutes of the March 16, 2009 Board Meeting were approved as corrected. Motion carried with all voting aye.

MARCH 19, 2009 MINUTES APPROVED - Motion by Trustee Harvey, seconded by Trustee Barth, the minutes of the Special Board Meeting held on March 19, 2009 were approved. Motion carried with all voting aye.

MARCH 27, 2009 MINUTES APPROVED - Correction to be made "...30 day notice must precede the application for alteration..." Motion by Trustee Harvey, seconded by Trustee Barth, the minutes of the Special Board Meeting held on March 27, 2009 were approved as corrected. Motion carried with all voting aye.

PUBLIC COMMENT

Len Lounsbury – Premier Pyrotechnics Inc. – Letter from Premier Pyrotechnics Inc. asking the Village board's permission to hold a training and safety course and learn the proper way to set off fireworks to be held on May 9, 2009. There will also be a fireworks display. Trustee Laraby asked that the Village of Perry be named as additional insured. Upon motion by Trustee Laraby, seconded by Trustee Davis, the Village Board granted permission for Premier Pyrotechnics Inc. to hold the demonstration and fireworks display on May 9, 2009. This will be in the firemen grounds area. Motion carried with all voting aye.

WATER & SEWER REPORT

Water - Chief Operator Hinz reported the auto transfer on the generator at the water plant will be started up today. The transfer switch is fine, but the auto regulator needs replacement.

Sewer – Chief Operator Hinz reported for the month of March 2009, the average daily flow at the sewer plant was 1.360 mgd. Under the 750 plans, the maximum flow allowed is 0.921 mgd. Trustee Barth asked if there is any consequence for being over? Administrator Murphy said no, other than noting it on the monthly report.

Advertise for bid – compact tractor – Motion by Trustee Laraby, seconded by Trustee Davis, to advertise for bid, the purchase of a compact tractor with loader. Motion carried with all voting aye.

CLERK REPORT – presented by Village Clerk Gail Vosburg (attached)

Payment of Claims -

Vouchers as set forth in Abstract # 30

General Fund	\$ 66,157.87
Water Fund	\$ 12,764.89
Sewer Fund	\$ 10,984.13
Trust & Agency	\$ 84,902.26
TOTAL	\$174,809.15

Vouchers as set forth in Abstract # 31

General Fund	\$ 32,704.34
Water Fund	\$ 18,490.41
Sewer Fund	\$ 14,309.42
Trust & Agency	\$ 226.11
TOTAL	\$ 65,730.28

Trustee Harvey has audited all vouchers in Abstracts #30 & #31. Motion by Trustee Laraby, seconded by Trustee Davis, that vouchers as set forth in Abstracts # 30 & #31 are ordered to be paid. Motion carried with all voting aye.

Trust & Agency checks voided – Motion by Mayor Wood, seconded by Trustee Laraby, to void the following:

Check No. ???	\$36.00	to general fund (actual check no. not known)
Check No. 7004	\$10.00	to Holiday Lights Account

Motion carried with all voting aye.

Wyoming County Tourist Promotion Agency membership - Motion by Mayor Wood, seconded by Trustee Harvey, *renewing* membership to the Wyoming County Tourist Promotion Agency at a cost of \$75.00. Motion carried with all voting aye.

2009 New Officials Workshop - Motion by Trustee Harvey, seconded by Trustee Davis, to approve any board member to attend NYCOM's 2009 New Officials Workshop on May 1st in Fayetteville, NY at a cost of \$85.00 each. Motion carried with all voting aye.

ADMINISTRATOR REPORT – presented by Terry Murphy

NY Main Street Grant – Administrator Murphy reported as part of the application, the Village needs to pass a resolution supporting the grant.

**VILLAGE OF PERRY
RESOLUTION
OF SUPPORT FOR AN APPLICATION TO THE New York STATE
DIVISION OF HOUSING & COMMUNITY RENEWAL FOR
NY MAIN STREET PROGRAM GRANT FUNDING**

WHEREAS, the New York State Division of Housing & Community Renewal is accepting applications for New York Main Street funding for the 2009 round; and

WHEREAS, the Perry Area Chamber of Commerce desires to submit an application to the New York Main Street Program; and

WHEREAS, the New York Main Street Program makes grant funds available for the purpose of assisting New York's communities with their Main Street and downtown revitalizations efforts and to stimulate reinvestment in properties located within mixed-use commercial districts within New York's communities and neighborhoods; and

WHEREAS, the Village of Perry recognizes the efforts to preserve and revitalize mixed-use (commercial/civic and residential) Main Street and downtowns business districts; and

WHEREAS, upon the Perry Area Chamber of Commerce submitting a New York Main Street Program grant application, a resolution expressing support for the application is needed from the Village of Perry.

NOW ON A MOTION BY Trustee Harvey which has been duly seconded by Mayor Wood, therefore be it

RESOLVED, the Village of Perry adopts a resolution of support for an application by the Perry Area Chamber of Commerce for a New York Main Street Program grant.

Ayes 5
Nays

Small Cities grant proposal approved – Administrator Murphy reported that grants man Stu Brown has proposed a cost of \$6,000 to complete the application for the Small Cities Grant. The county will cover one half of the cost for writing the grant. Motion by Trustee Harvey, seconded by Trustee Davis, to accept Stu Brown's proposal of \$6,000 to prepare and submit a Small Cities Grant and authorize the Mayor to sign the proposal. Motion carried with all voting aye.

Upon motion by Trustee Laraby, second by Trustee Davis, the meeting was adjourned to enter into a Public Hearing on the Small Cities Grant Program. Motion carried with all voting aye.

Public Hearing – Small Cities Grant Program

Administrator Murphy reported that one of the requirements for submission of the grant is to have two (2) public hearing to discuss any possible projects other than the one the village board is considering. The village has been working for the past one and one-half years on the inflow and infiltration of storm water into the sanitary sewer. The village has targeted an area of the village, Callahan Street, Dolbeer Street, Spring Street and Watrous Street, where we know corrective measures need to be taken. DEC is aware of this problem. Up to \$600,000 in funding is available, with the village contributing \$70,000.

No one from the public had any comment regarding the Small Cities Grant Program.

Motion by Trustee Laraby, seconded by Trustee Harvey to close the public hearing on the Small Cities Grant Program at 8:05 p.m. and resume the regular meeting. Motion carried with all voting aye.

ADMINISTRATOR REPORT (continued)

CSEA Grievance – Administrator Murphy reported that grievances had been received from both CSEA unions challenging the Village's right to change insurance providers. The union contracts read "The Village reserves the right to change medical insurance plans provided the alternative plan's benefit structure is substantially equivalent to the current plan." The village would save approximately \$40,000 this year by switching plans. Motion by Trustee Laraby, seconded by Trustee Davis, granting permission for Administrator Murphy to contact the Village Attorney to proceed and prepare for the next step in the grievance process. Motion carried with all voting aye.

NYS DOT – A letter was received from the NYS DOT regarding the request from the village to study traffic conditions on Main Street. They will be conducting a study and inform the village of their findings. Trustee Harvey requested that a copy of the letter be given the PMSA.

Web Hosting Agreement approved – The proposal is to change the host from the Village of Perry server to Integrated (our current computer tech. support) at a cost of \$323.40 per year. Motion by Trustee Harvey, seconded by Mayor Wood, approving the Web Hosting Agreement with Integrated at a cost of \$323.40 and authorize the Mayor to sign the agreement. Motion carried with all voting aye.

Motion by Trustee Laraby, seconded by Trustee Davis, to adjourn the regular meeting at 8:15 p.m. to open a public hearing on the Restore NY proposal. Motion carried with all voting aye.

Public Hearing – Restore NY Program

Administrator Murphy said two vacant and obsolete manufacturing sites have been targeted for demolition: 33 Tempest Street and 90 Washington Boulevard. The Village Board proposed to apply for funding through the Restore New York Program for the specific purpose to remove these existing structures and to prepare the properties for future development.

Henry Woitscheck asked if the funding is still available in the state budget. Mayor Wood said he believed it was still in the budget.

Lorraine *Sturm* asked if there was a need for letters of support of this project. She said that it would be "very Positive" for the area.

Motion by Trustee Harvey, seconded by Trustee Laraby, to close the public hearing on the Restore NY Program at 8:20 p.m. and resume the regular meeting. Motion carried with all voting aye.

ADMINISTRATOR REPORT (continued)

Perry Chalk Art Festival – Administrator Murphy reported the Perry Chalk Art Festival is requesting funding from the Village in the amount of \$1,200. Last year, the village gave \$500 to help fund the festival. They will not have a master chalk artist this year, but are looking to increase the local artists from 20 to 40. Motion by Trustee Harvey, seconded by Trustee Laraby, to table the Perry Chalk Art Festival request. Motion carried with all voting aye.

State Route 246 retaining wall – A meeting has been scheduled between the Village of Perry, the village attorney and NYSDOT for April 28th at 3:00 p.m. to discuss the retaining wall on NYS Route 246.

COMMITTEE REPORTS

Water & Sewer Committee – will need to meet to review and discuss the Lake Street pump station

Supt. Koziel reported:

- Wyo. Co. Highway Dept. will be paving Middle Reservation and Gardeau Road this summer. The DPW will assist by raising the water and sewer valve boxes and catch basins. This would need to be done prior to the paving.
- NYS Route 246 will be resurfaced within the Village limits. They will be milling down 3". Supt. Koziel will need to address some storm drain issues prior to the work.

Motion by Trustee Laraby, seconded by Trustee Harvey, to adjourn the regular meeting at 8:30 p.m. to open the public hearing on the 2009-2010 Tentative Village Budget. Motion carried with all voting aye.

PUBLIC HEARING - 2009-2010 TENTATIVE VILLAGE BUDGET

Administrator Murphy gave an overview of the 2009-2010 Village Budget by fund. The grand total of appropriations is \$3.4 million; with \$1.8 million be raise by taxes in the general fund. (breakdown attached) Each fund's expenses were reviewed by department and type of expense. The proposed tax rate is \$16.08 per \$1,000 of assessed valuation. This tax rate is a 1.5% increase over last year's rate of \$15.84. New equipment proposed for purchase include replacing a pickup truck at the sewer treatment plant, a new smaller snow plow truck and a new police car. The police car is part of a three year replacement rotation. The village is currently looking into a better way to pick up leaves in the fall. A wood chipper will be shared with the Town of Perry. A DEC grant will be applied for this purchase with the Town of Perry sharing in the cost. Estimated cost to the village would be \$5,000.

Henry Woitscheck asked if there were monies in the budget for sidewalks and shade trees? Administrator Murphy said there is \$7,000 proposed for shade tree replacement through the village. Mayor Wood said the sidewalk express program is continuing.

Administrator Murphy said the tentative budget addressed the needs of the village without being extravagant. Approximately 85% of the revenues proposed will come from property taxes.

Tracy Rozanski asked if the water testing is required and if there was any practices taken to communicate with the public regarding the testing. Is there a way to reduce the testing? Chief Operator Hinz reported all of the water tests being taken are required by the New York State Health Department.

Motion by Trustee Laraby, second by Trustee Davis, the close the public hearing on the 2009-2010 Tentative Village budget at 8:53 p.m. and resume the regular meeting. Motion carried with all voting aye.

Motion by Trustee Laraby to resume the regular board meeting was seconded by Trustee Quilty. Motion carried with all voting aye.

2009-2010 VILLAGE BUDGET ADOPTED

Trustee Davis offered the following motion, Trustee Laraby seconded to wit:

WHEREAS, the Village Board of Perry, on April 6, 2009, commencing at 7:30 p.m. duly held a public hearing at 8:30 p.m. on the proposed budget for the fiscal year commencing on June 1, 2009, and having heard all persons desiring to be heard in the matter of such proposed budget and having been discussed and considered, it is hereby

RESOLVED, that such budget is hereby adopted and established as the annual Village budget for the fiscal year beginning on June 1, 2009 and ending on May 31, 2010 with \$1,881,209.00 to be raised by taxes.

Ayes 5 Wood, Barth, Davis, Harvey, Laraby
Nays
Motion carried.

Motion by Trustee Harvey to enter into executive session to discuss personnel employment matters at 8:57 p.m. was seconded by Trustee Laraby and carried with all voting aye.

Motion by Mayor Wood to adjourn executive session at 10:00 p.m. was seconded by Trustee Barth and carried with all voting aye.

2009 COPS CHRP Application approved – Motion by Trustee Laraby, seconded by Trustee Barth, to approve and authorize Chief of Police Case to apply a COPS CHRP grant through the US Dept. of Justice. Motion carried with all voting aye. Application deadline is April 14, 2009.

Community Service at park approved – Motion by Trustee Barth, seconded by Trustee Harvey, to approve Nate Webster-Curley to perform 30 hours of community service at the village park. Motion carried with all voting aye.

Wyo. Co. Probation Dept. request denied – Motion by Trustee Harvey, seconded by Trustee Laraby, to deny the request from the Wyoming County Probation Department for Edward P. Koziel to perform his community service at the Village of Perry.

Megan McClurg reinstated as seasonal laborer approved – Mayor Wood offered the reinstatement of Megan McClurg as a seasonal laborer effective immediately at \$7.15 per hour. Motion by Trustee Harvey, seconded by Trustee Davis approving the appointment. Motion carried with all voting aye.

Motion to adjourn meeting at 10:20 p.m. was offered by Trustee Barth, second by Mayor Wood and carried with all voting aye.

Respectfully submitted,

Gail Vosburg
Village Clerk