

VILLAGE OF PERRY
VILLAGE BOARD MEETING
June 1, 2009

The 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 1st day of June 2009.

PRESENT:	Howard Wood J. Richard Barth David J. Davis Mandi Harvey Michael Laraby	Mayor Trustee Trustee Trustee Trustee
ALSO PRESENT:	Terrence Murphy Gail Vosburg	Village Administrator Village Clerk
GUESTS:	Lorraine Sturm Bill Bark Renee Koziel David Shearing Jessie Barth	Don Roberts, Zoning Officer Tracy Rozanski Melissa Henchen Eleanor Jacobs

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

Mayor Wood led in the pledge to the flag.

MAY 18, 2009 MINUTES APPROVED - Trustee Barth asked that the following be added to the public comment section "... Trustees advised her that she did the right thing. *It was noted that the Village already has a law in place to address this issue....*". Motion by Trustee Laraby, second by Trustee Barth, the minutes of the May 18, 2009 Board Meeting are approved with the above corrections. Motion carried with all voting aye.

PUBLIC COMMENT

Melissa Henchen – Ms. Henchen was present and stated that she has serious concerns with property maintenance enforcement. She said she is frustrated that no one is following up on complaints and violations. She feels there is a lack of enforcement. Ms. Henchen passed out the NYS Property Maintenance Code.

Eleanor Jacobs – Ms. Jacobs, PMSA, advised that proofs of the new Perry brochure will be reviewed this week. Hopefully they will be sent to the printer next week.

ZONING OFFICER

Village Zoning Officer Don Roberts explained the complaint and violation process. He explained that residents can report a complaint either in person at the clerk's office by filling a complaint form out or by calling in the information. ZO Roberts will then investigate the potential problem and site the property owner if needed. Property owners would have 30 days to address the violation. The matter is turned over to the village attorney if the violation has not been corrected. The attorney will then issue a 10 day compliance notice and ask the board to take the violators to court if nothing has been done. Mr. Roberts explained that his goal is for compliance, not to have the violators taken to court and fined. Structural problems can be very sticky, so he tries to address them through the Wyo. Co. Bldg. Codes. Lorraine Sturm asked about the property on Main Street where the sidewalk is closed. Mr. Roberts said he is handling that violation through the county.

PARKS & RECREATION REPORT as presented by Renee Koziel (as attached)

Matthew McMillan appointed laborer - seasonal – Mayor Wood appointed Matthew McMillan as a labor - seasonal at \$7.15 per hour. Motion by Trustee Harvey, seconded by Trustee Barth, to approve the appointment of Matthew McMillan as a laborer-seasonal at a rate of \$7.15 per hour.. Motion carried with all voting aye.

Summer Soccer program approved - Motion by Trustee Harvey, seconded by Trustee Davis, to approve the summer soccer program at a cost of \$10 *per person* for the five-week program. Motion carried with all voting aye. It was noted that there will be no tee shirts this year.

Summer Recreation & soccer ad for sign ups approved – Motion by Trustee Harvey, seconded by Trustee Laraby, to approve advertising for the summer recreation and summer soccer sign ups. Motion carried with all voting aye.

Thank you to Beth Patrick, of the Groveland Correctional Facility, for the flower baskets on Main Street.

Thank you to the American Legion for sponsoring the annual fishing contest at the Village Park.

Parks & Recreation report accepted - Motion by Trustee Harvey, seconded by Trustee Laraby, to accept the parks & recreation report as presented. Motion carried with all voting aye.

WATER & SEWER REPORT (as attached)

Sewer – The average flow at the sewer plant for the month of May was 0.60 mgd. This is under the DEC 750 plan maximum daily flow average of 0.921 mgd.

Water

- The upflow clarifier has had its annual inspection. The plant had to be shut down in order for the inspection to take place.
- The raw water mag meter (flow meter) was installed and calibrated by MW Controls on May 5th.
- All 19 Accuator valves have been replaced.

Water & Sewer Report accepted - Motion by Trustee Harvey, seconded by Trustee Davis to accept the Water & Sewer report as presented. Motion carried with all voting aye.

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

Payment of Claims

Vouchers as set forth in Abstract # 1	
General Fund	\$ 45,787.09
Water Fund	\$ 40.98
Trust & Agency Fund	\$ 1,684.08
TOTAL	\$ 47,512.15

All vouchers have been audited by Mayor Wood. Motion by Trustee Harvey, seconded by Trustee Barth to pay vouchers as set forth in Abstract # 1. Motion carried with all voting aye.

NYS Snow & Ice Contract Amendment B Approved – The NYS DOT made a mistake in the calculation of last winter’s Index price and the village was overpaid last year. The amendment is for payment purposes only. Motion by Trustee Barth, seconded by Trustee Davis, to approve the NYS DOT Snow & Ice Contract Amendment B. Motion carried with all voting aye.

Clerk Report accepted – Motion by Trustee Harvey, seconded by Trustee Laraby, to accept the Clerk’s report as presented. Motion carried with all voting aye.

ADMINISTRATOR REPORT – presented by Terry Murphy

3 Orchard St drainage issues – Mr. & Mrs. Irving - A letter was received from Mr. & Mrs. Irving, 3 Orchard St, regarding drainage issues on their property. The runoff is from private property onto private property. After review, Supt. Koziel, the DPW Committee and the Administrator feel this is a private matter. Motion by Trustee Laraby, seconded by Trustee Davis, authorizing the Administrator to send a letter to Mr. & Mrs. Irving advising them that the Village does not work on private property.

MAYOR’S FILE

Mayor Wood passed out a letter he received from the Nutrition Education Program Supervisor at Cornell Cooperative Extension inquiring about setting up a table at the village park pool area to recruit and teach classes on nutrition.

COMMITTEE REPORTS

Grants – Trustee Barth has a listing from the USDA Rural Development on grant financing. He said a representative from the Batavia office would come to a meeting to explain their grants if desired. Clerk Vosburg will make a copy of the grant listing for each board member.

Motion by Trustee Harvey to enter into executive session to discuss contractual issues at 8:26 p.m. was seconded by Trustee Laraby and carried with all voting aye.

Motion by Trustee Laraby to adjourn executive session at 9:20 p.m. was seconded by Trustee Davis and carried with all voting aye.

David M. Roach appointed Alternate Village Prosecutor – Mayor Wood appointed David M. Roach as Alternate Village Prosecutor. Motion by Trustee Laraby, seconded by Trustee Davis, to endorse the appointment. Motion carried with all voting aye.

**VILLAGE OF PERRY VILLAGE BOARD
RESOLUTION
APPOINTING DAVID M. ROACH, ATTORNEY AT LAW,
ALTERNATE VILLAGE PROSECUTOR**

WHEREAS, it is acknowledged that David M. DiMatteo, Attorney at Law, is the Perry Village Court Prosecutor; and

WHEREAS, in is acknowledged that David M. Roach, Attorney at Law, is employed by the Law Office of David M. DiMatteo; and

WHEREAS, it is sometimes necessary for David M. DiMatteo, Attorney at Law, to be absent from Court; and

WHEREAS, on those occasion David M. Roach, Attorney at Law, has substituted *for* Mr. DiMatteo with the approval of the Wyoming County District Attorney and the Perry Village Court Judges.

NOW ON MOTION OF Mayor Wood which has been duly seconded by Trustee Laraby.

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of the Village of Perry has given the approval to appoint David M. Roach, Attorney at Law, as the Alternate Village Prosecutor for the Perry Village Court.

Motion carried.

NYCOM Meeting attendance granted – Motion by Trustee Harvey, seconded by Trustee Laraby, *authorizing* any board member to attend the NYCOM Meeting in Saratoga Springs on June 28th – June 30th. Motion carried with all voting aye.

Request from Cornell Cooperative Extension forwarded - Motion by Trustee Harvey, seconded by Mayor Wood to pass the letter from Cornell Cooperative Extension onto the Parks & Recreation department head for further investigation. Motion carried with all voting aye.

Motion to adjourn meeting at 9:28 p.m. was offered by Trustee Davis, second by Trustee Harvey and carried with all voting aye.

Respectfully submitted,

Gail Vosburg
Village Clerk