

**VILLAGE OF PERRY
VILLAGE BOARD MEETING
ANNUAL ORGANIZATIONAL MEETING
APRIL 5, 2010**

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 5th day of April 2010.

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 James Case	Village Administrator Village Clerk Supt. Public Works Chief of Police
GUESTS:	Lorraine Sturm Bill Bark Tracy Rozanski	Charles Scripp Trisha Scripp

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

Mayor Wood led in the pledge to the flag.

Organizational Meeting

Mayor Wood presented the following names for appointment:

Deputy Mayor	Michael Laraby	1 year term
Deputy Village Clerk	Tisha Sylvester	1 year term
Supt. of Public Works	Edward Koziel	1 year term
Acting Village Justice	Michael Rhodes	1 year term
Village Attorney	David DiMatteo	1 year term
Deputy Registrar of Vital Statistics	Tisha Sylvester	1 year term
Zoning Officer	Donald Roberts	1 year term
Zoning Clerk/ Secretary	Tisha Sylvester	1 year term
Business Development Loan Representative	Howard Wood & Terry Murphy	
Fair Housing Officer	Howard Wood	1 year term
Planning Board – Alternate	Cynthia Hendrickson	1 year term until 3/31/2011
Zoning Board of Appeals	John Czyryca	5 year term until 3/31/2015
Zoning Board of Appeals - Alternate	Melissa Henchen	1 year term until 3/31/2011

Appointments approved - Motion by Trustee Barth, second by Trustee Laraby to approve the appointments as presented by Mayor Wood. Vote as follows:

Ayes	4	Wood, Barth, Davis, Laraby
Nays	1	Harvey

The motion was carried with all voting aye.

Mayor Wood then presented the following committee assignments:

**COMMITTEE ASSIGNMENTS
APRIL 2010**

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

Committee Assignments from 2009 approved - Motion by Trustee Laraby, second by Trustee Davis, to leave the committee assignments as listed from 2009:

**COMMITTEE ASSIGNMENTS
APRIL 2010**

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

The motion was carried with all voting aye.

Election Inspectors approved – Motion by Trustee Harvey, seconded by Trustee Laraby, to approve that the Election inspectors from within the Village election district will be appointed from the qualified list of inspectors provided by the county and the rate of compensation will be at \$10 per hour. Motion 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 April. 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 be 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 Barth, seconded by Trustee Laraby, the above read resolutions were approved with all voting aye.

Mayor Wood presented the following auditing schedule:

AUDITING SCHEDULE FOR 2010-2011

April	Barth
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May & Year End 2010	Davis
June	Harvey
July	Laraby
August	Barth
September	Davis
October	Harvey
November	Laraby
December	Barth
January 2011	Davis
February	Harvey
March	Laraby
April	Barth
May & Year End 2011	Davis

Auditing schedule approved - Upon motion by Trustee Laraby, second by Trustee Davis, to approve the auditing schedule as presented. Motion carried with all voting aye.

Motion by Trustee Laraby, seconded by Trustee Davis, to adjourn the Organizational Meeting and resume the regular meeting at 7:46 p.m. Motion carried with all voting aye.

MARCH 15, 2010 MINUTES APPROVED - Correction on page one, "...second by Trustee *Davis*, the minutes of the March 1 ..." on page three, "... seconded by Trustee *Davis*, to accept sealed bids for the purchase....", on page four, "... fire siren. Motion carried with *all voting aye*."; and on page four "... recognition *will* begin at 4:00 pm." Upon motion by Trustee Barth, second by Trustee Harvey the minutes of the March 15, 2010 Board Meeting were approved as corrected. Motion carried with all voting aye.

PUBLIC COMMENT

Charles Scripp – owner of Letchworth Valley Automotive – Mr. Scripp reported that he has positive feedback from officials regarding the farmers’ market. Mr. Scripp asked the village board if they had any opposition to his pursuing the purchase of the vacant lot next to his property on South Main Street. Wyoming County is the current owner of the lot. Mr. Scripp would like to purchase the lot for additional parking. The board had no objection for him to contact Wyoming County regarding the possible purchase.

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

Payment of Claims -

Vouchers as set forth in Abstract # 29

General Fund	\$ 82,967.28
Water Fund	\$ 22,910.42
Sewer Fund	\$ 17,065.79
SLWC	\$ 1,790.46
Trust & Agency	<u>\$ 81,660.27</u>
TOTAL	\$206,394.22

Vouchers as set forth in Abstract # 30

General Fund	\$ 54,186.78
Water Fund	\$ 16,288.31
Sewer Fund	\$ 8,384.90
Capital Projects	\$ 6,575.00
Trust & Agency	<u>\$ 14.83</u>
TOTAL	\$ 85,449.82

Mayor Wood has audited all vouchers in Abstracts #29 & #30. Motion by Trustee Laraby, seconded by Trustee Davis, that vouchers as set forth in Abstracts # 29 & #30 are ordered to be paid. Motion carried with all voting aye.

Village Association Meeting - Clerk Vosburg reported that there is a Village Association Dinner on April 21, 2010 at the Lumberyard Restaurant. The Village of Perry is the host. The speakers will be Dr. Paul Scipione, from the Research Center at SUNY Geneseo and Jim Pierce. Please let the clerk know by April 15th if you wish to attend.

**VILLAGE OF PERRY
EXCESSIVE FORCE
Resolution**

WHEREAS, the Village of Perry, State of New York, has made application for Community Development Block Grant (CDBG) Funds from the State of New York; and

WHEREAS, in accordance with Section 519 of Public Law 101-144, the HUD Appropriations Act requires certain statement of assurances and certifications.

NOW ON A MOTION OF Trustee Barth which has been duly seconded by Trustee Laraby.

NOW THEREFORE BE IT RESOLVED that pursuant to the Village of Perry being granted CDBG funds by the State; the Village of Perry, by administrative act, does adopt a statement of policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations.

Aye: 5
Nay: 0

Training Conference and office closure approved for May 5th – Motion by Trustee Davis, seconded by Trustee Laraby, granting permission for the Clerk’s office to close on May 5th so the clerks may attend a Training conference at Houghton College. Motion carried with all voting aye.

Request for use of the Village Park for Dairy Fest tabled - Motion by Trustee Harvey, seconded by Trustee Laraby, to table and refer the request from Cornell Cooperative Extension to the Village park for the Dairy Fest on June 11, 2010 to the Parks Committee. Motion carried with all voting aye.

Motion by Trustee Laraby, seconded by Trustee Barth to adjourn the regular meeting AT 8:00 pm and open the Public Hearing regarding the Small Cities application for ADA improvements at the Village Hall. Motion carried with all voting aye.

8:00 PM PUBLIC HEARING – Small Cities Grant Program

Administrator Murphy stated this is the second public hearing that has been held to provide residents with information about the Small Cities program. The Village is considering applying for grant funding to construct improvements at the Village Hall to bring the facility into compliance with the requirements of the Americans with Disabilities Act. Improvements will make the upstairs usable again with the addition of an elevator, stairwell and a sprinkler system. Mayor Wood said the only way this building will be renovated is through grants. Tracy Rozanski asked where the parking would be if the upstairs space is usable. Administrator said people will have to park on the street.

Motion by Trustee Laraby, seconded by Trustee Davis, to close the public hearing at 8:10 pm and resume the regular meeting. Motion carried with all voting aye.

**RESOLUTION
SUBMISSION OF APPLICATION FOR
SMALL CITIES GRANT**

WHEREAS, the Village of Perry is considering applying for grant funding to construct improvements at the Village hall to bring the facility into compliance with the requirements of the Americans with Disabilities Act.

NOW ON A MOTION BY Trustee Harvey, which has been duly seconded by Trustee Davis.

RESOLVED, that the Mayor of the Village of Perry, Wyoming County, New York, is hereby authorized as the official representative of the Village to execute and submit a Community Development Block Grant (Small Cities) application to the administrative agency for the Fiscal Year 2010 program, all understandings and assurances contained therein, and is hereby directed and authorized to act in connection with the submission of the application and to provide such additional information as may be required.

Ayes __5__
Nays _____

ADMINISTRATOR REPORT – presented by Terry Murphy

Training at Houghton College approved – Administrator Murphy asked that Board Members, the Supt. of Public works, Chief Water/Sewer Operator, and water and sewer operators be allowed to attend the Training at Houghton College, as there are various training sessions that could be beneficial to all. Motion by Trustee Laraby, seconded by Trustee Harvey, granting permission for Board Members, Supt. of Public Works, Chief Water/Sewer Operator and water and sewer operators to attend the Training at Houghton College on May 5th, with signups for the training through the Clerk’s office. Motion carried with all voting aye.

Shared Services Grant – Administrator Murphy reported that requests for proposals for the Shared Services Grant were received. Appointments need to be made to a committee in conjunction with the Town of Perry.

Motion by Trustee Laraby, seconded by Trustee Harvey, to adjourn the regular meeting at 8:15 p.m. to open the public hearing on the 2010-2011 Tentative Village Budget. Motion carried with all voting aye.

8:15 PM PUBLIC HEARING - 2010-2011 TENTATIVE VILLAGE BUDGET

Administrator Murphy gave an overview of the 2010-2011 Village Budget. Tentatively, the budget calls for a 2% reduction in the tax rate from \$16.08 to \$15.76 per thousand. The grand total of appropriations is \$3.454 million; with \$1.87 million be raise by taxes in the general fund. General Fund appropriations are up about \$10,000, revenues are up \$10,000, unexpended fund balance increased \$20,000 that decreases the amount raised by taxes by \$10,000. Administrator Murphy reviewed highlights from the budget: the summer recreation program will continue, one of the fire trucks is now paid off, there is one less full time police officer, one MEO position will not be filled, and drainage work on Elm St., Water St. and Hope St. is planned. Administrator Murphy stressed that this budget will not reduce any municipal services, but the village will work with less. New equipment proposed for purchase include replacing a pickup truck at the public work department. The waterline on Borden Avenue is scheduled for replacement. Sidewalks will be replaced on Borden Avenue where they have been disturbed with the waterline project. Wages for the union employees are not set as union negotiations are still ongoing. Department heads salary increases varied from 2 – 5%. Administrator Murphy said this is a responsible budget that reflects the economic times of the area. Trustee Laraby commented that he feels the Administrator, Village Clerk and Department Heads are doing a good job of controlling the spending.

Motion by Trustee Laraby, second by Trustee Davis, the close the public hearing on the 2010-2011 Tentative Village budget at 8:28 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 Davis. Motion carried with all voting aye.

2009-2010 VILLAGE BUDGET ADOPTED

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

WHEREAS, the Village Board of Perry, on April 5, 2010, commencing at 7:30 p.m. duly held a public hearing at 8:15 p.m. on the proposed budget for the fiscal year commencing on June 1, 2010, 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, 2010 and ending on May 31, 2011 with \$1,870,910.00 to be raised by taxes.

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

Survey of Village's Leicester St property approved – Administrator Murphy said when the village acquired the Leicester St property a survey was not done. He is recommending that the village have the property surveyed as we need to post the property and harvest some of the trees. Grover & Bates quoted \$1,200 to complete the survey and update the abstract. Motion by Trustee Davis, seconded by Trustee Harvey, directing the Administrator to proceed with having the Village's Leicester St property surveyed and the abstract updated. Motion carried with all voting aye.

Compact Tractor Bid awarded – The following bids for the Compact Tractor with bucket were opened on April 1st at 11:00 am.

Lakeland Equipment	\$ 20,860.00
Kelly's Garage	\$ 14,970.00
Monroe Tractor	\$ 20,107.00
Lamb & Webster	\$ 17,000.00

The DPW committee recommends purchasing the tractor from Kelly's Garage at a cost of \$14,970 with the additional items: engine block heater at a cost of \$174 and the Bobcat quick-tach bucket at a cost of \$ 538. The total for the tractor and attachments is \$15,682. Motion by Trustee Laraby, seconded by Trustee Davis, to approve the purchase of the Compact Tractor with bucket and two attachments from Kelly's Garage at a cost of \$ 15,682. Motion carried with all voting aye.

Municipal Auction – Administrator Murphy said several years ago, the village purchased a plow truck from a municipal auction. The auctions offer a large choice and there is a variety of good equipment. There is an upcoming auction on May 8th in Palmyra. The proposed plan is to replace the 1991 snow plow truck and to replace the 1993 1 ton dump truck. Both items are in need of replacing as they have been well used. Administrator Murphy is looking for authorization to attend the auction and spend up to \$40,000 to purchase a replacement plow truck and a replacement 1 ton truck. Trustee Laraby would like to see the amount authorized to spend increased to \$50,000 (to be spent if necessary). The administrator and clerk will analyze the current budget to see if this is feasible.

Police Copier upgraded – Administrator Murphy reported that the copier in the police department is approaching 10 years old. The village have the opportunity to upgrade from machine to a much newer one (it was turned in on a lease program) at a cost of \$1,500. It will be similar to the one the Fire Department purchase last May. Motion by Trustee Harvey, seconded by Trustee Laraby, to authorize the purchase of a replacement copier for the police department at a cost of \$1,500. Motion carried with all voting aye.

Committee Reports

Fire – Trustee Laraby reported that he has made contact with the person who put up the old fire siren in 1982 and will check into a replacement.

Recreation – A copy of the YMCA contract proposal for the summer recreation program was distributed to board members for them to review by the next meeting.

Mayor Files

Shared Services Committee appointments – Motion by Mayor Wood, seconded by Trustee Laraby, appointing Daryl Heiby, Terry Murphy and Howard Wood as the village representatives on the Shared Services Committee with the Town of Perry. Motion carried with all voting aye.

Old Business

No old business.

New Business

No new business.

Motion by Trustee Laraby to enter into executive session to discuss legal matters at 8:50 p.m. was seconded by Trustee Davis and carried with all voting aye.

Motion by Trustee Laraby to adjourn executive session at 9:19 p.m. was seconded by Trustee Davis and carried with all voting aye.

Old School Development Gag order rescinded – Motion by Mayor wood, seconded by Trustee Laraby, to rescind the gag order, that was declared on January 4, 2010, regarding Old School Development. Motion carried with all voting aye.

Business Development Loan Policies and Procedures adopted – Motion by Trustee Harvey, seconded by Trustee Barth, to adopt the new Business Development Loan Policies and Procedures as presented. Vote as follows:

Ayes __4__ Barth, Davis, Harvey, Laraby
Nays __1__ Wood

Small Cities ADA local funding contribution – Motion by Trustee Harvey, seconded by Trustee Laraby, to approve a 10% local funding contribution towards the Small Cities ADA improvements project. Motion carried with all voting aye.

Motion to adjourn meeting at 9:29 p.m. was offered by Trustee Laraby, second by Trustee Davis and carried with all voting aye.

Respectfully submitted,

Gail Vosburg
Village Clerk