

VILLAGE OF PERRY
VILLAGE BOARD MEETING
JULY 19, 2010

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 19TH day of July 2010.

PRESENT:	Howard Wood David J. Davis Michael Laraby Mandi Harvey	Mayor Trustee Trustee Trustee
ABSENT:	J. Richard Barth	Trustee
ALSO PRESENT:	Terrence Murphy Gail Vosburg Joe Funk Renee Koziel Edward Koziel James Case	Village Administrator Village Clerk Fire Chief Park Maint. Supervisor Supt. Public Works Chief of Police
GUESTS:	Bill Bark Jim Brick Steve Laraby Larry Hopper Robin Poydock	Gordon Murphy Debbie Finkle David Laraby Todd Thomson

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

Mayor Wood led in the pledge to the flag.

MINUTES

JULY 1, 2010 SPECIAL BOARD MINUTES APPROVED - Upon motion by Trustee Harvey, second by Trustee Davis, the minutes of the July 1, 2010 Special Board Meeting were approved. Motion carried with all voting aye.

JULY 6, 2010 MINUTES APPROVED - Correction on page three, "... *Todd* Thomson and Fire Chief ..." Upon motion by Trustee Harvey, second by Trustee Davis, the minutes of the July 6, 2010 Board Meeting were approved as corrected. Motion carried with all voting aye.

JULY 12, 2010 SPECIAL BOARD MINUTES APPROVED - Correction at the bottom on the page "... 4. Relocation to the Village or Town of Perry, or adjacent..." Upon motion by Trustee Laraby, second by Trustee Harvey, the minutes of the July 12, 2010 Special Board Meeting were approved. Motion carried with all voting aye.

PUBLIC COMMENT

Jim Brick – Farm Market

Jim Brick, Perry Town Supervisor, informed the Village Board that the Perry Town Board approved an agreement that turns over the Perry Farmer's Market to the Town of Perry effective January 1, 2011. The Town hopes to establish a committee for the farm market. A meeting was requested to work out details as to the scope of the work to be done.

VILLAGE ATTORNEY

Village Attorney David DiMatteo reviewed the environmental steps for the roof project on the Village Hall and fire truck bays. Attorney DiMatteo said a State Environmental Quality Review is not needed as it is a rehabilitation and restoration project.

**RESOLUTION ACKNOWLEDGING THE PERRY VOLUNTEER FIRE DEPARTMENT
AND VILLAGE HALL REPAIRS AND ROOF SYSTEM REPLACEMENT
IS A TYPE II ACTION IN ACCORDANCE WITH §617.5 OF 6NYCRR 617.2 OF THE
STATE ENVIRONMENTAL QUALITY REVIEW ACT**

WHEREAS, Clark Patterson Lee has performed site visits to investigate the problem roof area of the Perry volunteer Fire Department and Village Hall building and exploratory work was completed which verified the extent of existing conditions and damage to said roof areas and a list of recommendations for repair/replacement was developed; and

WHEREAS, the Village Board is considering either a complete tear off or reroof as options for the Perry Volunteer Fire Department and Village Hall building roof project hereinafter referred as said "Action"; and **WHEREAS**, the Village Board, inconsideration of said Action, will need to determine whether the Action may have a significant impact on the environment; and

WHEREAS, the Village Board has reviewed subdivision (c) of §617.5 of 6NYCRR Part 617 and has determined that the "maintenance or repair involving no substantial changes in an existing structure or facility" as identified as (1) in §617.5 of 6NYCRR Part 617 is a Type II Action; and

WHEREAS, actions identified under this subdivision have been determined not to have a significant impact on the environment and as such, the Village board has no further responsibilities under this Part.

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 reviewed the actions listed under subdivision (c) §617.5, which are not subject to review under 6NYCRR Part 617, and be it further

RESOLVED, that the “maintenance or repair involving no substantial changes in an existing structure or facility” as identified as (1) in §617.5 of 6NYCRR Part 617 is a Type II Action; and be it further

RESOLVED, that as a Type II Action, the Village Board has no further responsibilities under this Part.

Ayes 4
Nays 0

PUBLIC COMMENT continued

Gordon Murphy, passed out a drawing of a proposed plan for (6) campsites at his property on South Main Street. Motion by Trustee Laraby, seconded by Trustee Harvey, to refer Mr. Murphy to the Village of Perry Planning Board.

Perry Fire Truck Committee

Robin Poydock presented the village board with a report from the Fire Truck Committee (attached). He reviewed the different scenarios. Administrator Murphy asked which scenario the fire department prefers. They responded, scenario #4. They want to maintain the fleet *in* order to keep the ISO ratings. The ISO ratings are based on how many gallons of water per minutes can be pumped. The board will review their report.

POLICE DEPARTMENT REPORT as presented by Police Chief Jim Case (as attached)

June’s Police Department Report accepted – Motion by Trustee Laraby, seconded by Trustee Davis, to accept June’s Police Department Report as presented. Motion carried with all voting aye.

ID Procedures training approved – Motion by Trustee Harvey, seconded by Trustee Laraby, authorizing Assistant Police Chief Miller and Officer Grover to attend an ID Procedures Training Seminar in Rochester at no cost. Motion carried with all voting aye. This training is for one day only.

Child Sexual Exploitation Investigation Training approved - Motion by Trustee Laraby, seconded by Trustee Davis, to approve Officer Grover to attend a week-long Child Sexual Exploitation Investigation Training in Rochester. Motion carried with all voting aye.

Mayor Wood announced that Jonathan Miller has accepted the Assistant Police Chief.

FIRE DEPARTMENT REPORT as presented by Fire Chief Joe Funk (as attached)

June’s Fire Department Report accepted – Motion by Trustee Laraby, seconded by Trustee Davis, to accept June’s Fire Department Report as presented. Motion carried with all voting aye.

Several firemen attended a training session at the LeRoy Airport. The training was to prepare and how to handle a disaster at an airport (as we have an airport nearby).

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

Facility use request approved – Facility use form was received from Maximum Velocity Pitching to use Diamonds #1 & 2 on Sunday, September 12th. Administrator Murphy recommends that they be allowed to use the diamonds at no charge. Motion by Trustee Laraby, seconded by Trustee Davis, to approve Maximum Velocity Pitching to use the fields on September 12th at no charge. Motion carried with all voting aye.

Trustee Laraby recommended that a slow moving vehicle sign be placed on the park maintenance vehicle and on the mowers.

Park & Recreation report accepted – Motion by Trustee Harvey, seconded by Trustee Laraby, to accept the Park & Recreation report as presented. Motion carried with all voting aye.

DPW REPORT – as presented by Supt. Ed Koziel (as attached)

DPW Report accepted – Motion by Trustee Davis, seconded by Trustee Laraby, to accept the DPW report as presented. Motion carried with all voting aye.

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

Payment of Claims -

Vouchers as set forth in Abstract # 5

General Fund	\$ 55,938.50
Water Fund	\$ 29,272.63
Sewer Fund	\$ 7,925.08
Capital Projects Fund	\$ 11,616.00
SLWC	\$ 15.65
Trust & Agency	\$ <u>50,627.43</u>
TOTAL	\$155,395.29

Trustee Laraby has audited all vouchers in Abstract #5. Motion by Trustee Davis, seconded by Trustee Harvey, that vouchers as set forth in Abstract # 5 are ordered to be paid. Motion carried with all voting aye.

The Silver Lake Fireworks Fund sent a thank you letter to the Village for their support of the fireworks show at Silver Lake on July 3rd.

September 6, 2010 Board Meeting changed - Motion by Trustee Laraby, seconded by Trustee Harvey, to move the September 6, 2010 board meeting to August 30, 2010 due to the Labor Day Holiday. Motion carried with all voting aye.

VILLAGE OF PERRY ADOPTING BOND RESOLUTION

Trustee Laraby presented the following resolution and duly moved that it be adopted and was seconded by Trustee Davis:

BOND RESOLUTION DATED JULY 19, 2010 OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF PERRY, NEW YORK, AUTHORIZING GENERAL OBLIGATION SERIAL BONDS TO FINANCE CAPITAL IMPROVEMENTS WITHIN THE VILLAGE, AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES IN CONTEMPLATION THEREOF, THE EXPENDITURE OF SUMS FOR SUCH PURPOSE, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the purpose hereinafter described consists of capital improvements authorized to be undertaken by the Village Board of Trustees pursuant to the Village Law;

WHEREAS, the Village has duly complied with the requirements of the State Environmental Quality Review Act of the State of New York and the applicable regulations thereunder with respect to the purpose hereinafter described and the financing therefor; now therefor, be it

RESOLVED BY THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF PERRY, NEW YORK (hereinafter referred to as the "Village"), by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

Section 1. The Village of Perry shall undertake the acquisition and construction of capital improvements, to include reconstruction of the joint Village Hall/Fire Hall within the Village, including, but not limited to, roof replacement (such building being a class "B" (fire-resistant) building as defined in Subdivision 11 of Paragraph a of Section 11.00 of said Local Finance Law), and other incidental improvements that may be required in connection therewith for such construction and Village use (hereinafter referred to as "purpose"), and general obligation serial bonds in an aggregate principal amount not to exceed \$250,000 and bond anticipation notes in anticipation thereof (and renewals thereof) of the Village are hereby authorized to be issued to finance said purpose.

Section 2. The estimated aggregate maximum cost of said purpose, including preliminary costs and costs incidental thereto and costs of the financing thereof, is estimated to be \$250,000 and said amount is hereby appropriated therefor. The plan for financing of said purpose is to provide all of such maximum cost by issuance of obligations as herein authorized, to be offset and reduced dollar for dollar by the amount expended and authorized hereby, up to \$50,000 from the existing reserve fund.

Section 3. It is hereby determined and declared that (a) said purpose is one of the class of objects or purposes described in Subdivision 12 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is fifteen (15) years, (b) the proposed maximum maturity of said bonds authorized by this resolution will be in excess of five years, (c) current funds required to be provided prior to the issuance of the bonds or notes herein authorized, pursuant to Section 107.00 of the Local Finance Law, to the extent applicable, if any, will be provided, (d) the notes herein authorized are issued in anticipation of bonds for an assessable improvement, and (e) there are presently no outstanding bond anticipation notes issued in anticipation of the sale of said bonds.

Section 4. The bonds and notes authorized by this resolution shall contain the recital of validity prescribed in Section 52.00 of the Local Finance Law and such bonds and notes shall be general obligations of the Village and all the taxable real property in the Village is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount.

Section 5. It is hereby determined and declared that the Village reasonably expects to reimburse the general fund, or such other fund as may be utilized, not to exceed the maximum amount authorized herein, from the proceeds of the obligations authorized hereby for expenditures, if any, from such fund that may be made for the purpose prior to the date of the issuance of such obligations. This is a declaration of official intent under Treasury Regulation §1.150-2.

Section 6. The power to further authorize the sale, issuance and delivery of said bonds and notes and to prescribe the terms, form and contents of said bonds and notes, including, without limitation, the power to contract and issue indebtedness pursuant to §169.00 of the Local Finance Law, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, all contracts for, and determinations with respect to, credit or liquidity enhancements, if any, and to sell and deliver said bonds and notes, subject to the provisions of this resolution and the provisions of the Local Finance Law, is hereby delegated to the Village Treasurer, the Village's chief fiscal officer. The Village Treasurer and the Village Clerk or Deputy Clerk are hereby authorized to sign by manual or facsimile signature and attest any bonds and notes issued pursuant to this resolution, and are hereby authorized to affix to such bonds and notes the corporate seal of the Village of Perry.

Section 7. The faith and credit of the Village of Perry, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and notes as the same respectively become due and payable.

An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 8. After compliance with Section 9 hereof, this resolution shall be published in full by the Village Clerk of the Village of Perry together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the Village, in the manner prescribed by law. The validity of said bonds and bond anticipation notes issued in anticipation of the sale of said serial bonds, may be contested only if such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or the provisions of law which should be complied with, at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution is subject to a permissive referendum of the qualified electors of the Village of Perry, pursuant to Section 36.00 of the Local Finance Law.

The motion having been duly seconded, it was adopted and the following votes were cast:

<u>AYES</u>	<u>NAYS</u>
4	0
Davis	
Harvey	
Laraby	
Wood	

FISCAL Year ending 5/31/2010 has been closed and the annual report is in the clerk's office. The AUD is being worked on for submission.

ADMINISTRATOR REPORT – presented by Terry Murphy

Village Hall Engineering revised proposal approved – A revised engineering proposal was submitted by Clark Patterson reflecting additional duties. The revised cost is not to exceed \$14,000. This is \$4,000 more than the original estimate. Motion by Trustee Laraby, seconded by Trustee Davis, approving the Village Hall Engineering Proposal as revised by Clark Patterson and authorize the Mayor to sign the proposal. Motion carried with all voting aye.

Integrated Systems – There is currently 20 hours remaining on our computer support contract. The website updates has used up many hours. Administrator Murphy will obtain a quote for another 100 hours.

Committee Reports

None of the committees had anything to report.

Mayor Files

A thank you letter was received from the Tour de Perry thanking the village for their support.

A ribbon cutting ceremony was held at Carrot Stix Pottery.

Old Business - No old business to report.

New Business No new business to report.

Motion by Trustee Harvey to adjourn the regular meeting and enter into executive session to discuss a personnel matter at 9:10 p.m. was seconded by Trustee Laraby and carried with all voting aye.

Motion by Trustee Laraby to adjourn executive session and resume the regular meeting at 9:34 p.m. was seconded by Trustee Harvey and carried with all voting aye.

Motion to adjourn meeting at 9:35 p.m. was offered by Mayor Wood, second by Trustee Harvey and carried with all voting aye.

Respectfully submitted,

Gail Vosburg
Village Clerk