

**VILLAGE OF PERRY  
VILLAGE BOARD MEETING**

June 7, 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 7<sup>th</sup> day of June 2010.

PRESENT:	Howard Wood	Mayor
	David J. Davis	Trustee
	Mandi Harvey	Trustee
	Michael Laraby	Trustee
	J. Richard Barth	Trustee
ALSO PRESENT:	Terrence Murphy	Village Administrator
	Gail Vosburg	Village Clerk
GUESTS:	Bill Bark	Pat Townes
	Dave Bojanowski	Amber Townes
	Martha Button	Chris Curry
	Bridget Givens	

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

Mayor Wood led in the pledge to the flag.

**MINUTES**

**MAY 17, 2010 MINUTES APPROVED** - Correction on page one, "...June 8<sup>th</sup> and 10<sup>th</sup> from 6 – 8 pm....."; "... approve the Perry Firemen's Baseball *League* to hold ..."; page two "... Supt. Koziel said he is *waiting* for the Wyoming County...". Upon motion by Trustee Harvey, second by Trustee Davis, the minutes of the May 17, 2010 Board Meeting were approved as corrected. Motion carried with all voting aye.

**PUBLIC COMMENT**

***Dave Bojanowski – Community Garden*** – Dave Bojanowski presented a proposal to the Village Board for a Community Garden (attached). Dr. Fields has offered a plot of land for the garden adjacent to his dental office. The group is requesting insurance coverage through the Village for the community garden. Trustee Barth replied that the village cannot cover a community garden on private property. It would have to be a Village sponsored event on village property. Trustee Harvey suggested the group contact the school to see if there is land available possibly with assistance from the FAA. Participants would be covered through their own homeowners insurance. Dr. Fields would have to be named as additional insured. Administrator Murphy said the garden would only benefit a limited number of residents that would participate. Dave said they would start with 40 plots up to 75 (depending on the size of the plots). Motion by Trustee Harvey, seconded by Trustee Laraby, to table the matter so the village can investigate to see if they have a suitable area for a community garden. Motion carried with all voting aye.

***Chris Curry – Perry Center Fire Department – WNY Firemen's Convention***

**Traffic in opposite direction around park circle approved** - Chris Curry, WNY Firemen's Convention Chairman, is requesting permission to allow traffic to *drive* the opposite way around the village park for the firemen's parade on July 31<sup>st</sup>. Motion by Trustee Laraby, seconded by Trustee Laraby, to allow traffic in the opposite direction for the night of the parade, July 31<sup>st</sup>. Motion carried with all voting aye.

**Parking on Diamond #1** – A request to allow parking on Diamond #1 (in case of overload) on July 31<sup>st</sup>. Trustee Harvey said the local law prohibits parking on the grass. Trustee Laraby, seconded by Trustee Barth, to leave it up the Park Committee and Renee regarding the request to park on Diamond #1. Motion carried with all voting aye.

Lights on Diamond #1 for security – Trustee Harvey said the lights on Diamond #1 can stay on until 10:30 pm and the lights on the tennis courts are on until 11:00 pm.

Mayor Wood thanked Mr. Curry for attending.

***Bridget Givens – Summer Recreation program restrictions*** – Ms. Givens was present to express her concern over restrictions that were placed on the Summer Recreation Program. She said this in the first time children have to be entering first grade in order to attend. She feels that preschoolers should be allowed to attend and the decision should be up to the parents. Administrator Murphy said last year was the first year for pre-school children to attend. For the 20 years prior, children have to complete kindergarten. The Village of Perry subsidizes the recreation program about 50%. If the village starts allowing pre-kindergarteners, then the village would have to start subsidizing licensed day care businesses. The board wanted the age limits spelled out in the contract with the YMCA, as it was not in the past. Trustee Laraby said the structure is set up and a signed agreement is in place with the YMCA. If it needs to be changes, revisit the issue next year. Motion by Mayor Wood, seconded by Trustee Davis, to table the request until further research. Motion carried with all voting aye.

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

**Payment of Claims -**

Vouchers as set forth in Abstract # 1  
General Fund

\$ 6,761.62

Water Fund	\$	798.44
Sewer Fund	\$	159.99
Trust & Agency	\$	<u>356.00</u>
TOTAL	\$	8,076.05

Trustee Harvey has audited all vouchers in Abstract #1. Motion by Trustee Laraby, seconded by Trustee Davis, that vouchers as set forth in Abstract # 1 are ordered to be paid. Motion carried with all voting aye.

**NYS Snow & Ice Contract Amendment B for 2011/12 approved** – Motion by Trustee Harvey, seconded by Trustee Laraby, authorizing Mayor Wood to sign the Snow & Ice Contract Amendment B from the NYS DOT for the 2011/12 Snow & Ice Contract. Motion carried with all voting aye. This will result in an increase in the amount per lane mile.

**FYE 5/31/2009 Justice Report acknowledged** – Bonadio Group has completed the Justice Report for the Fiscal Year ending May 31, 2009. Motion by Trustee Harvey, seconded by Trustee Laraby, to acknowledge receipt of the Justice Report as completed by Bonadio Group. Motion carried with all voting aye.

**2010 Silver Lake fireworks donation approved** – Motion by Trustee Harvey, seconded by Trustee Laraby, to donate \$250 towards the Silver Lake Fireworks Fund. Motion carried with all voting aye.

**Correction of Village Tax bills approved** – Clerk Vosburg reported that due to a computer error, veterans exemptions in the Town of Castile portion of the Village were calculated and printed incorrectly. The exemption printed on the tax bills was not high enough. There are 34 parcels that are affected by this error. Wyo. Co. RPTS has provided the corrected amounts. Corrections to the tax bills will be done and sent out to the property owners along with a letter explaining the new bill. This will lower the tax warrant. The amount of tax adjustment is \$3,446.00. A refund will be made if payment has already been made before receiving the corrected bill. Motion by Trustee Harvey, seconded by Trustee Davis, approving the application for Correction of Multiple-Parcel Errors and allow the collection of a lesser amount of the tax warrant. Motion carried with all voting aye.

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

**ADMINISTRATOR REPORT** – presented by Terry Murphy

A letter was sent to the NYS DOT outlining the Arts Council request for the closing of Main Street on July 30, 2010.

**Chalk Art Festival removed from table** – Motion by Trustee Barth, seconded by Trustee Harvey, to remove from the table the Chalk Art Festival. Motion carried with all voting aye.

**Closing of Parking Lane for Chalk Art Festival approved** – A map of Main Street outlining a plan for barricades and cones was completed by Supt. Koziel. He and the Police Chief feel there is no need to change driving lanes or close off any traffic lanes. They feel barricading and placing traffic cones will be sufficient. (copy of plan attached) Motion by Trustee Barth, seconded by Trustee Laraby, to adopt the plan for the closing of a parking lane on Main Street for the Chalk Art Festival as drawn and presented. Motion carried with all voting aye.

**July 5<sup>th</sup> Board Meeting changed** – Motion by Trustee Harvey, seconded by Trustee Davis, to change the board meeting scheduled for Monday, July 5, 2010 to Tuesday, July 6, 2010 due to the Independence Day Holiday. Motion carried with all voting aye.

**Public Hearings Scheduled for Small Cities Grant submission** – Motion by Trustee Harvey, seconded by Trustee Laraby, to schedule two public hearings on Monday, June 21, 2010 at 8:00 pm and Tuesday, July 6, 2010 at 8:00 pm to develop plans that identify and prioritize community or economic development needs. The Village plans to use this grant to study and evaluate the conditions of the Water & Sewer Plant facilities and distribution and transmission lines for possible updates and/or improvements. Motion carried with all voting aye.

**Stu Brown Assoc. authorized to submit Grant Application** – Motion by Trustee Laraby, seconded by Trustee Barth, to authorize the submission of a Community Planning Program Grant application and apply for the maximum of \$40,000 with the village to match 1/3 of the cost, up to \$20,000. Motion carried with all voting aye.

**Insurance letter denying claim** – A letter was received from Selective Insurance denying the claim of Mr. & Mrs. Eustace for damage at 90 Lake Street.

**Draft Bloodborne Pathogens Prevention Plan approved** – Motion by Trustee Barth, seconded by Trustee Laraby, to approve the draft Bloodborne Pathogens Prevention Plan as presented for the Village Park. Motion carried with all voting aye.

**Hepatitis B shots approved for Park employees** – Motion by Trustee Harvey, seconded by Trustee Davis, to approve the offer of Hepatitis B shots to the Village Park employees and lifeguards on the condition that the Wyoming county Public Health Department administer the shots. Motion carried with all voting aye.

**Committee Reports**

Committees had nothing to report.

**Mayor Files**

The Mayor did not have anything to report.

**New Business**

**Park & Recreation Improvement Fund** – Trustee Barth said the board had spoken of setting up a fund for park projects.

**RESOLUTION  
ESTABLISHING A PARKS AND RECREATION  
IMPROVEMENT FUND**

**WHEREAS**, all Village Board Members having due notice of said meeting, and that pursuant to Section 94 of the Public Officers Law (Public Meeting Law), said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law; and

**WHEREAS**, the Village Board is considering Establishing a Parks and Recreation Improvement Fund which would be utilized to expand and improve recreation opportunities through the renovation of existing parks and recreation facilities, create new facilities, playfields and playgrounds; and

**WHEREAS**, community organizations and citizens may wish to contribute towards the fund; and

**WHEREAS**, the Village Board finds that the parks, facilities and playing fields are a vital and necessary part of our community and help preserve and improve the quality of life in our municipality; and

**WHEREAS**, the Village Board of the Village of Perry does hereby wish to establish a Parks and Recreation Improvement Fund to help offset repairs to aging facilities and to meet the demand for additional facilities with community support if they desire.

**NOW ON MOTION OF Trustee Barth** which has been duly seconded by Trustee Laraby,

**NOW, THEREFORE, BE IT RESOLVED**, that the Village Board of the Village of Perry does hereby establish a Parks and Recreation Improvement Fund to pay for new park and recreational facilities and repairs that community citizens and organizations may contribute to.

Aye:      5    
Nay:      0  

Motion by Trustee Harvey to enter into executive session to discuss a personnel matter at 8:40 p.m. was seconded by Trustee Laraby and carried with all voting aye.

Motion by Trustee Barth to adjourn executive session at 10:20 p.m. was seconded by Trustee Davis and carried with all voting aye.

**Video Interview System & DWI room Camera Security proposal approved** – Motion by Trustee Laraby, seconded by Trustee Davis, authorizing the expenditure pending review of the equipment by Chief Case. Motion carried with all voting aye.

**Clark Patterson Borden Ave Waterline revised proposal approved** – Motion by Trustee Barth, seconded by Trustee Laraby, to approve \$5,100 to Clark Patterson Lee for addition engineering services relating to the Borden Avenue Water Main Replacement. This was due to the project being the entire length of Borden Avenue (2000 linear feet) instead of to Spring Street (1300 linear feet). Motion carried with all voting aye.

Motion to adjourn meeting at 9:20 p.m. was offered by Trustee Barth, second by Trustee Laraby and carried with all voting aye.

Respectfully submitted,

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Gail Vosburg  
Village Clerk