

VILLAGE OF PERRY
VILLAGE BOARD MEETING
August 6, 2012

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 6th day of August 2012.

PRESENT:	Howard Wood David J. Davis Bonnita Matson J. Richard Barth Dariel A. Draper	Mayor Trustee Trustee Trustee Trustee
ALSO PRESENT:	Gail Vosburg Terrence Murphy Edward Koziel James Case	Village Clerk Village Administrator Supt. of Public Works Chief of Police
GUESTS:	Bill Bark	Lorraine Sturm

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

Mayor Wood led in the pledge to the flag.

MINUTES

JULY 16, 2011 MINUTES APPROVED - Correction on page 1, "... minutes of the July 2, 2012 Board Meeting was approved. Motion carried with *all voting aye*." Upon motion by Trustee Barth, second by Trustee Davis the minutes of the July 16, 2012 Board Meeting were approved as corrected. Motion carried with all voting aye.

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

AUD's for FYE 5/31/2012 for the Silver Lake Watershed Commission and Village of Perry have been filed on time with the NYS Comptroller's office.

Payment of Claims –

Vouchers of all funds # 130289 - # 130317	
General Fund	\$ 79,247.51
Water Fund	\$ 20,379.42
Sewer Fund	\$ 16,443.23
Trust & Agency	<u>\$107,420.26</u>
TOTAL	\$223,490.42

Vouchers of all funds # 130318 - # 130452	
General Fund	\$ 81,835.84
Water Fund	\$ 4,664.80
Sewer Fund	\$ 7,379.84
Trust & Agency	<u>\$ 7,714.47</u>
TOTAL	\$101,594.15

Trustee Draper has audited all vouchers. Motion by Trustee Barth, seconded by Trustee Davis, that vouchers are ordered to be paid. Motion carried with all voting aye.

2012-13 Tax Warrant update - Collection through July 31, 2012 – collected 89.1% of tax (\$1,683,883.42 of \$1,890,836.12)

Notice received that the Perry Veterans Memorial Assoc. is applying to renew their liquor license.

Check signers authorized – Motion by Trustee Barth, seconded by Trustee Draper, to authorize the following individuals as check signers at the M&T Bank and Bank of Castile and authorize Administrator Terry Murphy and Village Clerk Gail Vosburg to open new accounts as needed:

Howard C. Wood	Mayor
J. Richard Barth	Deputy Mayor
Terrence J. Murphy	Village Administrator
Gail I. Vosburg	Village Clerk

Motion carried with all voting aye.

Clerk's Report approved – Motion by Trustee Draper, seconded by Trustee Matson, to approve the clerk's report as presented. Motion carried with all voting aye.

ADMINISTRATOR REPORT

Motion by Trustee Barth, seconded by Trustee Draper to remove from the table the proposal from Clark Patterson Lee for the pool study. Motion carried with all voting aye.

Pool Study Proposal approved - Motion by Trustee Barth, seconded by Trustee Matson, to approve the proposal from Clark Patterson Lee for a wading pool and splash pad study at a cost of \$2,200. Motion carried with all voting aye.

Breathalyzer School approved – Motion by Trustee Draper, seconded by Trustee Matson, to approve sending Officers Chase and Millhollen to a Breathalyzer School in Scottsville November 6-8 at a cost of \$300 each. Motion carried with all voting aye.

Perry Blaze Softball use of park approved – Motion by Trustee Matson, seconded by Trustee Davis, to approve the Perry Blaze’s use of the Village park softball fields on October 7th at no charge. Motion carried with all voting aye.

Leicester St/Grove St culvert easements approved – Attorney DiMatteo sent a letter to the Village that after research of titles and deeds, there is no reference to the Village having interests in the culvert. Trustee Barth feels that the Village has a vested interest to deal with the culverts. Motion by Trustee Barth, seconded by Trustee Matson, to have the Village Attorney prepare documents for the Village to acquire easements for the Leicester St/Grove St culvert. Motion carried with all voting aye. Administrator Murphy will have Supt. Koziel prepare a scope of work with a cost for board review.

Letter from Attorney DiMatteo concerning the tombstones in the Silver Lake Outlet. After research, the Village does not own the land and therefore cannot grant permission to have the tombstones removed.

Administrator’s Report approved – Motion by Trustee Barth, seconded by Trustee Draper, to approve the Administrator’s report as presented. Motion carried with all voting aye.

COMMITTEE REPORTS

Fire – Nothing to report.

Police – Nothing to report.

DPW/Water/Sewer –

Rich Elias request for adjustment on sewer bill approved – Motion by Trustee Barth, seconded by Trustee Matson, to waive the sewer usage but the sewer base rate, water usage and water base rate stand for Rich Elias’s property on Davis Ave. Motion carried with all voting aye.

Trustee Barth spoke concerning the letter received from the NYS DOT regarding the proposed crosswalk on South Main Street that they are giving the go ahead to *proceed* with it. Mayor Wood said he advised PMSA to pick a specific location of the three proposed.

Recreation – Nothing to report.

Office Operations/Insurance/Employee Relations – Nothing to report.

Planning/Zoning/Cable – Nothing to report.

Grants – Nothing to report.

SLWC - Nothing to report.

Technology – Nothing to report.

MAYOR FILE

Mayor Wood said that people are moving into the senior apartments on Tempest Street. There will be a official ribbon cutting ceremony soon.

OLD BUSINESS

A thank you was received from the Silver Lake Fireworks Fund for the donation toward the July 3rd fireworks show.

Motion by Trustee Barth, seconded by Trustee Matson, to adjourn the regular meeting and open the public hearing on the proposed local law regarding signs at 8:00 pm. Motion carried with all voting aye.

PUBLIC HEARING

The Village Board is considering a proposed local law which adds specific language and regulations to the Village Code concerning perpendicular signage due to several requests of local area business owners to hang perpendicular signs from their establishments to assist pedestrian traffic to better identify particular business locations.

No one from the public had any comment.

Motion by Trustee Barth, seconded by Trustee Draper, to close the public hearing at 8:01 pm and resume the regular meeting. Motion carried with all voting aye.

VILLAGE OF PERRY RESOLUTION AUTHORIZING THE ADOPTION OF LOCAL LAW NO. 3 OF 2012 ENTITLED, “AMENDING THE CODE OF THE VILLAGE OF PERRY, SPECIFICALLY CHAPTER 490, ARTICLE VI - SIGNS”

WHEREAS, the Village Board is considering a proposed local law which adds specific language and regulations to the Village Code concerning perpendicular signage due to several requests of local area business owners to hang perpendicular signs from their establishments to assist pedestrian traffic to better identify particular business locations; and

WHEREAS, said local law is entitled, “Amending the Code of the Village of Perry, specifically Chapter 490, Article VI – Signs”; and

WHEREAS, notice of said public hearing was duly advertised in the Perry Herald, the official newspaper of said Village; and

WHEREAS, said public hearing was duly held on August 6, 2012 at 8:00 pm at the Village Hall and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed local law, or any part thereof; and

WHEREAS, the Village Board of the Village of Perry, after due deliberation, finds it in the best interest of said Village to adopt said local law.

NOW ON MOTION OF Trustee Barth which has been duly seconded by Trustee Draper, therefore,

BE IT RESOLVED, that the Village Board of the Village of Perry hereby adopts said Local Law NO. 3 of 2012 entitled, "Amending the Code of the Village of Perry, Specifically Chapter 490, Article VI - Signs" and

BE IT FURTHER RESOLVED, that the Village clerk be and she hereby is directed to enter said local law in the minutes of this meeting and give due notice of the adoption of said local law to the Secretary of the State of new York.

Ayes: 5

Nays: 0

NEW BUSINESS

No new business.

Motion by Trustee Matson to enter into executive session to discuss the Chief Water & Sewer Plant Operator position at 8:05 p.m. was seconded by Trustee Draper and carried with all voting aye. Supt. Koziel and Chief Case were asked to join in the executive session.

Motion by Trustee Draper to adjourn executive session at 8:47 p.m. was seconded by Trustee Davis and carried with all voting aye.

Jeffrey Drain appointed Chief Water & Sewer Treatment Plant Operator – Mayor Wood hereby appointed Jeffrey Drain as Chief Water and Sewer Treatment Plant Operator effective August 13, 2012 at a salary of \$48,000 per year, one year probation period and the benefits as outlined in the Non-Union Employment Manual. Motion by Trustee Barth, seconded by Trustee Draper, to approve Mayor Wood's appointment Motion carried with all voting aye.

Residency waiver request approved – Motion by Trustee Matson, seconded by Trustee Barth, to approve the residency waiver request from Jeffrey Drain. Motion carried with all voting aye.

Diane Eidecker appointed Secretary to the Police Chief – Mayor Wood hereby appointed Diane Eidecker as Secretary to the Police Chief effective August 8, 2012 at a hourly rate of \$12, with a one year probation period, 25 hour work week and no benefits (no health insurance, sick or vacation

Officer Michael Leach suspended – Motion by Trustee Matson, seconded by Trustee Davis, to suspend Officer Michael Leach until further notice. Motion carried with all voting aye.

Motion to adjourn meeting at 8:50 p.m. was offered by Trustee Draper, second by Trustee Matson and carried with all voting aye.

Respectfully submitted,

Gail Vosburg
Village Clerk