

VILLAGE OF PERRY
VILLAGE BOARD MEETING
June 3, 2013

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 3rd day of June 2013.

PRESENT:	Frederic Hauser Anita Billings Dariel A. Draper Eleanor Jacobs	Mayor Trustee Trustee Trustee
ABSENT:	Bonnita Matson	Trustee
ALSO PRESENT:	Terrence Murphy Gail Vosburg Jeff Drain	Village Administrator Village Clerk Chief Water & Sewer Plant Operator
GUESTS:	Mary Syberg Bill Bark Mark Emmerson Linda Hyland	Joe Rebisz Tom Reilly Jacquie Billings

Mayor Hauser called the meeting to order at 7:30 PM.

Mayor Hauser led in the pledge to the flag.

MINUTES

MAY 20, 2013 MINUTES APPROVED - Correction on page one "...**Resolution asking Wyoming County to revisit relevy...**" Motion by Trustee Jacobs, second by Trustee Billings the minutes of the May 20, 2013 Board Meeting were approved with the above correction. Motion carried with all voting aye.

PUBLIC COMMENT

Joe Rebisz – Pickle ball court at Village Park – Mr. Rebisz was present and passed out a proposal for a pickle ball court at the village park. He proposes to use the 2 southern most tennis courts to be marked for use by pickle ball players. Mr. Reilly said the pickle ball is becoming very popular and it is very big in Rochester. Trustees Billings and Jacobs feel any opportunity have a variety of use in the Village Park is very positive. Administrator Murphy said that the Perry Central School tennis coach sent a letter to the Village opposing the use of the tennis courts for pickle ball in the past. Mr. Emmerson showed the board a roll of tape that could be used to outline the court instead of paint on the tennis courts. The request was turned over to the recreation committee to review.

Jacquie Billings Barlow

- **Taste of Summer** - Ms. Barlow gave an overview of the Taste of Summer event that will take place as part of the Chalk Festival. They are looking for the Village to apply for a Special Event Permit from the NYS Liquor Authority. The permit would be for a Temporary Beer & Wine (one time) at a fee of \$36. There are a few microbreweries that plan to take part in the Taste of Summer and in order to have samples, this permit is necessary. No board action was taken.
- **Silver Lake Trail Council** – The Trail Council is planning on placing 15 trail markers for the Silver Lake Trail throughout the area. The signs will start at the Festival Plaza with 5 signs be placed in the village. The matter was referred to the Recreation Committee for review.
- **PMSA** – Ms. Barlow showed the Village Board handouts that are being distributed at Letchworth State Park. She said the Park Manager, Rolland Beck, has been extremely helpful. Maps promoting Perry are available and a poster program highlighting special events are being posted in the park.

The Village Board thanked PMSA for promoting Perry as a place to visit.

WATER / SEWER REPORT – presented by Chief Operator Jeff Drain (as attached)

Water & Sewer report approved – Motion by Trustee Draper, seconded by Trustee Jacobs, to approve the water/sewer report as presented. Motion carried with all voting aye.

Motion by Trustee Jacobs, seconded by Trustee Draper, to adjourn the regular meeting and open the Public Hearing at 8:00 pm. Motion carried with all voting aye.

8:00 PM – PUBLIC HEARING – PROPOSED LOCAL LAW “ESTABLISHING A REAL PROPERTY TAX EXEMPTION FOR NON-RESIDENTIAL REAL PROPERTY CONVERTED TO MIXED USE PROPERTY PURSUANT TO SECTION 485-a OF THE NEW YORK STATE REAL PROPERTY LAW”

Clerk Vosburg read the public hearing notice; The purpose of the proposed law is to grant a partial exemption from taxation to certain real property located within the Village of Perry converted to a combination of commercial and residential use pursuant to the provisions of §485-a of the Real Property Tax Law of the State of New York.

Mayor Hauser stated that this proposed law is similar to the laws that have been adopted recently in Warsaw, Mt Morris, Batavia, Geneseo and Dansville. The law defers the increase of assessed value for 8 years. He explained that each taxing entity has to pass their own version of the law.

Linda Hyland asked if this law is for commercial or residential owners and if the village will lose tax monies. This law is for non-residential property that is converted to mixed use. The village will be losing any tax monies as the assessment will stay the same (before renovations) and the increase in assessed value will be deferred for 8 years.

Motion by Trustee Draper, seconded by Trustee Jacobs to close the public hearing and resume the regular meeting at 8:17 pm. Motion carried with all voting aye.

Local Law 1-2013 adopted

**VILLAGE OF PERRY
RESOLUTION**

WHEREAS, all Board Members, having due notice of said meeting, and that pursuant to Article 7, §104 of the Public Officers 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 of the Village of Perry, for the purpose of proposing a tax exemption plan designed to attract and retain business within its municipal borders, is considering a partial tax exemption for real property; and

WHEREAS, the proposed exemption requires the adoption of a local law by the Village Board pursuant to the provisions of §485-a of the Real Property Tax Law of the State of New York, for a partial exemption from taxation to certain real property located within the Village of Perry, which will be converted to a combination of commercial and residential use; and

WHEREAS, a public hearing with the Village of Perry was held on June 3, 2013 and all parties in attendance were provided an opportunity to speak for or against said local law; and

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

NOW ON MOTION OF Trustee Draper which has been duly seconded by Trustee Jacobs, be it

RESOLVED, that the Village Board of the village of Perry feels it is in the best interests of the Village to adopt Local Law No. 1 of 2013 entitled, "Establishing A Real Property Tax Exemption for Non-Residential Real Property Converted to Mixed Use Property Pursuant to Section 495-a of the New York State Real Property Tax Law"; and be it

FURTHER RESOLVED, that the village clerk be and she hereby is directed to enter the adoption of said local law in the minutes of this meeting and five due notice of the adoption of said local law to the Secretary of the State of New York.

Ayes: 4

Nays: 0

Absent/Abstain: 0

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

PMSA requests Village for a donation towards 2013 Events Brochure approved – A letter from PMSA was distributed to board members asking the Village of Perry for a donation of \$625 towards the production of the annual Event Brochure. Total production cost is \$1,500 with other groups pledging \$875. Motion by Trustee Draper, seconded by Trustee Billings, to approve the donation of \$625 towards the production of the events brochure. Motion carried with all voting aye.

Payment of Perry Emergency Ambulance authorized – Motion by Trustee Billings, seconded by Trustee Jacobs, to authorize the payment of the Perry Emergency Ambulance contract in the amount of \$6,000. Motion was carried with all voting aye.

Proposal from Ann McDonnell approved for grant submission – The Village of Perry received notice that it is time for us to submit a grant application to the NYS DEC for the Municipal Composting/Recycling Grant program. A pre-application was prepared by Ms. McDonnell in 2009) for the purchase of a wood chipper, leaf vacuum and leaf box. Reimbursement will be for ½ the cost of the equipment which amounts to \$24,167.00. A proposal in the amount of \$800 was received from Ms. McDonnell to complete and submit the grant application. Motion by Trustee Billings, seconded by Trustee Draper, to approve Ms. McDonnell's proposal and authorize the Mayor to sign the contract agreement for \$800 to prepare the grant application. Motion carried with all voting aye.

Special Budget Meeting scheduled – Motion by Trustee Draper, seconded by Trustee Jacobs, to schedule a special budget meeting for Monday, July 8, 2013 at 12:30 pm. Motion carried with all voting aye.

Clerk/Treasurer's report approved – Motion by Trustee Jacobs seconded by Trustee Billings to approve the Clerk/Treasurer's report as presented. Motion carried with all voting aye.

ADMINISTRATOR REPORT – presented by Administrator Terry Murphy

2013 CDBG Drainage Grant update – Administrator Murphy updated the board on the 2013 CDBG drainage grant. Clark Patterson has almost completed the topographic survey of the project area. They hope to have draft plans by the end of June so that they may submit them to the NYSDOT.

Water bill adjusted for 40 Dolbeer Street approved– A request to waive a late charge of \$19.02 was received from Lisa Perez as she feels that her payment was made on time and there was no postmark on the envelope of her

payment. Motion by Trustee Jacobs, seconded by Trustee Draper, the request to waive the late charge of \$19.02 as requested. Motion carried with all voting aye.

Refinance of Village Serial Bonds – Administrator Murphy passed out a sheet that shows an estimated budgetary savings if the Village refinanced three USDA Serial Bonds totaling \$875,000. These bonds are from water projects. There would be an estimated net savings of \$59,000 over the next 20 years. Mayor Hauser asked what the refinancing costs are. The clerk will contact the financial consultants for a breakdown of costs for the next board meeting.

OLD BUSINESS

There was no old business.

COMMITTEE REPORTS

Public Safety – Trustee Draper said at the next meeting the committee will have a recommendation for electronic speed signs that would be attached to the current speed limit signs. An estimated cost is \$3,400 - \$4,000 for each unit.

Public Works – Trustee Jacobs reported that the NYS DOT is doing a survey of the sidewalks on State Routes 246 & 39 for future replacement. They would only be replacing those areas of sidewalks that need replacement to uneven and unsafe areas and to eliminate the stairs to that all sidewalks are ADA compliant. The tactile strips will also be replaced. Work is estimated to begin in 2016. Mayor Hauser asked if the village could request something in writing. Trustee Jacobs also reported that Supt. Koziel will be installing 9 new high-intensity signs at the entrances to village limits.

Mayor Hauser asked what the village's role is with the Silver Lake Trail regarding vandalism and the dangerous bridge.

Recreation & Resources – Mayor Hauser said that the Sea Serpent Softball Tournament fee structure will be the same as last year. He would like to revisit this as he feels it is too complicated. Trustee Jacobs said that with the various events to the park, we need to establish the role of the village employees. Mayor Hauser said he spoke with Jamie Cummins regarding an event he is proposing in the Park on August 3rd. He is proposing a softball tournament during the day and a wrestling show in the evening with the event to benefit Derek Richards. Trustee Draper suggesting the village park host the softball tournament but the fire grounds be used for the wrestling event. Administrator Murphy expressed his concern where the cars will park. Trustee Billings said she is attending the fire meeting on June 4th.

Office – Nothing to report.

Planning – Mayor Hauser spoke on the Transportation Enhancement Program as he feels it is in line with the Circulation, Accessibility & Parking Study that was completed a few years ago. The proposal from LaBella Associates was distributed at the year-end meeting. Grants applications are due August 16, 2013. Ed Flynn, from LaBella Associates, will work with the Village to provide an approach and strategy for the grant application. As a grant requirement, a village official must attend a TEP and FED101 workshops. Administrator Murphy asked the board members if everyone is aware of what is being asked of them or if they know what is in the Circulation, Accessibility & Parking Study. Mayor Hauser said the focus would be on sidewalks bump outs, bike lanes, median, and street lights within the pedestrian zone. Motion by Trustee Jacobs, seconded by Trustee Draper, to authorize the Mayor to sign the proposal from LaBella Associates for a contract amount of \$5,500. Motion carried with all voting aye. Mayor Hauser stated the next step is to sit down to discuss what work is to be looked at.

NEW BUSINESS

No new business.

Motion by Trustee Draper to adjourn the regular meeting and enter into executive session to discuss pending litigation at 9:18 p.m. was seconded by Trustee Jacobs and carried with all voting aye.

Motion by Trustee Billings to adjourn executive session at 9:30 p.m. and resume the regular meeting was seconded by Trustee Draper and carried with all voting aye.

Motion to adjourn meeting at 9:30 p.m. was offered by Trustee Draper, second by Trustee Jacobs and carried with all voting aye.

Respectfully submitted,

Gail Vosburg
Village Clerk