

VILLAGE OF PERRY
VILLAGE BOARD MEETING
May 6, 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 6th day of May 2013.

PRESENT:	Frederic Hauser	Mayor
	Anita Billings	Trustee
	Dariel A. Draper	Trustee
	Eleanor Jacobs	Trustee
	Bonnita Matson	Trustee
ALSO PRESENT:	Terrence Murphy	Village Administrator
	Gail Vosburg	Village Clerk
	Jeff Drain	Chief Water & Sewer Plant Operator
	Renee Koziel	Park Maintenance Supervisor
	David M. DiMatteo	Village Attorney
	Brad Jansen	Town of Perry Attorney
GUESTS:	Lorraine Sturm	
	Bill Bark	
	Shellye Dale Hall – Smoke Free Now	
	Howard Wood	

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

Mayor Hauser led in the pledge to the flag.

MINUTES

APRIL 15, 2013 MINUTES APPROVED - Upon correction of minor spelling errors, motion by Trustee Draper, second by Trustee Matson the minutes of the April 15, 2013 Board Meeting were approved with corrections. Motion carried with all voting aye.

PUBLIC COMMENT

Shellye Dale-Hall – Smoke Free Now – Ms. Dale-Hall asked the board to create, limit, restrict, or eliminate smoking/tobacco use in the Village Park and Beach. Copies of letters from Letchworth's 5th grade had been distributed to board members asking them to have a smoke-free policy. Ms. Dale-Hall said the park in Gainesville and Silver Springs are tobacco free. The matter was referred to the Recreation Committee.

David M. DiMatteo-Brad Jansen – Champion Place - Agreement for PILOT – Mr. DiMatteo introduced Mr. Jansen, attorney for the Town of Perry, to give an overview of the history of the Agreement for Payment in Lieu of Taxes for Champion Place. Currently, as they are deemed a not-for-profit corporation, they (Champion Place) would qualify for tax exemption status. There is a draft agreement for a payment in lieu of taxes between Champion Place and the Town of Perry and the Village of Perry. It calls for a total payment of \$3,000 with the breakout of \$1,800 to the Village and \$1,200 to the Town of Perry. Attorney DiMatteo reported that he had the clerk go thru the record for tax payments and said the village would be no further behind if we enter into this agreement. Wyoming County and Perry Central School are not part of this agreement. Both attorneys feel that the property has had a positive effect on neighboring residents. Mayor Hauser asked Attorney DiMatteo for his recommendation for the village. Attorney DiMatteo recommended the following:

- That the village send a letter to the town assessor requesting that she keep on top of the not-for-profit entitlement for the exemption
- That the village will not be losing anything, it would be a win-win for the short term.

Mayor Hauser suggested that the board wait until the next village board meeting before making a decision.

485a property exemption – Attorney DiMatteo presented the board with a draft local law for establishing a real property tax exemption for non-residential real property converted to mixed use property pursuant to section 485a of the NYS RPTL. Mayor Hauser said this is not just for Main Street. Attorney DiMatteo suggested that the village partner with the school, county and town for everyone to adopt these provisions. (draft copies were distributed.) Attorney DiMatteo recommended that the Mayor call the Supt. of School as well as the school board president to discuss this.

Motion by Trustee Draper to adjourn the regular meeting and enter into executive session to discuss pending litigation at 8:34 p.m. was seconded by Trustee Jacobs and carried with all voting aye.

Motion by Trustee Jacobs to adjourn executive session at 8:47 p.m. and resume the regular meeting was seconded by Trustee Billings and carried with all voting aye.

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

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

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

Facilities Use forms approved – Motion by Trustee Jacobs, seconded by Trustee Matson to approve the following facilities use forms:

Perry Firemen's Youth Baseball/Softball – Diamond #3 May – July, Wed, Fri, Sat
Shake on the Lake – Public Beach – July 22 – August 12
Coed Softball League – diamonds 1,2 &3 – Friday nights and Sat Aug 17th

Motion carried with all voting aye.

Summer Soccer Fee approved – Motion by Mayor Hauser, seconded by Trustee Matson, to set the summer soccer fee at \$20 which included a t-shirt. Motion carried with all voting aye.

Seasonal Employees approved – Mayor Hauser appointed Ryan Snow and Erika Miller as seasonal employees at \$8 per hour with a starting date of May 7, 2013. Motion by Trustee Matson, seconded by Trustee Jacobs to approve the Mayor appointments as presented. Motion carried with all voting aye.

Park Pavilion requests approved and rental fee waived - Motion by Trustee Matson, seconded by Trustee Jacobs to approve the following park pavilion use request and waive the \$30 rental fee:

Wyo. Co. Youth Bureau – South pavilion – 6/28, 7/8, 8/8 for the Stars of Tomorrow program
Perry Elementary School – Universal Pre-K program – south pavilion 5/30/2013

Motion carried with all voting aye.

Park & Recreation report approved – Motion by Mayor Hauser, seconded by Trustee Billings, to approve the park & recreation report as presented. Motion carried with all voting aye.

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

Payment of Claims –

Vouchers of all funds # 132037 - # 132044

General Fund	\$ 33,346.20
Water Fund	\$ 7,027.86
Sewer Fund	\$ 5,676.86
Trust & Agency	\$ 43,746.09
TOTAL	\$ 89,797.01

Vouchers of all funds #132045 - #132120

General Fund	\$111,995.25
Water Fund	\$ 6,902.11
Sewer Fund	\$ 33,551.24
Trust & Agency	\$ 2,141.81
TOTAL	\$154,655.21

Trustee Matson has audited all vouchers #132037 - #132120. Motion by Trustee Draper, seconded by Trustee Matson, that all vouchers are ordered to be paid. Motion carried with all voting aye.

Gail Vosburg appointed Tax Collector – Mayor Hauser appointed Gail Vosburg, Village Clerk, as Tax Collector. Motion by Trustee Jacobs, seconded by Trustee Billings, to approve the appointment of Gail Vosburg as Tax Collector. Motion carried with all voting aye.

2013-2014 Tax Warrant Approved – Upon motion by Trustee Matson, seconded by Trustee Jacobs, that the 2013-2014 Warrant to collect the Village taxes is hereby issued with the following levy:

General Fund	\$1,898,054.00
BEING FOR ALL PURPOSES A TOTAL OF	\$1,898,054.00

Motion was carried with all voting aye.

March's Treasurer's report is attached.

Youth Bureau Funding waived – A request was made from the Wyoming County Youth Bureau for the Village to waive our recreation dollars and allow the county to keep funding for their program. Amounts to \$406 – the village does not have the swimming program anymore to claim. Motion by Trustee Draper, seconded by Trustee Matson, to waive the recreation funding as requested by the Wyoming County Youth Bureau. Motion carried with all voting aye.

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

ADMINISTRATOR REPORT – presented by Administrator Terry Murphy

NYS DOT Undertaking Resolution – Administrator Murphy passed out for the DPW committee an undertaking resolution from the NYS DOT that is required to be filed with them. He inquired from our insurance company as to this request and found that this is common.

Assessment notifications– A notice of assessments was placed in all board members mail boxes regarding the village's properties located at 39 Leicester St and 10 N Genesee St. The village currently pays taxes on these parcels. Administrator Murphy recommends that the board sell the two properties by sealed bid no bonafide municipal use can be found for the properties. He contacted real estate brokers for the 10 N Genesee St property previously and no one was interested in listing it. The planning committee will make a recommendation.

Administrator's report approved – Motion by Trustee Matson seconded by Trustee Jacobs to approve the Administrator's report as presented. Motion carried with all voting aye.

COMMITTEE REPORTS

Public Safety – Trustee Draper said that they have nothing to report at this time. Mayor Hauser requested that the Village board revisit mitigation of the Village’s reputation as a speed trap and *requested consideration of any* the following suggestions:

1. Signs – speed zone – radar enforced
2. Speed radar unit purchase
3. Study the last 2/10th of a mile to possible change the speed limit to 40 mph.

Public Works – Trustee Matson said the snow plow truck needs to be discussed. The green truck has a safety issue. With an aging work force, she suggests a smaller truck. Specs for a new smaller truck were passed out. There is a six month lead time for building of a new truck. Then committee recommends going with a new, smaller truck than a used one. Trustee Jacobs said that projects have been added to the task list with a priority list.

Recreation & Resources – Trustee Jacobs reported that a port-a-jon rental will be paced at the south end of the park as there are no bathrooms there now. Trustee Jacobs and Mayor Hauser reported on the splash pad project; Parkitects have been contacted to design *the splash park layout and assist with fixture selection; they will be coordinating with Clark Patterson Lee engineers*. There is an upcoming meeting with the Town of Perry and Rotary to discuss and plan the project. Rotary is planning on a fund raising campaign.

Office – Trustees Matson and Billings reported that they attended a NYCOM Workshop and found it very informative. Trustee Matson thinks that it is something that all board members should attend.

Planning – Mayor Hauser and Trustee Draper met and discussed the following ideas:

- Grants – revisiting the village’s relationship with grant writers. Mayor Hauser contacted three firms for information.
- Main Street Master Plan – transportation enhancement – parking t’s, bike lane, striping plan.
- Sidewalks – take an inventory of their condition – pictures were taken to create an rating scale. Sidewalk rating guidelines are being created.
- Sidewalk Pedestrian *tactile-strips* – Mayor Hauser suggested drafting a resolution to take action concerning the broken (torn up) *tactile-strips* by the sidewalk plow.

NEW BUSINESS

Trustee Billings brought up Don O’Geen’s softball tournament. He is requesting permission from the Village to have community service people to help with the tournament. He will work with the probation department to provide guidance and oversight of the people. They would be covered under Wyo. Co. workers’ compensation and will have a physical from Workplace Health. The board took no action.

OLD BUSINESS

SUNY Attain Lab - Howard Wood informed the board of a conversation he had with Assemblyman DiPietro office regarding the SUNY Attain lab. It will be in business for one year. Perry was the only community that responded to the closing. It will be a summer project to work on keeping the lab in Perry permanently.

Motion by Trustee Draper to adjourn the regular meeting and enter into executive session to discuss pending litigation at 9:50 p.m. was seconded by Trustee Matson and carried with all voting aye.

Motion by Trustee Draper to adjourn executive session at 9:55 p.m. and resume the regular meeting was seconded by Trustee Jacobs and carried with all voting aye.

Motion to adjourn meeting at (:55 p.m. was offered by Trustee Draper, second by Trustee Billings and carried with all voting aye.

Respectfully submitted,

Gail Vosburg
Village Clerk