

VILLAGE OF PERRY
VILLAGE BOARD MEETING
February 3, 2014

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 February 2014.

PRESENT:	Frederic Hauser Anita Billings Dariel A. Draper Eleanor Jacobs Bonnita Matson	Mayor Trustee Trustee Trustee Trustee
ALSO PRESENT:	Terrence Murphy Gail Vosburg Jeff Drain	Village Administrator Village Clerk Chief Water & Sewer Plant Operator
GUESTS:	Mary Syberg Nancy Balbick, WCMH Gillian Conde, DePaul	Bill Bark Colleen Eccleston, WCMH Jeremy DeLyser, Clark Patterson Lee

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

Mayor Hauser led in the pledge to the flag.

Mayor Hauser asked everyone to observe a moment of silence for the passing of two dedicated public servants, David J. Davis and Gary Jurkowski.

GUESTS

SPLASH PAD INSTALLATION BID

Jeremy DeLyser, from Clark Patterson Lee, reviewed the bids that were received on the splash pad installation. Three bids were received and recommended the board award the bid to Titan Development in the amount of \$83,800. This was in line with their estimate. They have worked with Parkitects in the past and have installed many splash pad projects in WNY. The bid for the alternate 1, color concrete splash pad \$4,500 and alternate 2, color concrete for sidewalks \$1,500 would be additional. Mr. DeLyser said that Titan Development asked for a two (2) week extension of the completion date (the first two weeks in May) so the concrete work would have a better quality finished product without cracking. Motion by Trustee Jacobs, seconded by Trustee Matson, to award the bid to Titan Development in the amount of \$83,800 for the splash pad installation as recommended by Clark Patterson Lee. Motion carried with all voting aye.

DEPAUL AGENCY

Ms. Gillian Conde, from the DePaul Agency, was present to ask the Village Board for a letter of support for a proposed housing unit to be located in Perry. They are applying for a grant, with the grant deadline of February 7, 2014. There are grant monies available to build the units and it is very competitive. The DePaul Agency offers affordable housing, supportive mental health programs and senior citizen residential services. They plan is for 50 units, but this number is flexible. There is no specified piece of land that is targeted. Colleen Eccleston, Wyo. Co. Mental Health, described the Mental Health's role with its clients and said they are very supportive of the DePaul Agency. The board thanks them for their presentation

Motion by Trustee Matson, seconded by Trustee Jacobs, to adjourn the regular meeting and open the public hearing at 8:14 pm. Motion carried with all voting aye.

Public hearing – Local Law No. 1 & Local Law No. 2

LOCAL LAW NO. 1

The purpose of this local law is to authorize a partial exemption from real property taxation of the increase in assessed value attributable to reconstructed, alterations or improvements made to residential property within the Village of Perry pursuant to the provisions of §421-f of the Real Property Tax Law of the State of New York. The exemption applies to taxes and special ad valorem levies; the exemption does not apply to special assessments.

LOCAL LAW NO. 2

The purpose of this local law is to grant an exemption from real property taxation levied by the Village of Perry for newly constructed primary residential property purchased by one (1) or more persons, each of whom is a first-time homebuyer and has not been married to a homeowner in the three (3) years prior to applying for this first-time homeowners exemption pursuant to the provisions of §457 of the Real Property Tax Law of the State of New York.

Mayor Hauser said that Local Law No. 1 is for one (1) or two (2) family homes.

Motion by Trustee Draper, seconded by Trustee Billings to close the public hearing and resume the regular meeting at 8:15 pm. Motion carried with all voting aye.

RESOLUTION

WHEREAS, the purpose of this Local Law is to authorize a partial exemption from real property taxation of the increase in assessed value attributable to reconstructed, alterations or improvements made to residential property

within the Village of Perry in accordance with the provisions of §421-f of the Real Property Tax Law of the State of New York; and

WHEREAS, this exemption would apply to taxes and special ad valorem levies but not to special assessments; and

WHEREAS, a public hearing within the Village of Perry was held on February 3, 2014 and all parties in attendance were provided an opportunity to speak for or against said local law; and

WHEREAS, that the Village Board of the Village of Perry feels it is in the best interest of the Village of Perry to adopt said law.

NOW ON A MOTION OF Trustee Draper, which has been duly seconded by Trustee Matson, there, be it

RESOLVED, that the Village Board of the Village of Perry feels it is the best interests of the village to adopt Local Law No. 1 of 2014 entitled, "Establishing a Real Property Tax Exemption for Capital Improvements to Residential Buildings Reconstructed, Altered or Improved, Pursuant to Section 421-f 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 give due notice of the adoption of said local law to the Secretary of the State of New York.

Ayes: 5
Nays: 0

RESOLUTION

WHEREAS, the purpose of this Local Law is to authorize a partial exemption from real property taxation levied by the Village of Perry for newly constructed primary residential property purchased by one (1) or more persons, each of whom is a first-time homebuyer and has not been married to a homeowner in the three years prior to applying for this first-time homeowners exemption; and

WHEREAS, a public hearing within the Village of Perry was held on February 3, 2014 and all parties in attendance were provided an opportunity to speak for or against said local law; and

WHEREAS, that the Village Board of the Village of Perry feels it is in the best interest of the Village of Perry to adopt said law.

NOW ON A MOTION OF Trustee Draper, which has been duly seconded by Trustee Matson, there, be it

RESOLVED, that the Village Board of the Village of Perry feels it is the best interests of the village to adopt Local Law No. 2 of 2014 entitled, "Establishing a Real Property Tax Exemption for First Time Homebuyers of Newly Constructed Homes, Pursuant to Section 457 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 give due notice of the adoption of said local law to the Secretary of the State of New York.

Ayes: 5
Nays: 0

MINUTES

JANUARY 21, 2014 MINUTES APPROVED – Motion by Trustee Billings, second by Trustee Matson that the minutes of the January 21, 2014 Board Meeting be approved as presented. Motion carried with all voting aye.

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

WATER

Water School approved – Motion by Trustee Matson, seconded by Trustee Billings, to approve Jeff Drain, Mike Baker, Ray Bzduch, Steve Bernard and Will Stowell to attend a water school sponsored by the Wyo. Co. Health Dept. on March 12, 2014 at Breezy Hill at no cost. Motion carried with all voting aye.

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

CLERK/TREASURER’S REPORT – presented by Village Clerk Gail Vosburg (attached)

Payment of Claims -

Vouchers # 141473 - -#141484	
General Fund	\$ 35,341.29
Water Fund	\$ 7,608.34
Sewer Fund	\$ 5,799.68
Trust & Agency	<u>\$ 46,059.52</u>
TOTAL	\$ 95,613.14

Vouchers # 141485 - -#141529

General Fund	\$ 48,900.98
Water Fund	\$ 6,883.97
Sewer Fund	\$ 7,046.83
Trust & Agency	\$ 892.10
TOTAL	\$ 63,723.88

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

Reminder that the next board meeting is Tuesday, February 18, 2014.

Partial Payment approved for Splash Pad Equipment – Motion by Trustee Billings, seconded by Trustee Matson, to approve partial payment from Fountain People in the amount of \$9,505.00 for the Splash Pad equipment with the balance to be invoiced when shipment is sent mid-March. Motion carried with all voting aye.

Budget Amendments approved - Motion by Trustee Matson, seconded by Trustee Jacobs, authorizing the budget amendments as follows:

Increase	A5110.2	Streets Equipment	\$ 112,853.00
Increase	A2001A	Sea Serpent Softball Revenue	\$ 1,625.00
Increase	A7180.43	Sea Serpent Contractual	\$ 1,625.00

Motion carried with all voting aye.

Reminder of the budget meeting scheduled for Tuesday, February 11, 2014 at 7:00 pm.

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

ADMINISTRATOR REPORT – presented by Village Administrator Terry Murphy

Administrator Murphy reported on the following:

- Recreation committee is reviewing a proposal for the summer soccer.
- The Brant water bill issues is unfounded and there was no discrepancy with the water meter, the bill is accurate. The payment agreement was signed.

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

OLD BUSINESS

Letter of support for the DePaul Agency grant application approved – Trustees spoke on the need for services in this area as the residents are already in the village. This would provide them with better access to services to assist them. Motion by Trustee Billings, seconded by Trustee Draper, authorizing the Mayor to sign a letter of support for the DePaul Agency to apply for a grant for the development of 50 housing units. Motion carried with all voting aye.

Mayor Hauser said the meeting with the Board of Supervisors Chairman and Finance Committee and County mayors is scheduled this Thursday to request the reinstatement of relevy of water/sewer charges.

2% tax cap override

RESOLUTION

WHEREAS, Chapter 97 of the Laws of 2011 – “The Property Tax Cap” added section 3-c to the General Municipal Law which provides that the amount of real property taxes that may be levied by or on behalf of any local government shall not exceed two percent (2%); and

WHEREAS, in order to adopt a budget that requires a tax levy that is greater than the tax levy limit for the coming fiscal year, only if the Village Board first enacts, by a vote of sixty percent (60%) of the total voting power, a local law to override such limit for such coming fiscal year only; and

WHEREAS, the Village Board of the Village of Perry finds it in the best interest of the Village to hold a public hearing to consider the adoption of said local law.

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

RESOLVED, by the Village Board of the Perry will hold a public hearing on the proposed adoption of said local law on the 18th day of February 2014 at 8:00 p.m., at which time all interested parties and citizens for or against the proposed law will be heard.

Ayes: 5
Nays: 0

COMMITTEE REPORTS

Public Safety – Trustee Billings said that the committee is ready to interview for the full time officer position.

Public Works – Trustee Matson had nothing to report.

Recreation & Resources – There will be a meeting this Thursday morning.

Office – Trustee Matson had nothing to report other than someone was not using the solicitor's license.

Planning – Mayor Hauser reported that the Comprehensive Plan RFQ was distributed and advertised. There will be a draft pedestrian survey from Amy Winters. A meeting will be held February 23rd to discuss the survey with the pedestrian task force.

NEW BUSINESS

Administrator Murphy reported that Tompkins Insurance will be in the Village on Wednesday doing a risk assessment.

Motion by Mayor Hauser to adjourn the regular meeting and enter into executive session to discuss personnel employment at 9:00 p.m. was seconded by Trustee Draper and carried with all voting aye.

Motion by Trustee Draper to adjourn executive session at 9:15 p.m. and resume the regular meeting was seconded by Trustee Billings and carried with all voting aye.

Water Meter Reader position authorize to post internally & advertise – Motion by Trustee Matson, seconded by Trustee Billings, authorizing the posting of a Water Meter Reader position internally as required by the CSEA Contract and advertise if no applications are received. Motion carried with all voting aye.

Working position authorize to post internally – Motion by Trustee Matson, seconded by Trustee Draper, authorizing the posting of the Working Foreman position internally as required by the CSEA Contract. Motion carried with all voting aye.

Motion to adjourn meeting at 9:19 p.m. was offered by Trustee Draper, second by Trustee Billings and carried with all voting aye.

Respectfully submitted,

Gail Vosburg, Village Clerk