

**VILLAGE OF PERRY
VILLAGE BOARD MEETING
July 7, 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 7th day of July 2014.

PRESENT:	Frederic Hauser Anita Billings Dariel A. Draper Eleanor Jacobs	Mayor Trustee Trustee Trustee
ABSENT:	Bonнита Matson	Trustee
ALSO PRESENT:	Terrence Murphy Gail Vosburg Jeff Drain Jim Case	Village Administrator Village Clerk Chief Water & Sewer Plant Operator Chief of Police
GUESTS:	Mary Syberg Bill Bark	Sally Bowles

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

Mayor Hauser led in the pledge to the flag.

MINUTES

June 16th and June 30th minutes approved – On motion by Trustee Jacobs, second by Trustee Billings the minutes of the June 16th Regular Meeting and the June 30th Special Meeting were approved as presented. Motion carried with all voting aye.

PUBLIC COMMENT

Sally Bowles – Ms. Bowles was present and stated that she had a lake coming across the road onto her property during the rain storm earlier. She said that she is concerned that delivery trucks downtown will have no way to go around proposed medians on Main Street. She feels that it seems that all of the projects in the Village revolve around Main Street. She asked the board to think about all of Perry, not just downtown. Ms. Bowles then distributed to all present at the table Chapter 38 – Ethics and Disclosure from the Village Code.

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

WATER

The master meter for the Perry Center Water District is scheduled to be installed on Wednesday as part of our ongoing action plan from the Water Accountability Report.

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

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

Vouchers approved for payment

Vouchers of all funds # 150099 - 150122	
General Fund	\$ 38,579.60
Water Fund	\$ 8,693.59
Sewer Fund	\$ 8,547.75
Trust & Agency	<u>\$ 50,144.45</u>
Total	\$105,965.39

Vouchers of all funds # 150123 - 150200	
General Fund	\$ 59,874.65
Water Fund	\$ 40,698.60
Sewer Fund	\$ 34,887.56
Capital Projects	\$ 5,683.32
SLWC	\$ 907.00
Trust & Agency	<u>\$ 49,219.95</u>
Total	\$191,271.08

Vouchers have been audited by Trustee Billings. Motion by Trustee Jacobs, seconded by Trustee Draper to approve the vouchers for payment. Motion carried with all voting aye.

September 1, 2014 board meeting rescheduled – Motion by Trustee Draper, seconded by Trustee Jacobs to reschedule the Monday, September 1, 2014 to Tuesday, September 2, 2014 due to the Labor Day holiday. Motion carried with all voting aye.

Payment of Time Warner Cable authorized – Motion by Trustee Draper, seconded by Trustee Billings, to authorize

the payment of the Time Warner Cable taxes from the spring franchise fees received in the amount of \$1,139.06 as per Section 626 of RPT Law and waive the late charge. Motion was carried with all voting aye.

Resignation of Christopher Matteson accepted - Motion by Trustee Billings, seconded by Trustee Draper, accepting the resignation of Christopher Matteson, Part time police officer, effective June 23, 2014. Motion carried with all voting aye.

May's treasurer's report was presented.

Intermunicipal Agreement for Curbside Collection - Notice was received concerning the Wyoming Co. Curbside Collection Program. Contract period is May 27, 2014 – December 2016 at \$237.46 per parcel for 2015. Board tabled the agreement until the next meeting.

Snow/Ice Control agreement approved with NYSDOT & Wyo. Co. Highway – Motion by Trustee Draper, seconded by Trustee Billings approving the following agreements:

- 2015-16 Wyo. Co. Snow & Ice Control Agreement in the amount of \$10,023.20
- 2015-16 NYS DOT Municipal Snow & Ice Agreement in the amount of \$ 8,464.09

Motion carried with all voting aye.

Accounting School approved – Motion by Trustee Jacobs, seconded by Trustee Draper, approving the request of the Village Clerk to attend an Advanced Accounting School in the Town of Ogden, October 28 – 30 at a cost of \$85. Motion carried with all voting aye.

Direct commencement of Action approved

**Resolution
Directing Commencement of Action On Behalf of Municipality**

WHEREAS, it appears that Francis Foulkrod is in violation of Chapter 465-14, Article II of the village Code of the Village of Perry relative to the property located at 122 Euclid Avenue; and

WHEREAS, it appears that Francis Foulkrod is in violation of Chapter 465-14, Article II of the Village Code of the village of Perry relative to the property located on Standpipe Road; and

WHEREAS, it appears to be in the best interest of the Village of Perry to prohibit Francis Foulkrod from continuing to be in violation of said Chapter 465-14, Article II of the Village Code of the village of Perry; and

WHEREAS, the Village board of the Village of Perry feels it is in the best interest of the Village of Perry to retain the services of Village Attorney, David M. DiMatteo, to pursue the enforcement of Chapter 465-14, Article II of the Code of the Village of Perry against Francis Foulkrod to ensure that his property comes into compliance with said Chapter of the Village Code.

NOW, THEREFOER, BE IT RESOLVED, that the Mayor of the Village of Perry, be and he hereby is authorized and directed to retain the services of David, M. DiMatteo, Attorney for the Village of Perry , in this matter, upon such terms as he deems proper and advisable, and the Mayor of the Village of Perry shall authorized Mr. David M. DiMatteo on behalf of the Village of Perry to take such action as may be deemed advisable to prevent any continuation of the violation of Chapter 465-14, Article 14 of the Code of the Village of Perry by Francis Foulkrod.

Motion made by Trustee Jacobs and seconded by Trustee Draper.

Ayes 4
Nays 0

Splash Park Project approvals – Motion by Trustee Billings, seconded by Trustee Draper to approve the following concerning the Splash Park Project as recommended by Clark Patterson Lee:

- Change Order No. 3 – Quantity Adjustment for Final Payment
- Authorize final payment to Titan Development in the amount of \$16,220.00

Motion carried with all voting aye.

2014-15 Tax Collection update – through June 26, 2014, 56.8% of tax warrant has been collected.

Request to harbor chickens denied – A letter received from Zoning Officer Roberts requesting permission for the harboring of chickens be allowed at 87 Lake Street. Motion by Trustee Jacobs, seconded by Trustee Draper, to deny the request to harbor chickens at 87 Lake Street. Motion carried with all voting aye.

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

ADMINISTRATOR REPORT – presented by Administrator Terry Murphy

Purchase of a Pickup truck approved to go to bid– Motion by Trustee Jacobs, seconded by Trustee Draper, authorizing the Village to advertise the purchase of a new pickup truck. Motion carried with all voting aye.

Administrator Murphy reported on the following:

- Letters were hand delivered to residents on Davis Ave stating the waterline replacement will be done next year.

- Notification was sent to the Town of Perry informing of the installation of a master meter on the waterline to the Perry Center Water District.
- A letter was hand delivered to residents in the drainage project area informing them of the project. Start date for the project is July 14th.

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

OLD BUSINESS

Repairs to Fire Truck #3

Discussion took place concerning the repairs needed to Fire Truck #3 (aerial ladder truck). It was determined to repair the truck and expend monies from the repair reserve.

Public hearing scheduled to expend from repair reserve – Motion by Trustee Draper, seconded by Trustee Billings, to schedule a public hearing on July 21, 2014 at 8:00 pm authorizing the expenditure of up to \$20,000 for the repairs to Fire Truck #3. Motion carried with all voting aye.

Engineering Assessment Report proposal

Engineering Assessment report proposal accepted – Motion by Trustee Draper, seconded by Trustee Jacobs, approving the Engineering Assessment report proposal from Clark Patterson Lee for the Silver Lake Outlet Dam and authorize the Mayor to sign the proposal. Motion carried with all voting aye.

Swim Pool Fill up policy

Trustees reviewed the changes to the current swimming pool fill up policy. Trustees requested that the following sentence be added as (b) Evaluation of the location will be done by the fire chief or designee for suitability and safety.

Swim Pool Fill up policy changes adopted - Motion by Trustee Billings, seconded by Trustee Draper, to adopt the new swim pool fill up policy with the above revision. Motion carried with all voting aye.

TEP Grant Design Agreement

TEP Grant Design Engineering Agreement approved – Trustee Jacobs asked why there is no need for a traffic count. Administrator Murphy said that one was done seven years ago and they felt it would be repetitive. Trustee Jacobs asked about the culvert for the outlet under State Route 39. Administrator Murphy said that it falls under the jurisdiction of Wyoming County. Motion by Trustee Billings, seconded by Trustee Jacobs, approving the Design Agreement with Erdman Anthony for the Downtown Perry Streetscape Project (TEP Grant) and authorized the Mayor to sign the agreement. Motion carried with all voting aye.

COMMITTEE REPORTS

Public Safety – Nothing to report.

Public Works – Trustee Jacobs said the committee discussed what to do when homeowners do not respond to letters about changing their water meter. It was recommended to door to door with flyers. CDBG Grant possibility – The next CDBG drainage grant was suggested in the area of Needham Street/Washington Blvd/ South Main Street. This would continue on the work that will be completed this summer. An income survey would have to be done in the area. LaBella will be contacted for a proposal to conduct an income survey in the target area.

Recreation & Resources – Trustee Jacobs presented a proposal for signage that outlines rules and regulations for the splash park area. Mayor Hauser spoke about proposing regulating the water flow during off peak hours. Signage approved for splash park – Motion by Mayor Hauser, seconded by Trustee Billings, to approve the signage for the splash park as presented and change the water flow spray at the park to 100% during peak hours and off peak hours to 50%. Motion carried with all voting aye.

Trustee Jacobs asked for more police surveillance at the village park.

Office – Nothing to report.

Planning – Nothing to report.

NEW BUSINESS

Reminder of the special meeting between the Village Board, VOP Planning Board and CZB to discuss the comprehensive plan update that is scheduled for Tuesday, July 15, 2014 at 7:00 pm.

Motion by Mayor Hauser to adjourn the regular meeting and enter into executive session to discuss discipline of a village employee at 8:55 p.m. was seconded by Trustee Draper and carried with all voting aye.

Motion by Trustee Draper to adjourn executive session at 9:01 p.m. and resume the regular meeting was seconded by Trustee Billings and carried with all voting aye.

Motion to adjourn meeting at 9:01 p.m. was offered by Trustee Draper, second by Trustee Billings and carried with all voting aye.

Respectfully submitted,

— *Gail I. Vosburg* —

Gail I. Vosburg, Village Clerk