

**VILLAGE OF PERRY  
VILLAGE BOARD MEETING**

**APRIL 20, 2015**

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 20<sup>TH</sup> day of April 2015.

PRESENT:	Frederic Hauser Anita Billings Bonnita Matson Dariel A. Draper	Mayor Trustee Trustee Trustee
ABSENT:	Eleanor Jacobs	Trustee
ALSO PRESENT:	Terrence Murphy Gail Vosburg James Case Steve Laraby Ed Koziel	Village Administrator Village Clerk Police Chief Fire Chief Supt. Public Works
ATTENDEES:	Mary Syberg	Bill Bark

Mayor Hauser called the Meeting to order at 7:30 pm.

Mayor Hauser led in the pledge to the flag.

**MINUTES**

**APRIL 6, 2015 MINUTES APPROVED** – Motion by Trustee Billings, second by Trustee Draper to approve the minutes of the April 6, 2015 Regular Board Meeting as corrected. Motion carried with the following vote:

Ayes	3	Hauser, Billings, Draper
Nays	0	
Abstain	1	Matson

**ORGANIZATIONAL MEETING**

Mayor Hauser offered the following appointments:

Deputy Mayor	Dariel A. Draper	1 year term
Village Clerk/Deputy Treasurer	Gail Vosburg	2 year term
Treasurer	Terrence Murphy	2 year term
Deputy Village Clerk	Tisha Sylvester	1 year term
Supt. Of Public Works	Edward Koziel	1 year term
Acting Village Justice	Terry Bogert	1 year term
Village Attorney	David DiMatteo	1 year term
Registrar of Vital Statistics	Gail Vosburg	1 year term
Deputy Registrar of Vital Statistics	Tisha Sylvester	1 year term
Zoning Officer	Donald Roberts	1 year term
Zoning Clerk/Secretary	Tisha Sylvester	1 year term
Fair Housing Officer	Rick Hauser	1 year term

**Planning Board (alternate)**

Bruce Billings Term Expiring 3/31/2016

Motion by Trustee Matson, seconded by Trustee Draper, to approve the Mayor's appointments. Vote as follows:

Ayes	3	Hauser, Draper, Matson
Nays	0	
Abstain	1	Billings

**Mayor Hauser then offered the following Committee assignments:**

Budget	Hauser, Billings, Draper, Jacobs, Matson
Public Safety (Police & Fire)	Billings, Draper
Public Works (DPW& Water & Sewer)	Jacobs, Matson
Recreation & Resources (Park & Rec, SLWC)	Hauser, Jacobs
Office (Oper., Employee Relations, Ins. Tech)	Billings, Matson
Planning (Plan/Zoning, Grant & Dev., Revit.)	Draper, Hauser

Motion by Trustee Matson, seconded by Trustee Draper, to approve the committee assignments as presented. Motion carried with all voting aye.

**Mayor Hauser then read the following Resolutions:**

BE IT RESOLVED: The Perry Herald, weekly publication in the Village of Perry, be designated the official newspaper for publication of legal notices.

AND

Manufacturers and Traders Trust Company be named the official depository for the General Fund, Water/Sewer Funds, Community Development, Silver lake Watershed Commission and Capital Monies; Perry Office of the Bank of Castile be the official depository for the Trust and Agency, Payroll and Capital Monies. Also the Treasurer is authorized to invest Village Monies pursuant to the Village Investment policy adopted on December 7, 1992;

AND

The Village will require two signatures for disbursement of funds by check from Village bank accounts with one signature from an elected official and one appointed official. The Treasurer's signature is required on all investments including savings and CD's as per the investment policy. The designated officials authorized to be signers for the bank accounts are Mayor Frederic Hauser, Deputy Mayor Dariel A. Draper, Treasurer Terrence J. Murphy, and Village Clerk Gail I. Vosburg;

AND

Village Board Meetings will be held on the first and third Mondays of each month at 7:30 p.m. unless such day falls on a holiday. The annual Village Organizational Meeting shall be held the first Monday of the month following the month of the village election. Notice of meeting changes will be published and posted at least 72 hours prior to holding said meetings. In the event a special meeting is called, notice will be given to the public and news media as soon as practicable after the calling of the meeting. Special meetings may be called by the Mayor or two Trustees acting together. The Clerk shall notify the other board members of the special meeting. Minutes of the Board meeting shall be made available to the public after approval by the board at the next regular Board Meeting. Minutes will be available at the convenience of the Clerk, and as such shall not be misused and posted on the Village's website with 7 (seven) business days after approval.

BE IT FURTHER RESOLVED: Village Officials and employees will be reimbursed the federal IRS rate per mile for travel related to municipal business when using private transportation;

AND

Authorization is given for payment, in advance of audit claims for public utility services, postage, petty cash, payroll;

AND

Authorization is given to municipal official and employees to attend schools, conferences, association meetings and seminars that would benefit the municipality for fiscal year provided funds are available and prior approval has been given by the Board:

AND

It is the Policy of the Perry Village Board that any Grant Application or any form of financial assistance or obligation that is intended to be made on the Village of Perry's behalf, must be submitted to the board in writing prior to the Village Board granting its approval. The Village's approval must be received PRIOR to any grant application being made. This included any public area the Village has jurisdiction over and any program or policy that is within the purview of the Village, per municipal law.

Motion by Trustee Matson, seconded by Trustee Billings to approve the resolutions as read. Motion carried with all voting aye.

**Mayor Hauser presented the following Auditing Schedule for 2015-2016**

April	Draper
May & Year End 2015	Draper
June	Jacobs
July	Matson
August	Billings
September	Draper
October	Jacobs
November	Matson
December	Billings
January 2016	Draper
February	Jacobs
March	Matson
April	Billings

Motion by Trustee Draper, seconded by Trustee Matson, to approve the auditing schedule for 2015-2016. Motion carried with all voting aye.

Motion by Trustee Draper to adjourn Organizational Meeting was seconded by Trustee Matson. Motion carried with all voting aye.

**DPW REPORT** – presented by Supt. Ed Koziel (as attached)

**Community Service workers approved** - Trustee Billings reported that she spoke with Supt. Koziel regarding the possible use of community service people. She believed that they could clean around the hill by the outlet (South

Federal Street). Motion by Trustee Billings, seconded by Trustee Draper, the use of community service workers through the Wyo. Co. Probation Department under the direction of Supt. of DPW Koziel. Motion carried with all voting aye.

**DPW Report accepted** – Motion by Trustee Draper, seconded by Trustee Matson, to accept the DPW report as presented. Motion carried with all voting aye.

**FIRE DEPARTMENT REPORT** presented by Fire Chief Steve Laraby (as attached)

Chief Laraby presented the 2014-15 annual report.

**March’s Fire Department Report accepted** – Motion by Trustee Draper, seconded by Trustee Billings, to accept March’s Fire Department Report as presented. Motion carried with all voting aye.

**POLICE DEPARTMENT REPORT** (as attached)

**BVP grant application approved** – Motion by Trustee Matson seconded by Trustee Billings, to authorize Chief Case to apply for a BVP grant. Motion carried with all voting aye.

**March’s Police Department Report accepted** – Motion by Trustee Draper, seconded by Trustee Matson, to accept March’s Police Department Report as presented. Motion carried with all voting aye.

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

**Payment of Claims -**

Vouchers # 151839 - -#151948

General Fund	\$ 57,079.80
Special Grant Fund	\$ 1,400.00
Water Fund	\$ 18,122.50
Sewer Fund	\$ 25,219.96
Capital Projects Fund	\$ 500.00
Trust & Agency	\$ 50,878.44
TOTAL	\$153,200.70

Trustee Draper 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.

Letter was received from Norman Troyer, 130 N Center Street requesting permission to harbor chickens. Under the current local law, the village board would need to approve the request. It was noted that per the local law, “Permission is revocable at any time.” The request was tabled until the next meeting.

**NYSDOT MUNICIPAL SNOW & ICE AGREEMENT EXTENDED**

**RESOLUTION  
AGREEMTN TO EXTEND INDEXED LUMP SUM MUNICIPAL  
SNOW AND ICE AGREEMENT**

Trustee Matson offered the following motion, Trustee Draper seconded to wit:

Whereas, the Village Board of Trustees of the Village of Perry on Aril 20, 2015 makes a resolution to approve the Agreement to Extend Indexed Lump Sum Snow & Ice Control Agreement between the State of New York and the Village of Perry for snow and ice control which will now expire on June 30, 2017 unless further extended. The contract will be \$1,833.2229 per lane mile for 4/8 lane miles for a total of \$8,799.47 for the 2014/15 season and for the remainder of the term of the Agreement commencing July 1, 2014 unless changes by future update.

The motion having been duly seconded and was:

APPROVED	4	Hauser, Billings, Draper, Matson
NAYS	0	

**Clerk/Treasurer’s Report accepted** – Motion by Trustee Billings, seconded by Trustee Draper, to accept the Clerk/Treasurer’s report as presented. Motion carried with all voting aye.

**ADMINISTRATOR REPORT** – presented by Terry Murphy

Administrator Murphy distributed a proposal from Clark Patterson Lee for the public beach bathrooms. It was given to the Recreation Committee to review.

**Resolution authorizing removal of the concrete at the collapsed sewer dome approved**

**RESOLUTION**

**WHEREAS**, on March 19, 19, 2015, the village of Perry received notice that the dome covering the Waste Water Treatment Plant had collapsed due to the weight of the snow form inclement weather during the winter season; and

**WHEREAS**, the Zoning Officer for the Village of Perry issued a Violation and Order to Remedy in accordance with the same; and

**WHEREAS**, in exercise of prudence, on March 27, 2015 the Village of Perry utilized an abbreviated notice to discover which contractors, possessed the skills to remove and dispose of the dome to ensure alleviation of these dangerous conditions, this was done in an abbreviated fashion due the fact that this has become a bonafide emergency and the Village could not take time to carry out the entire process outlined in their purchasing policy; and

**WHEREAS**, on April 6, 2015 in accordance with the bids received, Lake View Construction was the lowest responsible bidder as governed by General Municipal Law §103 with an amount of \$50,657.75 to remove and dispose of the dome on the Waste Water Treatment Plant; and

**WHEREAS**, given the bonafide emergency of the situation, the Village met at a regular Board Meeting on April 6, 2015 and accepted the bid from Lake View Construction for the removal and disposal of the dome, given the fact that they were the lowest bidder and the Village Engineer had stated that he was confident in their ability to complete such job in a professional and timely manner; and

**WHEREAS**, on April 20, 2015, the Administrator for the Village of Perry received from the Chief Water & Waste Water Treatment Plant Operator stating that the concrete that held up the structure needed to be removed also due to the fact that:

1. The concrete is impeding movement of equipment at the plant
2. Because of the damage to the concrete, it has become a safety hazard to work with the existing belt press building
3. The Waste Water Treatment Plant does not have the proper equipment for removal of such debris
4. The concrete foundation will conflict with the new temporary staging area for the cake sludge and rags that need to be disposed of.

**WHEREAS**, in accordance with this request, Lake View Construction, while on site has agreed to remove the concrete for an additional \$18,998.00; and

**NOW ON A MOTION OF** Trustee Matson, which has been duly seconded by Trustee Billings, now therefore be it

**RESOLVED**, that Village Board of Trustees of the Village of Perry authorizes the approval of the removal of the concrete as the Waste Water Treatment Plant by Lake View Construction for the above specified reasons in accordance with the request for removal of concrete by the Chief Water and Waste Water Treatment Plant Operator and the agreement of Lake View Construction to remove the concrete while on site for an additional \$18,998.00.

AYES	4	Hauser, Billings, Draper, Matson
NAYS	0	
ABSTAIN	0	

**Water Adjustments** - Administrator Murphy reported the DPW Committee met and recommend no adjustment due to a USPS mail issue. The Village of Perry did our due diligence as the Village has no control over the delivery of the mail. Trustee Billings said that the resident said that they have never been late and has been a long time resident. Administrator Murphy said that he is afraid of the effect on the revenues if the Village starts to make adjustments. Trustee Draper will not change his vote from last meeting. Trustee Matson does not think we should handle this on a case by case basis. She stated that mortgage and credit card companies do not forgive late charges if the payment is late. Mayor Hauser asked the Office Committee to revisit the policy. *Mayor Hauser suggested a possible policy that would waive one late fee every five years for customers who never missed a payment during that time.*

Administrator Murphy presented an updated projects list.

**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**

**2015-2016 Village Budget Adopted** - Motion by Trustee Matson, seconded by Trustee Draper, to approve the 2015-2016 Village of Perry Budget. Motion carried with all voting aye.

**Agreement with YMCA approved** – The YMCA agreement to provide for the Summer Recreation, soccer and tennis programs is in the amount of \$11,000. The soccer program fee is \$3 less than last year and will have two instructors. The tennis program will use no more than three (3) tennis courts at one time. Motion by Trustee Draper, seconded by Trustee Matson, to approve the YMCA Agreement in the amount of \$11,000 to provide the Summer Recreation, soccer and tennis programs and authorize the Mayor to sign said agreement. Motion carried with all voting aye.

Administrator Murphy will contact Groveland Correction for the availability of workers.

## **COMMITTEE REPORTS**

**Public Safety** – Trustee Billings reported that they met with the Fire Department to discuss their needs. Trustee Draper said that they will have something at the next meeting. Trustee Billings attended the Firemen's Banquet and said it was nice to see the firemen receive awards for their service.

**Public Works** - Mayor Hauser asked if the board would like to have the bonding council and Clark Patterson Lee come to a meeting. It was suggested that it be a special meeting. Administrator Murphy will make the necessary arrangements.

**Recreation & Resources** – Mayor Hauser reported that he Village formally received the UPWP Trail Grant. He turned it over to the Public Beach Committee for them to proceed. The parks director should be back at to work on April 27<sup>th</sup>.

**Office** – Trustee Matson said they will research the water billings issue.

**Planning** – Mayor Hauser reported on the following:

**Property Maintenance** – They will be a task force meeting next week. An inventory of the village has been done by zones and will now try to come up with a plan.

**Main Street Improvements** - Mayor Hauser said the consultants have submitted their design to the NYSDOT and have met with the Village. The steering committee will meet to discuss the final designs.

## **NEW BUSINESS**

No new business to discuss.

Motion by Mayor Hauser, seconded by Trustee Matson, to adjourn the regular meeting and enter executive session at 8:40 pm to discuss the employment of a particular person. Motion carried with all voting aye.

Motion by Trustee Draper seconded by Trustee Matson to adjourn the executive session and resume the regular meeting at 8:50 pm. Motion carried with all voting aye.

**MEO position to be advertised** – Motion by Trustee Matson, seconded by Trustee Billings, to authorize the advertisement for a MEO position for two weeks. Motion carried with all voting aye.

Michael Mott hired as Water Treatment Plant Operator Trainee – Mayor Hauser appointed Michael Mott as a Water Treatment Plant Operator Trainee with the following:

1. Official hire date of May 11, 2015
2. Wage of \$18.22 per hour
3. One (1) year probation period
4. Benefits as outlined in the current CSEA Contract Agreement

Motion by Trustee Matson, seconded by Trustee Draper to approve the Mayor's appointment. Motion carried with all voting aye.

Motion to adjourn meeting at 9:00 p.m. was offered by Trustee Matson, second by Trustee Draper and carried with all voting aye.

Respectfully submitted,

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Gail I. Vosburg, Village Clerk