

**VILLAGE OF PERRY**  
**VILLAGE BOARD MEETING**  
**APRIL 6, 2015**

The Organizational and 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 6<sup>th</sup> day of April 2015.

PRESENT:	Anita Billings Dariel A. Draper Eleanor J. Jacobs	Trustee Trustee Trustee
ABSENT:	Rick Hauser Bonnita Matson	Mayor Trustee
ALSO PRESENT:	Terrence Murphy Gail Vosburg Jeff Drain James Case	Village Administrator Village Clerk Chief Water & Sewer Operator Chief of Police
GUESTS:	Mary Syberg Bill Bark	

Deputy Mayor Draper called the Meeting to order at 7:30 PM.

Deputy Mayor Draper led in the pledge to the flag.

**MINUTES**

**MARCH 16, 2015 MINUTES APPROVED** - Upon motion by Trustee Jacobs, second by Trustee Billings the minutes of the March 16, 2015 Board Meeting were approved as presented. Motion carried with all voting aye.

**MARCH 23, 2015 MINUTES APPROVED** - Upon motion by Trustee Jacobs, second by Trustee Billings the minutes of the March 23, 2015 Special Board Meeting were approved as presented. Motion carried with all voting aye.

**PUBLIC COMMENT**

No one from the public spoke

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

**Water** – NYS Dept. of Health conducted an inspection at the plant. They are pleased with the progress.

**Sewer** – As everyone is aware, the dome collapsed at the sewer plant.

**Emergency situation declared at Sewer Treatment Plant** – Motion by Trustee Jacobs, seconded by Deputy Mayor Draper, to declare an emergency situation exists at the Village of Perry's Waste Water Treatment Plant that threatens the imminent destruction of village property and safety of the village employees and residents due to the collapse of the dome. Motion carried with all voting aye.

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

**WHEREAS**, on March 19, 2015, Wyoming County Code Enforcement Officer, Donald Roberts declared the building condemned, confirmed the cause of the collapse as snow and issued a violation and notice of order to remedy citing that all corrections needed to be made by April 20, 2015; and

**WHEREAS**, on the same day, the Village's Chief Water & Waste Water Treatment Plant Operator, Jeff Drain forwarded correspondence to the Village Board expressing his concern that the building was unsafe and that he had been in contact with Mr. Donald Roberts, who had informed him of the code violation and condemnation of the building, Mr. Drain further requested that due to safety concerns the dome be removed as soon as possible to process waste, Mr. Drain stated that due to the dome collapse, they are unable to process waste at the plant until the situation is remedied, the Plant is unable to function properly, thus constituting a bonafide emergency; 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 cannot take the time to carry out the entire process outlined in their purchasing policy; and

**WHEREAS**, on April 3, 2015, the Village of Perry received three bids for the above mentioned project, the bids were as follows:

Lake View Construction  
\$28,157.75 to remove the dome  
\$50,657.75 to remove and dispose of the dome

Dakksco  
\$48,944.00 to remove the dome  
\$61,944.00 to remove and dispose of the dome

WYCO Construction  
\$ 52,400.00 to remove the dome  
\$82,400.00 to remove and dispose of the dome; and

**WHEREAS**, in accordance with the bids received, Lake View Construction was the lowest responsible bidder as governed by General Municipal Law §103; and

**WHEREAS**, the Village Engineer for the Village of Perry, Eric Weiss of Clark Patterson Lee is confident that Lake View Construction is capable of completing this job in a organized and concise fashion and finds no reason why Lake View Construction should not be awarded this contract and begin work immediately, given the bonafide emergency.

**NOW ON MOTION OF** Trustee Billings, which has been duly seconded by Deputy Mayor Draper, now therefore be it

**RESOLVED**, that the Village Board of the Village of Perry approves the award of the contract to Lake View Construction for removal and disposal of the dome on the Water Treatment Plant in the amount of \$50,657.75, given the bonafide emergency.

Ayes:   3    
Nays:   0  

The DEC conducted its annual inspection at the Sewer plant.

**Water & Sewer report approved** – Motion by Trustee Billings, seconded by Trustee Jacobs, to approve the Water & Sewer Report as presented. Motion carried with all voting aye.

**Training school approved** – Motion by Trustee Jacobs, seconded by Trustee Billings, to approve training school for hydrants/valves/meters rules and regulations for Mike Baker and Jeff Drain on April 23, 2015 at a cost of \$28 each. Motion carried with all voting aye.

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

**Payment of Claims -**

Vouchers # 151766 - #151774	
General Fund	\$ 51,775.72
Water Fund	\$ 14,480.44
Sewer Fund	\$ 42,297.43
Trust & Agency	<u>\$ 74,531.59</u>
TOTAL	\$183,085.18

Vouchers # 151775 - #151838	
General Fund	\$ 36,155.08
Water Fund	\$ 23,167.39
Sewer Fund	\$ 7,267.46
Capital Projects fund	\$ 9,075.06
Trust & Agency	<u>\$ 1,503.24</u>
TOTAL	\$ 77,168.23

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

**Village Association Meeting** – Clerk Vosburg announced that there is a Village Association Dinner on April 21, 2015 at Hoffman’s Central House. The Village of Gainesville is the host. Please let the clerk know by April 13<sup>th</sup> if you wish to attend.

**Notice received** – Notice was received that the Village of Perry was awarded funds form the GTC UPWP in the amount of \$56,000 for the Silver Lake Trail Feasibility Study.

**Budget Transfers approved** – Motion by Trustee Jacobs, seconded by Trustee Billings, to approve budget transfers as follows:

**General Fund**

From:		
A1010.4	Labor Relations Contractual	\$ 3,000
A3120.1	Police PS	\$ 10,000
A5110.2	Streets Equipment	\$ 7,000

A5132.1	Garage PS	\$ 5,000	
A5132.11	Garage Overtime	\$ 3,500	
A5142.2	Snow Removal Equipment	\$ 5,500	
A8010.1	Zoning PS	\$ 1,200	
A9010.8	State Retirement	\$ 8,900	
To:			
A1210.4	Mayor Contractual	\$ 400	
A1420.4	Law Contractual	\$ 2,500	
A1440.4	Engineering Contractual	\$ 10,000	
A3120.12	Police Part Time PS	\$ 10,000	
A5110.11	Streets Overtime	\$ 6,000	
A5110.4	Streets Contractual	\$ 5,000	
A5142.4	Snow Removal Contractual	\$ 9,000	
A8010.11	Zoning PS	\$ 1,200	
		<u>\$ 44,100</u>	\$ 44,100

#### Water Fund

From:			
F1440.4	Engineering	\$ 16,000	
F8310.2	Water Admin. Equipment	\$ 300	
F8330.2	Purification Equipment	\$ 10,000	
F8340.41	Trans. & Distribution Davis Ave	\$ 6,000	
F9010.8	State Retirement	\$ 5,000	
To:			
F8310.4	Water Admin. Contractual	\$ 300	
F8320.2	Source Supply Equipment	\$ 19,000	
F8340.4	Trans. & Distribution Contractual	\$ 18,000	
		<u>\$ 37,300</u>	\$ 37,300

#### Sewer Fund

From:			
G1440.4	Engineering	\$ 500	
To:			
G1440.41	Engineering – CIP Project	\$ 500	
		<u>\$ 500</u>	\$ 500

Motion carried with all voting aye.

**Local Govt. Workshop approved** – Motion by Trustee Billings, seconded by Deputy Mayor Draper, to allow any Village Official or Employee to attend the Regional Local Govt. Workshop at Burgundy Basin Inn on May 14, 2015. Motion carried with all voting aye.

**Southern Tier West Conference approved** – Motion by Trustee Billings, seconded by Deputy Mayor Draper, to allow any Village Official or Employee to attend the Southern Tier West Govt. conference at Houghton College on May 6, 2015 at a cost of \$50 per person. Motion carried with all voting aye.

NYCOM updates on the 2015-16 NYS adopted budget were distributed.

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

#### **ADMINISTRATOR REPORT** – presented by Terry Murphy

Administrator Murphy reported on the following:

- Website updates have been sent for recreation information.
- A proposal from LaBella in the amount of \$5,500 for the grant application for the CDBG project.

**Water Adjustments** – Motion by Trustee Jacobs, seconded by Deputy Mayor Draper, to deny the request of waiving of late charges for 6975 Camp Road and 42 St. Helena St due as the Village was not at fault for the water/sewer bills not arriving on time. Vote as follows:

Ayes	2	Draper, Jacobs
Nays	1	Billings

Motion did not carry as there was not a majority decision.

**Water Adjustments due to frozen lines approved** – Motion by Trustee Billings, seconded by Trustee Jacobs, to approve the rate adjustment as presented for the 23 addresses affected by frozen waterlines that the Village requested residents to leave their water running. Motion carried with all voting aye.

**Administrator report approved** - Motion by Deputy Mayor Draper, seconded by Trustee Billings, to approve the Administrator's report as presented. Motion carried with all voting aye.

Motion by Deputy Mayor Draper, seconded by Trustee Jacobs, to adjourn the regular meeting at 8:00 p.m. to open the public hearing on the 2015-2016 Tentative Village Budget. Motion carried with all voting aye.

### **8:00 PM PUBLIC HEARING - 2015-2016 TENTATIVE VILLAGE BUDGET**

Administrator Murphy reviewed the 2015-16 Tentative Budget:

- Maintain the current tax rate of \$15.76 per thousand for the 6<sup>th</sup> year in a row.
- Overall Budget:
  - \$3,986,074 up \$105,800 from last year
  - \$1,640,054 estimated revenue up \$ 36,435 from last year
  - \$ 395,112 unexpanded fund balance up \$ 20,659 from last year
  - \$1,950,908 tax levy up \$ 48,706 from last year
- Assessed value increased \$3,092,255 over last year.
- The budget is within the tax cap.

A summary of expenditures by department was read (attached). Administrator Murphy said that the budget is very tight but the village will still maintain its current level of services.

### **OLD BUSINESS**

**Police firearms declared surplus** – Motion by Deputy Mayor Draper, seconded by Trustee Jacobs, to declare surplus five weapons that the police department no longer uses as requested by the Chief of Police and authorize to accept sealed bids from licensed firearms dealers only. Motion carried with all voting aye.

### **COMMITTEE REPORTS**

Public Safety – Nothing to report.

DPW/Water/Sewer – Trustee Jacobs said that hopefully the SCADA will be done before the end of the fiscal year. Supt. Koziel and the committee prioritized the streets for paving. The concrete at the Splash Park will be repaired.

Recreation – Motion by Trustee Jacobs, seconded by Trustee Billings to approve the following facilities/park use requests:

- Tour de Perry
- Arts Council – public beach – Wednesdays in the Summer
- Sea Serpent Shuffle
- Perry Firemen's Baseball
- Walk for Alzheimer (October)

Motion carried with all voting aye.

Trustee Jacobs asked if the Village could contact Groveland Correctional Facility for workers for the roof and siding repairs on the Skate Cabin. Deputy Mayor Draper instructed Administrator Murphy to make the call.

Office – Nothing to report.

Planning – Trustee Jacobs reported that the TEP Steering committee met on March 25<sup>th</sup>. Trustee Jacobs said that the draft comprehensive plan should be available soon for the public to review.

### **NEW BUSINESS**

No new business.

Motion by Deputy Mayor Draper, second by Trustee Jacobs, to close the public hearing on the 2015-2016 Tentative Village budget at 8:18 p.m. and resume the regular meeting. Motion carried with all voting aye.

Motion by Trustee Billings to adjourn the regular meeting and enter into executive session at 8:18 pm to discuss personnel appointments was seconded by Deputy Mayor Draper. Motion carried with all voting aye.

Motion by Trustee Billings to adjourn the executive session and resume the regular meeting at 8:33 pm was seconded by Deputy Mayor Draper. Motion carried with all voting aye.

**MEO position authorize to post internally** – Motion by Trustee Billings, seconded by Trustee Jacobs, authorizing the posting on a MEO position internally as required by the CSEA Contract. Motion carried with all voting aye.

Motion to adjourn meeting at 8:33 p.m. was offered by Trustee Billings, second by Trustee Jacobs and carried with all voting aye.

Respectfully submitted,

*Gail I. Vosburg*

Gail Vosburg  
Village Clerk