

**VILLAGE OF PERRY  
VILLAGE BOARD MEETING**

**MARCH 16, 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 16<sup>TH</sup> day of March 2015.

PRESENT:	Frederic Hauser	Mayor
	Anita Billings	Trustee
	Dariel A. Draper	Trustee
	Eleanor Jacobs	Trustee

ABSENT:                   Bonнита Matson

ALSO PRESENT:	Terrence Murphy	Village Administrator
	Gail Vosburg	Village Clerk
	James Case	Chief of Police
	Ed Koziel	Supt. Public Works
	Donald Roberts	Zoning Officer

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

Mayor Hauser led in the pledge to the flag.

**MINUTES**

**MARCH 2, 2015 MINUTES APPROVED** – Motion by Trustee Jacobs, second by Trustee Draper to approve the minutes of the March 2, 2015 Regular Board Meeting as presented. Motion carried with all voting aye.

**PUBLIC COMMENT**

Donald Roberts – Zoning Officer - Mr. Roberts was present to bring before the board two requests:

1. Jim Pierce, from Wyo. Co. IDA, is closing on the old A & A Metal Property shortly and in the process will be turning the property over to Lee Maher “Maher Trucking” from the Town of Eagle. Mr. Maher has been using the property for the past 6 months to warehouse wood chips. Since the “temporary use permit” has expired and it would be the third renewal, the Village Board would have to give approval to extend the “temporary use permit” for an additional 6 months. Mr. Roberts is recommending that the board grant this temporary use permit.
2. The old A & A Metal property is currently zoned as C-2, which does not allow manufacturing. This would not allow Mr. Maher to chip at that location. Mr. Maher would like to use the property to expand the warehouse use for the chipping process, he would need either a “use variance” or have the Village Board rezone the property. The use variance would only be for that specific use only, no other use would be allowed. If the property was to be rezoned, this would allow more varied use of the property. Mr. Roberts is asking the board to consider re-zoning the Washington Blvd area, on the North side from Burt’s Lumber to the A & A Metal property, as a M-1 district. A site plan review would have to completed and reviewed by the Planning Board.

Mayor Hauser said that the draft comprehensive plan update is almost complete. He suggested asking the consultants to see about re-zoning the property. Trustee Jacobs asked Mr. Roberts if the fire department is aware of what is being stored at that location. Mr. Roberts said that he has made Wyoming County Emergency Services and the fire department aware of the contents at that location.

Mayor Hauser asked for an update on the status of the signs on North Main Street. ZO Roberts replied that a notice of apparent violation was sent out. The resident’s attorney spoke with him regarding this matter. He then issued a violation with a notice to remedy. The attorney sent a letter to him. An application for a zoning permit is being sent to the attorney along with the description of the ordinance. He treated this complaint as others in the past for signs that are put up with a permit.

**Lee Maher Temporary use permit extended** – Motion by Trustee Billings, seconded by Trustee Draper, to extend the temporary use permit for Lee Maher for 6 months. Motion carried with all voting aye.

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

Supt. Koziel reported that he has ordered 900 tons of salt this winter. He has 100 ton in stock for a late snowfall or an early winter.

Supt. Koziel has spoken with the garbage company and they will be cleaning up the garbage along the curbs from the winter.

Administrator Murphy reported that he had a See-Click-Fix report to fix the pot holes on Covington Street.

The lake level is at 95”, both gates are open.

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

Motion by Mayor Hauser, seconded by Trustee Jacobs, to open the public hearing at 8:04 pm for the 2012 CDBG grant. Motion carried with all voting aye.

**PUBLIC HEARING**

Clerk Vosburg read that this public hearing is being held to provide residents with information about the storm water drainage improvements completed on Tuna and Bradford Streets and portions of St. Helena, Watrous, Dolbeer and South Main Streets with funding received under the Community Development Block Grant Program. The Village has expended \$600,000 in CDBG grant funding for engineering services and construction costs associated with the project. The Village also expended approximately \$24,000 in local funds to complete the project.

**POLICE DEPARTMENT REPORT** as presented by Police Chief Jim Case (as attached)

**Training approved for officers**– Chief Case requested that the following trainings be approved:

1. Interview & Interrogation for Law Enforcement Officer – Officer Holly Royce to attend at a cost of \$286 for the training and \$66 for student fees. It is a four day training session May 4<sup>th</sup> – 8<sup>th</sup>.
2. (Re) Committing to an Integrated Safe School Plan course – Officer Michael Grover to attend on March 19<sup>th</sup> at no cost.
3. Bivona Child Abuse Summit – Officer Michael Grover to attend at a cost of \$150 for the two day course on April 30<sup>th</sup> and May 1<sup>st</sup>.

Trustee Jacobs asked if the officers that attend the training share the information learned with other officers. Chief Case said there is no mechanism in place for this. Motion by Trustee Billings, seconded by Trustee Jacobs to approve the training as requested. Motion carried with all voting aye.

**Highway/Traffic Safety Council grant approved** – Motion by Trustee Billings, seconded by Trustee Draper, granting permission for Chief Case to apply for a grant through the Highway Traffic Safety Council for car seat checks and free car seat giveaways. Motion carried with all voting aye.

**February’s Police Department Report accepted** – Motion by Trustee Draper, seconded by Trustee Jacobs, to accept February’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	
General Fund	\$ 62,781.28
Water Fund	\$ 31,181.91
Sewer Fund	\$ 10,948.17
Capital Projects Fund	\$ 34.60
SLWC	\$ 18.52
Trust & Agency	\$ 44,262.15
TOTAL	\$149,226.63

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

**Appointed Officials terms held over and Organizational Meeting scheduled** – Motion by Trustee Draper, seconded by Trustee Billings, to hold over the terms of the appointed officials until April 30, 2015 and schedule the Organizational Meeting for April 20, 2015 at 7:30 pm. Motion carried with all voting aye.

**Tentative Budget approved and public hearing scheduled** – Motion by Trustee Draper, seconded by Trustee Billings, to approve the tentative budget as presented and schedule the public hearing on the 2015-16 Village Budget for Monday, April 6, 2015 at 8:00 pm. Motion carried with all voting aye.

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

**ADMINISTRATOR REPORT** – presented by Terry Murphy

Clark Patterson Lee has begun Phase II of the comprehensive dam assessment.

**Surplus police weapons** – Administrator Murphy reported that the Village Attorney suggested selling the weapons, once declared surplus, on a consignment basis through a registered, licensed dealer. Administrator Murphy suggested selling them outright only to a licensed dealer. The police committee will review this information.

An updated task list was distributed to board members.

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

**OLD BUSINESS**

**FIREWORKS POLICY**

Trustee Draper read the revised fireworks policy. He feels that 30 days is enough time for applicants to submit paperwork to the Village. Clerk Vosburg asked is applicants were going to be required to notify residents about the event a certain number of days prior to the event taking place. Trustee Draper does not feel the need to; Trustee

Jacobs thinks that it should be required. Mayor Hauser said that the policy required applicants to obtain all the required permits and follow state guidelines and rules. He feels that a 45 day notice to the board with notifications to residents two days prior to the event would be sufficient.

**Firework Policy approved** – Motion by Trustee Jacobs, seconded by Trustee Draper, to approve the fireworks policy as read with the following two changes:

1. That there be a 45 day application period to the Village Board
2. That there notifications to residents two days prior to the event.

Motion carried with the following vote:

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

## **COMMITTEE REPORTS**

### **Public Safety**

#### **FIRE TRUCK**

Trustee Draper reported that he spoke with Churchville Fire about their truck lease program. A meeting with the financial advisors resulted in estimated bond payments more than he expected. Trustee Draper said that he will speak with the two local banks. Trustee Jacobs asked about the authorization to bid. Mayor Hauser replied that the bid is on hold.

**Public Works** – A committee meeting will be held next week.

**Recreation & Resources** – Mayor Hauser said that they received a list of items that needs to be done from the recreation director.

**Office** – Nothing to report.

**Planning** – Mayor Hauser noted that the house at 5 Genesee Street has come down as per the Wyo. Co. Court required.

Mayor Hauser asked if anyone had a comment for the public hearing on the 2012 CDBG drainage grant program. No one from the public spoke.

Motion by Mayor Hauser, seconded by Trustee Draper, to close the public hearing at 9:00 pm for the 2012 CDBG grant. Motion carried with all voting aye.

### **New Business**

Trustee Jacobs recommended that either the Administrator or Clerk view the upcoming webinar from the NYS Comptroller's office on Crumbling Infrastructure. It is March 25<sup>th</sup> from 1 – 2:30 pm. Clerk Vosburg will register to view the webinar.

Motion to adjourn meeting at 9:05 p.m. was offered by Trustee Draper, second by Trustee Jacobs and carried with all voting aye.

Respectfully submitted,

*Gail I. Vosburg*

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Village Clerk