

**VILLAGE OF PERRY
VILLAGE BOARD MEETING**

APRIL 18, 2016

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 18th day of April 2016.

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

ABSENT: Anita Billings Trustee
 Bonnita Matson Trustee

ALSO PRESENT: Terrence Murphy Village Administrator
 Gail Vosburg Village Clerk
 Ed Koziel Supt. Public Works
 Renee Koziel Park Maintenance Supervisor

ATTENDEES: Mary Syberg Tom Carpenter, Clark Patterson Lee

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

Mayor Hauser led in the pledge to the flag.

PUBLIC COMMENT

No one from the public spoke.

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

The lake level is 96”.

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

RECREATION REPORT presented by Renee Koziel (as attached)

A Cure in Site Walk approved – Motion by Trustee Jacobs, seconded by Trustee Draper, to approve the “A Cure in Site Walk” in the Village Park on June 18, 2016. Motion carried with all voting aye.

Park Seasonal Laborers appointed – Mayor Hauser appointed Spencer Krammell and Jake Kelly as seasonal laborers in the Village Park at \$9 per hour with a start date of May 16th and May 23rd respectively. Motion by Trustee Jacobs, seconded by Trustee Draper, to approve the Mayor’s appointments as presented. Motion carried with all voting aye.

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

POLICE DEPARTMENT REPORT (as attached)

March’s Police Department Report accepted – Motion by Trustee Draper, seconded by Trustee Jacobs, 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 # 162039 - -#162133

General Fund	\$ 59,602.92
Water Fund	\$ 17,049.44

Sewer Fund	\$ 76,607.32
Capital Projects Fund	\$ 9,900.00
SLWC	\$ 58.63
Trust & Agency	<u>\$ 51,016.41</u>
TOTAL	\$214,234.72

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

James Case resignation accepted – Motion by Mayor Hauser, seconded by Trustee Draper, to accept the resignation of James Case, Chief of Police. Motion carried with all voting aye. Mayor Hauser thanked him for his effectiveness and dedication. Mayor Hauser then announced that Officer Grover will serve as Officer-in-Charge.

Clerk Vosburg distributed a NYS Comptroller’s Office 2015 Justice Court Fund report for Wyoming County.

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

Administrator Murphy reported that the Perry Ambulance contract automatically renews annually, unless we wish to amend it.

Summer Recreation Agreement is the same as last year.

Town of Castile Silver Lake Institute Water Agreement Approved - Motion by Trustee Jacobs, seconded by Trustee Draper, to approve the Town of Castile Silver Lake Institute Water Agreement and authorize the Mayor to sign said agreement. Motion carried with all voting aye.

Notice was received that that NYS HCR granted the Village an extension for the housing rehabilitation grant.

Solar Liberty – we still are waiting to hear from NYSEG if we are going to receive the metering credits.

OLD BUSINESS

2016-2017 Village Budget Adopted - Motion by Trustee Jacobs, seconded by Trustee Draper, to approve the 2016-2017 Village of Perry Budget. Motion carried with all voting aye.

Public Hearing scheduled for draft chicken law

**VILLAGE OF PERRY
RESOLUTION**

WHEREAS, Article II of Chapter 160 of the Code of the Village of Perry has prohibited residents to “keep or harbor horses, cattle, sheep, swine, chickens or any other animal other than cats, dogs, or similar household pets within the Village of Perry without permission of the Board of Trustees.”; and

WHEREAS, there has recently been an upsurge of interest in the keeping of chickens for personal use in a village setting. The locavore movement, promoting the development and consumption of local foodstuffs, is a factor in proposing an amendment to the code prohibition. Additionally, it is advocated that the sustainable production of eggs and poultry at home will economically contribute to assuring food safety and quality; and

WHEREAS, therefore, the Village Board of the Village of Perry is considering a Local Law entitled “Amending the Code of the Village of Perry, specifically Chapter 160, Article II – Animal Control” to allow chickens in the Village by special permit, allowable to applicants who have been approved to harbor chickens in the Village; 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 Mayor Hauser which has been duly seconded by Trustee Jacobs, 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 2nd day of May 2016 at 8:00 p.m., at which time all interested parties and citizens for or against the proposed law will be heard.

Ayes: 3
Nays: 0

Zoning Law Update – 3 firms were interviewed and references are being called. Mayor Hauser hopes to have a recommendation by the next meeting.

Wyoming County IMA – Mayor Hauser said that it was agreed that this would be better handled by the Town Supervisors.

Signage Law – It was noted that the date by which the Village Board asked for comments back from the Planning Board has passed. The Planning Board will be meeting this week. The Village Board would like the Planning Board’s comments prior to the next Village Board meeting.

USDA Main Street Manager Program – Mayor Hauser said the grant amount would be \$59,900 as with the three municipals each contributing \$5,000 and an individual pledging another \$5,000 for a total project cost of \$79,900. The monies would provide for an outside consultant to help spur economic development for small businesses within the Letchworth gateways. Mayor Hauser hopes that this will become a sustainable effort.

RESOLUTION
TO REQUEST RURAL BUSINESS DEVELOPMENT GRANT PROGRAM GRANT FUNDING
AND TO AUTHORIZE THE GRANT APPLICATON

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

BE IT RESOLVED, that the Village Board of the Village of Perry does hereby request the USDA Rural Development agency to provide \$ 59,900.00 in grant funding through the Rural Business Development Grant Program to fund a Main Street Manger Program which will provide technical assistance to local businesses in the Villages of Geneseo, Mount Morris and Perry to facilitate business development and job creation; and

BE IT FURTHER RESOLVED, that the Village Board of the Village of Perry certifies has the legal authority under the laws of the State of New York to enter into a grant agreement in accordance with the provisions of 7 CFR Part 4280;

BE IT FURTHER RESOLVED, the Village Board of the Village of Perry certifies that the Village will comply with the provisions of 7 CFR Part 4280, will not violate the provisions listed in §4280.27 *“Ineligible Purposes”* and will comply with the restrictions set forth in §4280.30 *“Restrictions on Use of REDL or REDG Funds”*; and

BE IT FURTHER RESOLVED, that the Mayor of the Village of Perry, Wyoming County, New York, is hereby authorized as the official representative of the Village to execute and submit a Rural Business Development Grant application to the USDA, Rural Development for financial assistance; and the Mayor is hereby authorized and directed to act in connection with the submission of the application and to provide such additional information as may be required, to execute such additional documentation as may be required, and to receive and expend grant funds for said program in accord with program provisions and restrictions.

Ayes 3
Nays 0

Agreement with YMCA approved – The YMCA agreement to provide for the Summer Recreation, soccer and tennis programs is in the amount of \$11,000. Motion by Trustee Jacobs seconded by Trustee Draper, to approve the YMCA Agreement in the amount of \$11,000 to provide the Summer Recreation and soccer programs and authorize the Mayor to sign said agreement. Motion carried with all voting aye.

COMMITTEE REPORTS

Public Safety – Nothing to report.

Public Works - Nothing to report.

Recreation & Resources – Nothing to report – work will begin to finish up the skate cabin repairs.

Office – Nothing to report.

Planning – Nothing to report.

NEW BUSINESS

POLICE SCHEDULE

Mayor Hauser announced that the Police Union has worked with the Village Board and 24 hours police coverage has been restored to the Perry Police Department. The new schedule is effect today.

MOWING CHARGE

Mayor Hauser said that he was contacted by the property owner of 113 N Main Street about a large bill, \$1,050.00, for mowing services. The property was purchased at the Wyoming County Tax Auction and he was unaware that there was an outstanding mowing charge. He is requesting an adjustment to the bill as he is investing significant funds renovating the property. Mayor Hauser suggested reducing the bill by 50%. Trustee Draper asked if requests like this are going to be looked at on a case by case basis. Mayor Hauser said that they would be or if the owner shows substantial investment or improvement of the property if purchased at the Wyo. Co. Tax Auction, prior sales excluded. Motion by Trustee Draper, seconded by Trustee Jacobs, to propose as a policy to look at requests for a reduction on mowing services if the property is foreclosed on and the new owner shows substantial investment, prior sales excluded. Motion carried with all voting aye.

113 N Main St mowing bill reduced – Motion by Mayor Hauser, seconded by Trustee Draper, to reduce the mowing services for 113 N Main Street by 50% (or \$525). Motion carried with all voting aye.

WASTE WATER TREATMENT FACILITY IMPROVEMENT PROJECT

Tom Carpenter, Clark Patterson Lee, was present to review the project bids for the Waste Water Treatment Facility Improvements (Phase I):

- General Construction – headworks project
- Electrical upgrades
- Sanitary Sewer System Improvements
- Compost Facility

The bids were over the engineer's estimates. Mr. Carpenter noted that they used the Village of Warsaw WWTP upgrade project as a guide, but it is a smaller facility. He reviewed the pre bid estimated and the post bid numbers. He said that there could be some savings on items in the bids and outlines a few suggestions. He thinks that some items could be part of Phase II to keep Phase I on target and went through the budget spreadsheet. He stated that a belt press is not eligible to be reimbursed as part of the Composting Grant; only \$1.2 million is eligible with a potential \$600,000 DEC grant. Mayor Hauser asked if they would look at Phase II as see if there are any non-essential items that may be removed from the project. Tom said that they will be setting up bid alternates on future bids. He said that the timeline for Phase II bidding will be in the fall/winter of 2016 with construction in Spring 2017. Administrator Murphy asked if Tom was confident that the estimates for Phase II are correct. Tom said that he is confident that they are correct.

Motion by Trustee Draper, seconded by Trustee Jacobs, to adjourn the regular meeting and enter executive session at 9:02 pm to discuss the employment of a particular person. Motion carried with all voting aye.

Motion by Mayor Hauser seconded by Trustee Draper to adjourn the executive session and resume the regular meeting at 9:26 pm. Motion carried with all voting aye.

Officer Grover's hourly wage temporarily increased – Motion by Trustee Draper, seconded by Trustee Jacobs, to temporarily increase Officer Grover's hourly wage by \$3.00 per hour for a period of 90 days or until a new police chief is hired for all hours worked as he will be the Officer in Charge. Motion carried with all voting aye.

James Case allowed to be on the Village's Health Insurance Plan – Motion by Trustee Draper, seconded by Trustee Jacobs, to allow James Case to stay on the Village of Perry's health insurance plan until his sick leave value is used up, at his own expense. Motion carried with all voting aye.

James Case unused vacation pay authorized for payout - Motion by Trustee Jacobs, seconded by Trustee Draper, authorization to pay James Case for 140 hours of unused vacation time in the amount of \$4,037.60 as per the Non-Union Employment Manual. Motion carried with all voting aye.

Motion to adjourn meeting at 9:29 p.m. was offered by Trustee *Draper* second by Trustee Jacobs and carried with all voting aye.

Respectfully submitted,

Gail I. Vosburg

Gail I. Vosburg, Village Clerk