

VILLAGE OF PERRY
VILLAGE BOARD MEETING
APRIL 4, 2016

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 4th day of April 2016.

PRESENT:	Rick Hauser Anita Billings Dariel A. Draper Eleanor J. Jacobs Bonnita Matson	Mayor Trustee Trustee Trustee Trustee
ALSO PRESENT:	Terrence Murphy Gail Vosburg Jeff Drain James Case	Village Administrator Village Clerk Chief Water & Sewer Operator Chief of Police
GUESTS:	Lorraine Sturm Chris Bryant Michelle Chamberlain Hattie Lee Jim Prince Rusty Milhollen Diane Eidecker Chance Sampson Tim Mercer Tammy Smith	Bill Bark Greg Smith Jacquie Billings Barlow Donald Lee Mark Milhollen Gay Milhollen Greg Eidecker Michael Ann Mercer Joe Leathersich

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

Mayor Hauser led in the pledge to the flag.

Mayor Hauser then opened the Organizational Meeting.

ORGANIZATIONAL MEETING

APPOINTED OFFICIALS

Mayor Hauser presented the following names for appointment:

Deputy Mayor	Dariel A. Draper	1 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
Property Maintenance Officer	Timothy Neel	1 year term
Zoning Clerk/ Secretary	Tisha Sylvester	1 year term
Fair Housing Officer	Rick Hauser	1 year term
Section 3 Coordinator	Terry Murphy	1 year term
Planning Board	Terri Humberstone	4/1/2016 to 3/31/2021
Planning Board Alternate	Bruce Billings	4/1/2016 to 3/31/2017
Zoning Board of Appeals	John Czyryca	4/1/2016 to 3/31/2021
Zoning Board of Appeals (unexpired term)	Bethany Zerbe	4/1/2016 to 3/31/2017 (fill

Appointments approved - Motion by Trustee Billings, second by Trustee Jacobs to approve the appointments as presented by Mayor Hauser. Motion carried with all voting aye.

Mayor Hauser then offered the following committee assignments:

COMMITTEE ASSIGNMENTS

BUDGET	Hauser, Billings, Jacobs, Matson, Draper
PUBLIC SAFETY (Police & Fire)	Billings, Draper
PUBLIC WORKS (DPW & WATER/SEWER)	Jacobs, Matson
RECREATION & RESOURCES (P&R, SLWC)	Hauser, Jacobs
OFFICE (Employee Relations & Operations, Insurance, Technology)	Billings, Matson
PLANNING (Plan/Zoning, Grants & Development, Revitalization)	Draper, Hauser

Committee assignments approved - Motion by Trustee Matson, second by Trustee Jacobs to approve the committee assignments as presented by Mayor Hauser. Motion carried with all voting aye.

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 Castle to be the official depository for 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 disbursements of funds by check from Village bank accounts with one signature from an elected official and on 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 April. 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 posted on the Village’s website within 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, PDC Services, debt service and invoices providing discounts for early payment providing there is prior department head approval;

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 includes any public area the Village has jurisdiction over and any program or policy that is within the purview of the Village, per municipal law.

Resolutions approved – Upon motion by Trustee Matson, seconded by Trustee Jacobs, the above read resolutions were approved with all voting aye.

Mayor Hauser presented the following auditing schedule:

AUDITING SCHEDULE FOR 2016-2017

April	Billings
May & Year End 2016	Draper
June	Draper
July	Jacobs
August	Matson
September	Billings
October	Draper
November	Jacobs
December	Matson
January 2017	Billings
February	Draper
March	Jacobs
April	Matson

Auditing schedule approved - Upon motion by Trustee Draper, second by Trustee Billings, to approve the auditing schedule as presented. Motion carried with all voting aye.

Mayor Hauser noted that he requested that the Letter from the Comprehensive Plan Steering Committee be attached as part of the organizational meeting agenda and desires that it would be part of the organization meetings in the future.

Motion by Mayor Hauser, seconded by Trustee Matson to adjourn the organizational meeting and resume the regular meeting. Motion carried with all voting aye.

MINUTES

FEBRUARY 22, 2016 MINUTES APPROVED - Correction on page one "... Emergency Services Director *and he believes that Perry does not need ...*" and "... He asked *the* board to pencil ..." Upon motion by Trustee Billings, second by Trustee Matson the minutes of the February 22, 2016 Special Board Meeting were approved as presented. Motion carried with all voting aye.

FEBRUARY 29, 2016 MINUTES APPROVED - Corrections were noted "... is concerned with going too *thin* for too many ..." and "... fund balance allocation changed *to* \$185,000 ..." Upon motion by Trustee Billings, second by Trustee Matson the minutes of the February 29, 2016 Special Board Meeting were approved as presented. Motion carried with all voting aye.

MARCH 3, 2016 MINUTES APPROVED - Upon motion by Trustee Billings, second by Trustee Matson the minutes of the March 3, 2016 Special Board Meeting were approved as presented. Motion carried with all voting aye.

MARCH 7, 2016 MINUTES APPROVED - Upon motion by Trustee Billings, second by Trustee Matson the minutes of the March 7, 2016 Board Meeting were approved as presented. Motion carried with all voting aye.

MARCH 9, 2016 MINUTES APPROVED - Upon motion by Trustee Billings, second by Trustee Matson the minutes of the March 9, 2016 Special Board Meeting were approved as presented. Motion carried with all voting aye.

MARCH 21, 2016 MINUTES APPROVED - Upon motion by Trustee Billings, second by Trustee Matson the minutes of the March 21, 2016 Board Meeting were approved as presented. Motion carried with all voting aye.

PUBLIC COMMENT

Chance Sampson – Mr. Sampson said that he is concerned with a delayed response time. He feels that a quick response time is necessary. He gave a few examples of being first on the scene of medical emergencies.

Donald Lee – Mr. Lee said that he is a 30 year resident of the village and said that he has noticed an increase in truck traffic and feels that a lack of officers on patrol could lead to a safety concern. He stated that the police department should not be cut but added to.

Greg Smith – Mr. Smith advised that board that he is a 28 year member of the Police Department and stressed the importance of having double coverage as he outlined information on sex offenders. There are 23 offenders in town, with 18 residing in the Village. He also expressed his concern of 17 parolees in the Village, 5 are sex offenders. Mr. Smith thinks that the village residents are taking a risk not having 24/7 coverage. He believes that the tax payers should decide if there should be 24 hour coverage. There were no patrols in the Village when on a Friday night there was a fight on the west side of the county.

Mike Mercer – Ms. Mercer said that she finds it disturbing to read in the paper when no Village of Perry police officers will be on duty. She feels that this was a very bad idea thing to advertise. She also expressed her concern for businesses that are open past 9pm. she asked that the police presence be keep on the streets and thinks that the Village should come up with some way to restore the 24/7 coverage.

Rusty Milhollen – Mr. Milhollen said that Creative Food Ingredients is a growing company and said that there will be in increase in truck traffic.

Mayor Hauser read a prepared statement:

“Thank you for sharing their opinions. This isn’t a dialog, just a response before we move onto the organizational meeting, public hearing and the evening’s agenda.

I commend you for your deep convictions and your commitment to protect and serve. In that context, it is right that you should represent the position you have described. The board salutes the police department and officers, and we also feel strongly about the importance of a solid police presence. The Village board and residents expect and appreciate a high standard of performance by our department.

Of course, we are also tasked with continually scrutinizing where taxpayer money is going, management of personnel issues and resources, and assessing the best balance in terms of budget and other priorities. For a whole host of reasons, we as a board are committed to keeping our tax rate under control. We’ve sent a consistent message for years that we are not only fiscally health, but fiscally vigilant, which is the only strategy for remaining fiscally health. We continue to invest strategically in our infrastructure, in economic development, and in ways that leverage outside funds in order to grow the village’s tax base and prosperity in the long-term, and to maintain the services we all expect in the village. The tax rate has been flat or decreased for the past 6 years and this year our tentative budget actually includes a further 1% decrease in the village tax rate. This is due to cost control measures outside of the police department.

On the subject of the police schedule. The board has been revisiting recommendations from a 2006 Administrative Study of the Perry Police Department prepared by Police Management Services, regarding the need for 24/7 coverage for a village of our size. Among other things, the report suggests alternate scheduling approaches. It calculated, for example, a consistent, demonstrated demand for police coverage of .14 officers during the night shift. However, if the Village decides to staff nighttime hours, we are mandated by the police contract to have at least 2.0 officers on duty. More recent statistics, and evaluation by management, reinforce the findings of the report.

The report actually goes much further, strongly recommending the elimination of the night shift completely, noting two other agencies, the county and the state police, that could handle the average one call per night. It lays out several scenarios, including the option of contracting with

the County for patrols of the Village during times when we do not have officers on, noting the savings that would result. The board considers the new schedule a modest and responsible adjustment. We also recognize there may be other ways to achieve the same goals. We appreciate that when it comes to public safety, any changes to the status quo can lead to anxiety and to reasonable disagreements about the best approach.

To that end, we have invited the police union to provide its suggestions and perspectives on ways to improve upon this schedule going forward, within the context of the board's man-hour goals per week. We are all looking out for the best interests of the village, though sometimes through different lenses. A police schedule has to take many things into consideration and I believe this is a good start. With the board and our police department working together in good faith as we continue to evaluate the effectiveness and efficiency of staffing and scheduling in the police department, I am confident we will arrive at the right place.

Thank you again to those who have shared their thoughts with the board night and previously."

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 - 2016-2017 TENTATIVE VILLAGE BUDGET

Mayor Hauser stated that the tentative budget had been available for review at the Village Office. The total overall budget is \$4,116,538.00 with \$1,759,429.00 in estimated revenues, \$382,359.00 in unexpanded fund balance; resulting in a tax levy of \$1,974,750.00. The total overall budget comprised of the general, water, sewer funds. The general fund appropriations are \$2,512,750.00, estimated revenue \$353,000, unexpended fund balance \$185,000 leaving the amount to be raised by taxes (or tax levy) at \$1,974,750.00. Due to different equalizations rates, the Town of Perry at 100% and the Town of Castile at 98%, there will be two tax rates. The Village of Perry, Town of Perry tax rate will be \$ 15.52 per thousand (an 1.2% decrease) and the Village of Perry, Town of Castile tax rate will be \$15.84 per thousand (an 0.4% increase). Items included in the budget : sidewalk work, Needham Street drainage work, paving of streets, skate cabin repairs, funding to the Chalk Art Festival and Holiday DeLights Festival, repairs to catch basins, funding of fire department equipment, provide the summer recreation and soccer program, fire truck inspections and maintenance, update to the zoning law, Part II SCADA upgrade, continuation of the water meter replacement program, replace windows and doors at the sewer plant and repairs to the Simmons Road sewer pump station. Also included in the budget are auditing services, ambulance services, website design and debt service payments.

Jacque Billings Barlow thanked the village board for funding and supporting community events.

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

The Village received notification that it received the 2016 Water System of the Year award from NY Rural Water Association. Mr. Drain thanked all of the water operators for their assistance in the achievement.

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

PROPERTY MAINTENANCE REPORT – presented by Tim Neel (attached)

Property maintenance report approved – Motion by Trustee Draper, seconded by Trustee Matson, to approve the Property maintenance report as presented. Motion carried with all voting aye.

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

Payment of Claims -

Vouchers # 161959 - #161977

General Fund	\$ 89,945.35
Water Fund	\$ 21,378.08
Sewer Fund	\$ 10,102.24
SLWC	\$ 5,000.00
Trust & Agency	<u>\$116,896.78</u>

TOTAL \$243,322.45

Vouchers # 161978 - #162038

General Fund	\$ 15,187.35
Spec. Grant Fund	\$ 4,320.00
Water Fund	\$ 4,864.23
Sewer Fund	\$ 4,443.75
Trust & Agency	\$ 0.20
TOTAL	\$ 28,815.53

Trustee Billings has audited all vouchers. Motion by Trustee Matson seconded by Trustee Draper, 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 20, 2016 at the Warsaw Legion Hall. The Village of Warsaw is the host. Please let the clerk know by April 11th if you wish to attend.

January’s treasurer’s report was presented.

Southern Tier West Conference approved – Motion by Trustee Matson, seconded by Trustee Draper, to allow any Village Official or Employee to attend the Southern Tier West Govt. conference at Houghton College on May 11, 2016 at a cost of \$50 per person. Motion carried with all voting aye.

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

ADMINISTRATOR REPORT – presented by Terry Murphy

Administrator Murphy reported that everything he has to discuss will be under old business.

Administrator Murphy read the parks and recreation report:

Archery will be offered as part of the summer recreation program.
Clean Sweep will be May 21st.

Administrator report approved - Motion by Trustee Billings, seconded by Trustee Matson, to approve the Administrator’s report as presented. Motion carried with all voting aye.

Motion by Trustee Matson, second by Trustee Draper, to close the public hearing on the 2016-2017 Tentative Village budget at 8:15 p.m. Motion carried with all voting aye.

OLD BUSINESS

2015 CDBG Drainage Improvements Engineering – cost proposal of \$102,782 and Amendment I from Clark Patterson Lee was reviewed for engineering services for the 2015 CDBG drainage improvements. Motion by Trustee Matson, seconded by Trustee Jacobs, approving the engineering cost proposal and Amendment I form Clark Patterson Lee and authorize the Mayor to sign said agreements. Motion carried with all voting aye.

2015 CDB G Drainage Grant

**Village of Perry
South Main Street Storm Drainage Improvements
Lead Agency Resolution**

At a meeting of the Village Board of the Village of Perry held on the 4th day of April 2016 at the Village Hall in said Village, Trustee Draper moved the adoption of the following resolution; Trustee Matson seconded the motion:

RESOLVED, that in accordance with the New York State Environmental Quality Review regulations (SEQR), the Village Board of the Village of Perry announces its intent to serve as Lead Agency to conduct an environmental review of a project to replace and improve drainage facilities along portions of South Main Street (from Standpipe Road to Lincoln Ave), Washington Blvd (from South Main Street to Competent Avenue) and Competent Avenue (from Washington

Blvd to Needham Street), under Section 617.7 of the New York State Codes, Rules and Regulations (NYSCRR).

FURTHER RESOLVED, that the Village Board has determined that the proposed action is an "Unlisted Action" as defined under SEQR.

FURTHER RESOLVED, that the Village board, in its capacity of lead agency, has caused to be prepared Part 1 of the Environmental Assessment form for this project. The Village Board hereby accepts the Environmental Assessment of the proposed project prepared by LaBella Associates, D.P.C. dated April 1, 2016.

FURTHER RESOLVED, that in accordance with the requirements of the funding agency, the Village Board will notify the involved agencies of its intent to act as Lead Agency for this project and will provide them with a copy of Part 1 of the short Environment Assessment Form. Comments regarding the Environmental Assessment and the Village's intention to assume Lead Agency status will be received from Involved Agencies during the 30 day period.

Upon being put to a vote, the resolution was PASSED:

Ayes 5
Nays 0

Mayor to sign EAF – Motion by Trustee Matson, seconded by Trustee Jacobs, authorizing the Mayor to sign the short EAF form as prepared by LaBella Associates. Motion carried with all voting aye.

Town of Castile Water Agreement – Has been forwarded on to the Town of Castile for their approval at the Town meeting on April 14, 2016.

Draft Local Law - Chickens

It was noted that the law should read all enclosures must be 30 feet from the residential property line. A clean copy of the draft law will be requested for the next meeting.

Gardeau St Weight limit – Citizens have come to the board regarding the truck traffic on Gardeau Street. The Mayor has reached out to local farms regarding their truck traffic. The Village Administrator was directed to contact the village Attorney about the Right-to-Farm law and weight restrictions. Administrator Murphy spoke with the Village Attorney and will put what they spoke about in writing.

Building Improvement Loan Program – The planning committee is working with Birchwood Consulting on the building improvement loan program. The goal is to put the money to use. The proposed program consists of four parts : Façade renovations, Adaptive Reuse, Code Compliance/ Correct sited violations. Motion by Trustee Draper, seconded by Trustee Billings, to adopt the Building Improvement Loan program as presented. Motion carried with all voting aye.

The next step will be to promote the program by putting it on the Village's website.

Zoning Law Update – Interviews will be this week – three have been selected to interview. Trustee Billings will not be able to attend.

USDA Rural Development Rural Business Development Grant – This grant will be a cooperative with the Village of Perry being lead agency. Economic Development will be the focus. The grant is a one (1) year program with a one (1) year follow up. Applications need to be filed by the end of April. Each municipality would need to commit \$5,000 each for the local match. A private individual will also pledge \$5,000 for an intern.

A RESOLUTION TO PROVIDE A PORTION OF THE LOCAL MATCHING FUNDS NEEDED TO FUND A MAIN STREET MANAGER PROGRAM THAT WILL SERVE THE VILLAGES OF GENESEO, MOUNT MORRIS AND PERRY

WHEREAS, the Village of Perry has proposed to serve as the Lead Agency for obtaining a Rural Business Development Grant through the USDA Rural Development agency to fund a Main

Street Manager Program that will serve the Villages of Geneseo, Mount Morris and Perry to facilitate business development and job creation within the three municipalities; and

WHEREAS, the Rural Business Development Grant Program requires local matching funds equal to 25 percent of the cost of the program to be funded; and

WHEREAS, a total of \$15,000 is needed from the three villages for the local match; and

WHEREAS, the Main Street Manager Program will be designed and operated in a manner that will serve all three villages in like manner

NOW THEREFORE BE IT RESOLVED, that the Village Board of the Village of Perry does hereby commit to providing \$5,000 as its share of the local match for the Main Street Manager Program.

NY Main Street Grant Program – Applications were circulated about 3 ½ weeks ago. A meeting will be scheduled next week with the consultant and the committee to review the applications. 18 applications for the program were received. Total of the proposed work is \$1.8 million. There will be several meetings over the next several weeks.

COMMITTEE REPORTS

Public Safety – Nothing to report.

DPW/Water/Sewer – Nothing to report.

Recreation – Nothing to report.

Office – Nothing to report.

Planning – Nothing to report.

NEW BUSINESS

No new business.

Motion by Mayor Hauser to adjourn the regular meeting and enter into executive session at 8:34 pm to discuss contract negotiations was seconded by Trustee Draper. Motion carried with all voting aye.

Motion by Mayor Hauser to adjourn the executive session and resume the regular meeting at 8:55 pm was seconded by Trustee Draper. Motion carried with all voting aye.

Motion to adjourn meeting at 8:55 p.m. was offered by Trustee Draper, second by Trustee Billings and carried with all voting aye.

Respectfully submitted,

Gail I. Vosburg

Gail Vosburg, Village Clerk