

VILLAGE OF PERRY
VILLAGE BOARD MEETING
August 9, 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 9th day of August 2016.

PRESENT:	Rick Hauser	Mayor
	Dariel A. Draper	Trustee
	Eleanor Jacobs	Trustee
	Bonnita Matson	Trustee

ALSO PRESENT:	Terrence Murphy	Village Administrator
	Gail Vosburg	Village Clerk
	Jeff Drain	Chief Water & Sewer Operator
	Michael Grover	Chief of Police

GUESTS:	Bill Bark	Terri Humberstone
	Tim Humberstone	Melanie Booth
	Joe Hageman	Chris Englert

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

Mayor Hauser led in the pledge to the flag.

MINUTES

JULY 5, 2016 MINUTES APPROVED - Motion by Trustee Jacobs, second by Trustee Matson the minutes of the July 5, 2016 Board Meeting were approved as presented. Motion carried with all voting aye.

JULY 18, 2016 MINUTES APPROVED – Motion by Trustee Jacobs, seconded by Trustee Matson, to approve the July 18, 2016 Board Meeting Minutes as presented. Motion carried with all voting aye.

PUBLIC COMMENT

TERRI & TIM HUMBERSTONE

Ms. Humberstone was present to ask the board to allow them to tap a new waterline for the garage they are building. They would like to be connected to the waterline across the road. They believe that they are connected to a 2" line. Mayor Hauser directed the Humberstone's to put their request in writing to the board along with as much detail about their water history. He advised them that is the process for any request.

POLICE DEPARTMENT REPORT – presented by Chief Grover (attached)

Police Report for July:
424 calls for service
6 domestics
4 vehicle accidents
439 gallons gasoline used
95 summons issued

A total of 88,268 vehicles passed the speed sign on South Main Street for the month of July with July 21st being the highest daily count.

Chief Grover also reported on the following:

- 4 drug overdoses in the past two weeks – all were brought back with Narcon
- Stop signs were installed at the 5 corners – they will monitor the intersection
- Beer Run scheduled with 100 runners – have scheduled officers for traffic control
- Foot patrols are walking the streets and outlet trail

July's Police Department Report accepted – Motion by Trustee Jacobs, seconded by Trustee Draper, to accepted July's Police Department Reports as presented. Motion carried with all voting aye.

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

Water

The DEC has issued drought conditions for WNY. Highbanks Farm (in the Town of Castile Gardeau Water District) has had problems with their waterline. They have been filling trucks at the sewer plant to haul the water to their farm (water is being metered and they will be billed). The Village of Perry won the 2016 Western Region Water Taste Test Contest and now will compete at the state finals at the NYS Fair. The Village won with 36% of the vote with the City's of Rochester and Jamestown in a tie for second with 18%.

Sewer

The headworks project has begun at the sewer plant. Milherst has started the sewer collection system repairs.

Water & Sewer report approved – Motion by Trustee Draper, seconded by Trustee Matson, to approve the water/sewer report as presented. Motion carried with all voting aye.

PROPERTY MAINTENANCE REPORT – (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.

Motion by Mayor Hauser to adjourn the regular meeting to open the public hearing on the "Community Development Block Grant Program" at 8:00 pm, seconded by Trustee Draper. Motion carried with all voting aye.

PUBLIC HEARING – CDBG HOUSING

Mayor Hauser read the public hearing notice.

The public hearing will be held to provide residents with information about the housing rehabilitation program completed with funding received under the Community Development Block Grant Program. Through June 2016, the Village has expended \$302,633 in CDBG grant funding for rehabilitation costs and program delivery and administration costs associated with the project of the \$400,000 grant.

Mayor Hauser then gave a summary of the grant program. A total of 12 homeowners were assisted from the 51 homeowners that received an application packet. Only 23 applications were returned with 6 of these applications being withdrawn from consideration for various reasons. The average project cost was \$24,599.

Administrator Murphy reminded the board that this program was targeted for residents with low to moderate income.

Ron Biondolillo asked if his neighbor could be assisted as he said the house needs a new roof and in an eyesore. Mayor Hauser reminded him that if the amount of work that needs to be done exceeds \$25,000, the resident cannot be assisted.

Motion by Mayor Hauser to adjourn the regular meeting to open the public hearing on the "Proposed Local Law which adds and amends specific language and regulations to the Village Code concerning signage" at 8:15 pm, seconded by Trustee Draper. Motion carried with all voting aye.

PUBLIC HEARING – SIGN LAW

Mayor Hauser said that the Village Board is considering a proposed local law which adds and amends specific language and regulations to the Village Code concerning signage.

Mayor Hauser explained that due to a recent federal Supreme Court decision regarding signage content, every municipality has to contend with amending their laws to remove any language

within the law relating to specific content of the sign. The Village Planning Board took several months to review the current law and Supreme Court decision and came back with some recommendations. The current law the Village has is considered “unconstitutional”.

Chris Englert was present and questioned the law as it eliminates the use of LED lighting on any signs. He questioned the validity of the PCS sign on N Center Street. He referenced the law that is currently online. Mayor Hauser advised Mr. Englert that the law that is posted online is the current law that the Village Board has proposed changes to, the purpose of this public hearing. The proposed law is intended to eliminate any reference to the content of the sign. Mr. Englert questioned the validity of his permit for a LED sign at the Brick Presbyterian Church. He was advised to contact the Zoning Officer.

Motion by Mayor Hauser to adjourn the regular meeting to open the public hearing on the “proposal to appropriate monies from the sewer capital equipment reserve fund” at 8:30 pm, seconded by Trustee Draper. Motion carried with all voting aye.

It was explained that the expenditure is for two new pumps at the bio tower at the sewer plant. Any expenditure from the reserve funds need to have a public hearing.

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

Clerk Vosburg announced that GLOW will be holding a Household Hazardous Waste/Pharmaceutical Collection on Saturday, September 17, 2016.

Payment of Claims –

Vouchers of all funds # 170187 - # 170203

General Fund	\$ 48,395.80
Water Fund	\$ 12,359.05
Sewer Fund	\$ 7,546.83
Trust & Agency	<u>\$ 49,377.15</u>
TOTAL	\$117,678.83

Vouchers of all funds #170204 - #170347

General Fund	\$ 19,310.59
Special Grant Fund	\$ 5,495.00
Water Fund	\$ 3,081.95
Sewer Fund	\$ 2,900.61
Cap. Sewer Project	\$ 36,119.69
SLWC	\$ 3,246.00
Trust & Agency	<u>\$ 9,057.95</u>
TOTAL	\$ 79,211.79

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

May’s treasurer’s report was presented.

CP Ward Pay Request #2 approved – Motion by Trustee Draper, seconded by Trustee Jacobs, to approve CP Ward’s pay request #2 in the amount of \$387,525.84 as approved by Erdman Anthony. Motion carried with all voting aye.

Tax Warrant Collection – as of August 8th, 85.6% of the tax levy has been collected.

Annual Update Document for the SLWC has been filed with the NYS Comptroller.

Officer Grover resignation accepted – Motion by Trustee Draper, seconded by Trustee Jacobs, to accept Officer Grover’s resignation from the full time officer position as he accepted the Police Chief position. Motion carried with all voting aye.

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

ADMINISTRATOR REPORT – presented by Administrator Terry Murphy

Administrator Murphy passed out a project in process listing.

Administrator's report approved – Motion by Trustee Draper seconded by Trustee Matson to approve the Administrator's report as presented. Motion carried with all voting aye.

OLD BUSINESS

Dredging Outlet

The SWLC approved the engineering proposal from Clark Patterson Lee that will comply with DEC's requirements for the next step in the dredging of the outlet.

Gardeau Weight Limit – Nothing new.

Main Street Improvement Project - Trustee Matson questioned the position of the crosswalk at the intersection. They do not line up. Mayor Hauser said that the consultant look at several options as elevations at each corner did not allow more direct ramps. The NYS DOT had approved what was installed. He will follow up with the consultants on this. Mr. Biondolillo asked if the medians were going to be the whole length of Main Street. Mayor Hauser replied that there are two island with plants and two without. Two medians will be at each end of Main Street. The NYSDOT has approved these medians.

NY Main Street grant – Nothing new to report.

Solar Project – Mayor Hauser reported that recently Solar Liberty's Village/Town proposal would only apply to non-demand meters. It is more for residents. Mayor Hauser said that Larsen Engineers want to meet with the Village as they provide more services and will bid out the project for a more attractive proposal. They will look out for the Village's best interest.

Zoning Law Update – Meeting on August 25th.

Restore NY Grant – A determination of eligibility was approved for the property on North Main Street. The proposal is for a \$500,000 grant, with grant application deadline of October 1, 2016. Mayor Hauser believed that this grant would work on North Main Street and the property owner is willing to spend money on the buildings. LaBella have a proposal for completing and submission of the grant application. Board members questioned the proposed cost with Trustees Draper and Matson wanting to wait to see a revised proposal before authorizing the Mayor to sign.

Motion by Mayor Hauser to close the all public hearing at 9:05 pm and resume the regular meeting was seconded by Trustee Draper. Motion carried with all voting aye.

COMMITTEE REPORTS

Public Safety – Trustee Draper reported that he and Trustee Matson met with the fire department to discuss the tanker rehabilitation proposal. Mayor Hauser said that he is comfortable with the complete list.

Public Hearing scheduled to spend from the Repair Reserve – Motion by Trustee Draper, seconded by Trustee Matson, to schedule a public hearing to appropriate monies from the Repair Reserve Fund in the amount of \$70,000 for the refurbishing of the tanker truck (Fire Truck #5). Motion carried with all voting aye.

Public Works – The committee met and discussed the bathrooms at the public beach. Supt. Koziel said that they could come down. Mayor Hauser said that there are projects that are already scheduled. He does not feel that it is an eyesore, it is just unused. Hopefully by next May, the Village will have an answer or can plan for the removal.

Recreation & Resources – Trustee Jacobs, Renee, Sandy Schneible met with a few members Rotary to discuss banners that will fit the new streetlights on Main Street. The banners will be bought locally.

Office – Trustee Jacobs has a pre-construction proposal from Sandy Schneible for a new website.

Planning – Nothing to report.

NEW BUSINESS

Nothing to report.

Motion by Trustee Draper to adjourn the regular meeting and enter into executive session to discuss the appointment of a particular person at 9:15 p.m. was seconded by Trustee Jacobs and carried with all voting aye.

Motion by Draper to adjourn executive session at 9:15 p.m. and resume the regular meeting was seconded by Trustee Matson and carried with all voting aye.

Proposed sign law adopted – Motion by Trustee Jacobs, seconded by Trustee Draper, to approve the proposed sign law as presented. Motion carried with all voting aye.

Expenditure from Sewer Capital Reserve approved - Motion by Trustee Matson, seconded by Trustee Jacobs, to transfer from the sewer capital reserve to budget line G8130.2 in the amount of \$25,764.80 for the purpose of purchasing two pumps for the bio tower. Motion carried with all voting aye.

Motion by Trustee Draper to adjourn the regular meeting and enter into executive session to discuss the appointment of a particular person at 9:17 p.m. was seconded by Trustee Matson and carried with all voting aye.

Motion by Draper to adjourn executive session at 9:35 p.m. and resume the regular meeting was seconded by Trustee Matson and carried with all voting aye.

Kelly Simkins appointed clerk, part-time – Mayor Hauser appointed Kelly Simkins as a part-time clerk effective August 15, 2016 on the following conditions:

- Rate of Pay \$10.00 per hour
- 1 year of probation
- No benefits

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

Robert Carter retirement letter accepted – Motion by Mayor Hauser, seconded by Trustee Matson, to accept with regret, the retirement of Robert Carter effective September 29, 2016. Motion carried with all voting aye.

Posting of Auto Repair Worker position approved – Motion by Trustee Jacobs, seconded by Trustee Matson, to approve the posting internally and then to advertise for the position of Auto Repair Worker. Motion carried with all voting aye.

Motion to adjourn meeting at 9:39 p.m. was offered by Trustee Draper, second by Trustee Matson and carried with all voting aye.

Respectfully submitted,

Gail I. Vosburg

Gail Vosburg
Village Clerk