

**VILLAGE OF PERRY
VILLAGE BOARD MEETING
FEBRUARY 19, 2019**

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 19th day of February 2019.

PRESENT:	Rick Hauser	Mayor
	Jacque Billings	Trustee
	Dariel Draper	Trustee
	Eleanor Jacobs	Trustee
ASBENT:	Bonnie Matson	Trustee
ALSO PRESENT:	Matthew Jensen	Village Administrator
	Gail Vosburg	Village Clerk
	David DiMatteo	Village Attorney
GUESTS:	Roger Hubbard	Bill Bark

Mayor Hauser called the Meeting to order and led in the pledge to the flag.

MINUTES

FEBRUARY 4, 2019 REGULAR MEETING MINUTES APPROVED - Motion by Trustee Billings second by Trustee Draper the minutes of the February 4, 2019 Regular Board Meeting were approved as presented. Motion carried with all voting aye.

PUBLIC COMMENT

No one from the public spoke.

PRESENTATIONS

ROGER HUBBARD

Mr. Hubbard is requesting an adjustment on his sewer bill due to a water softener that was stuck on a continuous flush cycle and did not enter into the village's sewer system. Administrator Jensen recommends the sewer portion of his water bill be adjusted to reflect the average for the past year. The proposed adjustment would be \$242.25 from the original sewer bill of \$295.80.

Adjustment approved for Roger Hubbard – Motion by Trustee Jacobs, seconded by Trustee Billings, to adjust \$242.25 from Roger Hubbard's sewer bill. Motion carried with all voting aye.

PERRY PUBLIC BEACH

Trustee Billings reviewed a concept drawing of the proposed public beach project and reviewed the budget. There will no be through traffic from the public beach to Euclid Avenue. A new parking area for 28 cars will be constructed with rain gardens on either side. The budget presented does not include any of the soft costs that the Village will cover (design- \$90,000 - \$100,000).

Public Beach Project Master Plan and Budget approved – Motion by Trustee Jacobs, seconded by Trustee Draper, to approve the public beach project master plan and budget. Motion carried with all voting aye.

PERRY VET’S CLUB REZONE APPLICATION

Village Attorney DiMatteo reviewed the rezone application from the Perry Vet’s Club for the property at 64 Lake Street. They are requesting that the zoning be changed from R-2 to C-2. The completed application was received January 16th and the Village has 62 days from that date to hold a public hearing on the request. The first step is to determine the environmental impact of the request with the Village seeking lead agency.

**RESOLUTION OF THE VILLAGE BOARD
OF THE VILLAGE OF PERRY TO SEEK LEAD AGENCY**

Adopted: February 19, 2019

WHEREAS, all Village Board Members having due notice of said meeting, and that pursuant to Section 94 of the Public Officers Law (Public Meetings 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, the Village Board of the Village of Perry believes it is most appropriate candidate to seek lead agency under State Environment Quality Review Law as the Village Board is the legislative body with the authority to amend the Zoning Map; and

WHEREAS, pursuant to and in accordance with the provision of Section 617.6 (Initial Review of Actions and Establishing Lead Agency) of the New York State Environmental Quality Review Regulations, (6 NYCRR part 617) the Village Board of the Village of Perry declares its intention to seek lead agency status for purposes of SEQRA review and has reviewed the proposed law and will take a “hard look” at all potential adverse environmental impacts pursuant to SEQRA by completing Part I of the Long Form EAF and shall advise all other involved and/or interested agencies as follows:

1. Wyoming County Planning Board
2. Planning Board of the Village of Perry
3. Town Board of the Town of Perry

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

RESOLVED, the Village Board of the Village of Perry has determined that it is the most appropriate candidate to seek lead agency as the legislative body with the authority to amend the Village of Perry Zoning Map; and be it further

RESOLVED, that the Village Board of the Village of Perry hereby seeks lead agency; and be it further

RESOLVED, that the Village Board of the Village of Perry will begin review under the State Environmental Quality Review Act, also known as SEQRA and the Village Board shall advise all other involved and/or interested agencies as follows:

1. Wyoming County Planning Board
2. Planning Board of the Village of Perry
3. Town Board of the Town of Perry

Ayes: 4
Nays: 0

This request would have to be referred to the Wyoming Co. Planning Board and to the Village Planning Board for their consideration. Attorney DiMatteo said that we have to have 10 days' notice before the public hearing can be held. He will make the arrangements to have a court recorder present. The VOP Comprehensive Plan and Zoning Law will be used as references in making a recommendation to the Village Board.

Motion by Mayor Hauser, seconded by Trustee Draper, to adjourn the regular meeting and open the public hearing on the proposed local law to amend the parking restrictions on Lak Street. Motion carried with all voting aye.

Public Hearing opened

Administrator Jensen said that the Village had received a request from a local business for an increase of parking for their employees. Currently, there is a 2-hour parking limit 300' from the corner of Main Street. At the public hearing in November, two groups voiced their concern with the proposed decrease in the 2-hour parking area.

Devon Kelly sent an email against the proposed changes.

Kimberly Dembik spoke out against the proposed changes to the parking. She has always had problems with cars parking on both sides of her driveway. Concern the snow plows would not be able to go down Lake Street with cars parked on both sides was expressed.

Stonewall Craftique is in favor of the proposed change in the 2-hour parking area.

Motion by Mayor Hauser, seconded by Trustee Billings to close the public hearing at 8:24 pm and resume the regular meeting. Motion carried with all voting aye.

Mayor Hauser referred the 2-hour parking matter back to the public safety committee and provide a report back to the village board.

Resolution to refer Rezoning Request approved and Public Hearing Scheduled

RESOLUTION OF THE VILLAGE BOARD OF THE VILLAGE OF PERRY TO REFER A REZONING APPLICATION TO WYOMING COUNTY PLANNING BOARD AND VILLAGE PLANNING BOARD

WHEREAS, all Village Board Members having due notice of said meeting, and that pursuant to Section 94 of the Public Officers Law (Public Meetings 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, a rezoning application has been submitted with final payment on or about January 16th, 2019, to the Village Board of the Village of Perry for a parcel of land located in the

Village of Perry, which includes 1.24 acres of land, a copy of which application is attached hereto as Exhibit A; and

WHEREAS, said parcel is located at 64 Lake Street, Perry, New York, 14530, SBL No: 100.7-4-1 and is currently owned by the Perry Veterans' Memorial Association; and

WHEREAS, said parcel is currently located within the and R-2 Residential District, and the applicant proposes a change in zoning to the Central Business District to add banquet and gathering space to the existing building; and

WHEREAS, the Village Board of the Village of Perry has reviewed the rezoning application and feels it is in the best interest to refer the application to the Village Planning board for an advisory report prior to the scheduling of a public hearing; and

WHEREAS, a meeting of the Planning Board of the Village of Perry is scheduled for February 20th, 2019; and

WHEREAS, following the review and subsequent referral of the rezoning application by the Village Board of the Village of Perry, the Planning Board shall thereafter render a recommendation on the rezoning application; and

WHEREAS, should there be no response from the Planning Board of the Village of Perry, the referral is considered an affirmation; and

WHEREAS, upon receipt of the Planning Board referral, the Village Board of the Village of Perry will submit a site plan in accordance with §490-84 of the Village of Perry Zoning Code, and complete Part I of the short form EAF; and

WHEREAS, pursuant to §§239-l and 239-m of the General Municipal Law, said rezoning application and all supporting documents, including the completed environmental assessment form, shall be submitted to the Wyoming County Planning Board for their review and recommendations; and

WHEREAS, the Wyoming County Planning Board Zoning and Planning Action Referral From is attached hereto as Exhibit B, and

WHEREAS, upon receipt of the County Planning Board referral, the Village Board of the Village of Perry will hold a public hearing; and

WHEREAS, the public hearing shall be held prior to March 19th, 2019 which is the expiration of sixty-two (62) days since the submission of the complete rezoning application on January 16th, 2019; and

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

RESOLVED, that the Village Board of the Village of Perry received a rezoning application on or about January 16th, 2019, for a parcel of land located in the Village of Perry, which includes 1.24 acres of land, a copy of which application is attached hereto as Exhibit A; and be it further

RESOLVED, that said parcel is located at 64 Lake Street, Perry, New York, 14530, SBL No: 100.7-4-1 and is currently owned by the Perry Veterans' Memorial Association; and be it further

RESOLVED, that the Village Board of the Village of Perry has reviewed the rezoning application for the parcel of land located at 64 Lake and shall hereby submit said application to the Village Planning Board for review at their scheduled meeting on February 20th, 2019; and be it further

RESOLVED, that following the review and subsequent referral of the Rezoning Application by the Village Board of the Village of Perry, the Planning Board shall thereafter render a recommendation on the rezoning application; and be it further

RESOLVED, that should there be no response from the Planning Board of the Village of Perry, the referral is considered an affirmation; and be it further

RESOLVED, that upon receipt of the Planning Board referral, the Village Board of the Village of Perry will submit a site plan in accordance with §490-84 of the Village of Perry Zoning Code, and complete Part I of the short form EAF; and be it further

RESOLVED, that pursuant to §§239-l and 239-m of the General Municipal Law, said rezoning application and all supporting documents, including the completed environmental assessment form, shall be submitted to the Wyoming County Planning Board for their review and recommendations; and be it further

RESOLVED, that the Wyoming County Planning Board Zoning and Planning Action Referral Form is attached hereto as Exhibit B; and be it further

RESOLVED, that upon receipt of the County Planning Board referral and after the Planning Board of the Village of Perry has rendered their decision, the Village Board of the Village of Perry will reconvene and resolve to schedule a public hearing to be held within sixty-two (62) days of submission of the complete rezoning application, which is March 19th, 2019; and be it further

RESOLVED, that Village Board of the Perry will hold a public hearing on the rezoning of 64 Lake Street on the 12th day of March, 2019 at 7:00 p.m., at which time all interested parties and citizens for or against the proposed law will be heard

Ayes: 4
Nays: 0

FRONT OFFICE STAFFING

Administrator Jensen presented a spreadsheet outlining several front office staffing options. The office committee recommends that the village proceed with option 2 or 3.

CONSIDERATION FOR RENAMING THE VILLAGE PARK OF LAKE STREET

schedule budget meetings for February 11, 2019, February 25, 2019 and March 11, 2019 starting at 7:00 pm. Motion carried with all voting aye.

CLERK/DEPUTY TREASURER REPORT

Payment of Claims -

Vouchers # 1916098 - #191688

General Fund	\$ 72,329.88
CD Special Grant Fund	\$ 758.53
Water Fund	\$ 19,211.91
Sewer Fund	\$ 12,474.69
SLWC	\$ 56.47
Trust & Agency	<u>\$102,799.46</u>
TOTAL	\$207,630.94

Trustee Draper has audited the vouchers. Motion by Trustee Jacobs, seconded by Trustee Billings, to approve the vouchers for payment. Motion carried with all voting aye.

Budget Transfers approved – Motion by Trustee Draper, seconded by Trustee Jacobs, to approve the following budget transfers:

General Fund

From:

A1410.11	Clerk longevity	\$ 900.00
A3120.1	Police PS	\$ 25,000.00
A3410.4	Fire contractual	\$ 3,500.00
A5110.12	Street Maint. Seasonal	\$ 796.00
A5132.2	Garage Equipment	\$ 1,600.00
A5410.21	Sidewalk CHIPS	\$ 4,870.00
A9010.8	Retirement	\$ 3,600.00
A9060.8	Hospital & Medical	\$ 26,994.00

To:

A1010.41	Board of Trustees Labor Relations	\$ 5,000.00	
A1410.4	Clerk contractual	\$ 1,500.00	
A1950.4	Municipal Taxes	\$ 9,540.00	
A3120.12	Police – part time PS	\$ 25,000.00	
A3410.42	Fire Department Truck Maint.	\$ 3,500.00	
A5112.4	Perm. Improvements contractual	\$ 1,000.00	
A5132.4	Garage contractual	\$ 1,600.00	
A5410.2	Sidewalk Equipment	\$ 4,570.00	
A5410.4	Sidewalk contractual	\$ 300.00	
A7310.4	Youth Programs contractual	\$ 1.00	
A9015.8	Police Retirement	\$ 6,900.00	
A9040.8	Workers' Compensation	\$ 8,349.00	
		<u>\$ 67,260.00</u>	\$ 67,260.00

Sewer Fund

From:

G8120.21	Needham St Sewer	\$ 1,280.00
G8120.22	Gardeau St Sewer	\$ 14,700.00
G8130.2	Sewage Treatment Equip	\$ 10,000.00
G9010.8	Retirement	\$ 1,695.00
G9040.8	Workers' Comp	\$ 2,700.00

To:

G8110.4	Sewer Admin Contractual	\$ 8,375.00
G8120.4	Sanitary Sewer Contractual	\$ 11,000.00
G8130.4	Sewage Treatment contract.	\$ 11,000.00
		<hr/>
		\$ 30,375.00
		\$ 30,75.00

Motion carried with all voting aye.

Budget Transfers approved – Motion by Trustee Draper, seconded by Trustee Jacobs, to approve the following budget transfers:

Increase	A3089A	DEC Fire Tool Grant	\$ 1,500
	A3410.2	Fire Equipment	\$ 1,500
	A3021	JCAP Grant	\$ 11,255
	A1110.2	Court Equipment – JCAP	\$ 11,255

Motion carried with all voted aye.

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

DEPARTMENT REPORTS

The following departments presented monthly reports:

Department of Public Works
Water & Sewer
Police

TRUSTEE REPORTS

Trustee Billings announced that the Perry Police Department has a Facebook account.

Mayor Hauser announced that Nicole Manapol, LGV director, is working on a draft strategic plan to bring in other municipalities into the program. The next USDA grant deadline is March 31st.

OTHER BUSINESS

No other business was presented for discussion.

Motion by Mayor Hauser to enter into executive session at 9:14 pm was seconded by Trustee Draper. Motion carried with all voting aye.

Motion by Trustee Billings, seconded by Trustee Draper to exit executive session at 10:29 pm. Motion carried with all voting aye.

Motion to adjourn meeting at 10:30 pm was offered by Trustee Draper, second by Trustee Jacobs and carried with all voting aye.

Respectfully submitted,

Gail I. Vosburg

Gail Vosburg, Village Clerk