

**VILLAGE OF PERRY  
VILLAGE BOARD MEETING  
MARCH 4, 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 4<sup>th</sup> day of March 2019.

PRESENT:	Rick Hauser	Mayor
	Jacquie Billings	Trustee
	Dariel Draper	Trustee
	Eleanor Jacobs	Trustee
	Bonnie Matson	Trustee
ALSO PRESENT:	Matthew Jensen	Village Administrator
	Gail Vosburg	Village Clerk
	David DiMatteo	Village Attorney
GUESTS:	Matt Hilton, YMCA	Bill Bark

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

**MINUTES**

**FEBRUARY 11, 2019 SPECIAL BOARD MEETING MINUTES APPROVED** – Trustee Jacobs was added to those listed as present at the February 11, 2019 Special Board Meeting. Motion by Trustee Matson second by Trustee Billings the minutes of the February 11, 2019 Special Board Meeting were approved as corrected. Motion carried with all voting aye.

**FEBRUARY 19, 2019 REGULAR BOARD MEETING MINUTES APPROVED** – Motion by Trustee Matson second by Trustee Billings the minutes of the February 19, 2019 Regular Board Meeting were approved as presented. Motion carried with all voting aye.

**PUBLIC COMMENT**

No one from the public spoke.

**PRESENTATIONS**

**MATT HILTON - YMCA**

Mr. Hilton was present to give an overview of the Summer Recreation Program for this year. He said the number of children attending the program have increased slightly each year over the past several years. The Village's contract amount has increased by \$500 this year to \$6,000. They will continue the soccer and tennis programs. The archery program was not popular last year. Hours for the program are 8 am – 5 pm, Monday through Friday.

**PMSA FUNDING REQUEST**

PMSA is requesting \$500 in funding from the Village for the 2019 Events Brochure.

**PMSA funding request approved** – Motion by Trustee Matson, seconded by Trustee Draper, to approve funding request from PMSA in the amount of \$500 for the 2019 Events Brochure. Motion carried with all voting aye.

**RESOLUTION OF ACCEPTANCE OF EPF GRANT FOR PERRY BEACH IMPROVEMENT PROJECT**

**RESOLUTION**

On a motion of Trustee Billings which has been duly seconded by Trustee Matson, be it

RESOLVED, that the Village of Perry applied for financial assistance from the New York State Office of Parks, Recreation and Historic Preservation ("OPRHP") under the Environmental Protection Fund for the purpose of funding the Perry Public Beach Project;

RESOLVED, that the Village of Perry is authorized and directed to accept these grant funds in an amount not to exceed \$300,000 for the project described in the grant application;

RESOLVED, that the Village of Perry is authorized and directed to agree to the terms and conditions of the Master Contract with OPRHP for such Perry Public Beach Project;

RESOLVED, that the Village of Perry is authorized and directed to agree to the terms and conditions of any required deed of easement granted to OPRHP that affects title to real property owned by the municipality and improved by the grant funds, which may be a duly recorded public access covenant, conservation easement, and/or preservation covenant; and

RESOLVED, that the governing body of the municipality delegates signing authority to execute the Master Contract and any required deed of easement to the individual(s) who hold(s) the following elected or appointed municipal office(s) or employment position title(s): Mayor.

**SEXUAL HARASSMENT TRAINING UPDATE**

Administrator Jensen stated that all employees were provided interactive sexual harassment training as required, including members of the Perry Fire Department. These trainings were held last week. Members of all board must have the same training before the fall.

**CLERK/DEPUTY TREASURER REPORT**

**Payment of Claims -**

**Vouchers # 191689 - #191695**

General Fund	\$ 42,626.16
Water Fund	\$ 8,376.32
Sewer Fund	\$ 6,598.62
Trust & Agency	\$ 54,565.71
TOTAL	\$112,166.81

**Vouchers # 191696 - #191759**

General Fund	\$ 26,707.27
Spec. Grant Funds	\$ 2,104.91
Water Fund	\$ 9,087.10
Sewer Fund	\$ 5,753.65

SLWC	\$	16.33
Trust & Agency	\$	12.95
TOTAL	\$	43,682.21

Trustee Matson 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 Billings, seconded by Trustee Jacobs, to approve the following budget transfer:

From A3410.4	Fire Dept. Contractual	\$5,000
To A3410.2	Fire Dept. Equipment	\$5,000

To allow the purchase of fire equipment. Motion carried with all voting aye.

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

**TRUSTEE REPORTS**

Trustee Billings announced that SWBR met with trustees to discuss the design of the pavilion at the public beach. She said that it will be a one level pavilion that opens towards the beach and lake.

Motion by Mayor Hauser, seconded by Trustee Draper, adjourn the regular meeting and open the public hearing at 8:00 pm on Expending from the Sewer Capital Reserve Fund. Motion carried with all voting aye.

The Village of Perry proposed to authorize the transfer of moneys, not to exceed \$45,000, from the Sewer Capital Reserve Fund to the Sewer Fund for the purpose of purchasing a new 1-ton pick up truck with accessories (crane and plow).

No one from the public spoke.

Regular meeting resumed.

Trustee Jacobs announced that April 27<sup>th</sup> will be Arbor Day in Perry. The Tree board is working on a planting schedule for new trees.

Mayor Hauser said that the LGV advisory team met last week. There is an USDA Technical Assistance Grant available this year, the focus will be on year 4 (2020) for LGV. The grant deadline is March 29, 2019. He stated that the USDA encouraged LGV to apply for the funding. The food tourism programs will kick off in April. The group is working on putting together a LGV Strategic Plan.

**OTHER BUSINESS**

Former Rechberger Properties:

- 10 N Main Street property closed on Friday, March 1<sup>st</sup>.
- 58 S Main Street property should be closing soon.
- 59-61 S Main Street property is having an environmental survey done.

- 9-11 Travers Place – waiting for final bid for demo. The asbestos will be removed by the Corrections – Division of Community Services.

#### Perry Beach Project

- Final design of the project is being completed.

Motion by Mayor Hauser, seconded by Trustee Draper, to open the public hearing at 8:15 pm on the Draft Local Law to Override the Tax Cap. Motion carried with all voting aye.

The intent of this proposed local law is to override the limit on the amount of real property taxes that may be levied by the Village of Perry pursuant to General Municipal Law §3-c. and to allow the Village to adopt a budget for the fiscal year 2019 that requires a real property tax levy in excess of the limit set forth in said section of law.

Mayor Hauser said that the Village has consistently lowered the tax rate.

No one from the public spoke.

Regular meeting resumed.

#### Water/Sewer Late Fee Waiver Policy

Administrator Jensen reported that he and Mayor Hauser have discussed the waiver of late fees for water/sewer bills for customers in good standing if they have not been late in the prior three years. There are an estimated 2-4 residents each year that request the late charges be waived as they did not receive their bill. Administrator Jensen reported that the clerk's office is hesitant with the granting of these waivers. Trustee Matson said that the resident should still make the request in writing to be on record.

**Language change under Protested bills by Customers** – Motion by Mayor Hauser, seconded by Trustee Jacobs. To change the language in the Protested bills by customer section to read, "Any adjustments to accounts other than office error's (miscalculations, meter misreading and computer error) shall be granted by Village Board resolution only upon written requests to the Village Clerk. Late fees may be removed through Village Board action if the account has not been delinquent in the previous three (3) years from date of the request." Motion carried with all voting aye.

#### Deputy Clerk applications

Administrator Jensen reported that over 50 applications were submitted for the Deputy Clerk's position. 12 were subject to phone interviews.

Motion by Mayor Hauser, seconded by Trustee Matson to close both public hearings at 8:30pm and resume the regular meeting. Motion carried with all voting aye.

**Transfer of funds authorized** – Motion by Trustee Matson, seconded by Trustee Billings, to authorize the transfer of funds from the Sewer Capital Reserve Fund to the Sewer Fund for the expenditure, not to exceed \$45,000, of a new 1 ton pick up truck and accessories. Motion carried with all voting aye.

#### **Local Law to override the Tax Cap adopted**

### VILLAGE OF PERRY RESOLUTION

**ADOPTING LOCAL LAW NO. 1 OF 2019 ENTITLED, "OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C"**

**WHEREAS**, all Board Members, having due notice of said meeting, and that pursuant to Article 7, §104 of the Public Officers 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 is considering a local law that will override the limit on the amount of real property taxes that may be levied by the Village of Perry; and

**WHEREAS**, a resolution was duly adopted by the Village Board of the Village of Perry on February 4, 2019 authorizing a public hearing to be held by the Village Board on March 4, 2019 at 8:00 p.m. at the Village Offices to hear all interested parties on said proposed local law; and

**WHEREAS**, notice of said public hearing was duly advertised in the Perry Herald, the official newspaper of said Village; and

**WHEREAS**, said public hearing was held on March 4, 2019 at the Village Offices in the Village of Perry commencing at 8:00 p.m. and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed local law, or any part thereof; and

**WHEREAS**, the Village Board of the Village of Perry, after due deliberation, finds it in the best interest of said Village to adopt said local law.

**NOW ON MOTION OF** Trustee Jacobs, which has been duly seconded by Trustee Matson, now therefore be it

**RESOLVED**, that the Village Board of the Village of Perry hereby adopts Local Law No. 1 of 2019, entitled, "Override the Tax Levy Limit Established in General Municipal Law §3-c."; and be it further

**RESOLVED**, that the Village Clerk be and she hereby is directed to enter said local law in the minutes of this meeting and give due notice of the adoption of said local law to the Secretary of the State of New York.

Ayes:   5    
Nays:   0  

Perry Vet's Club Rezone Request

Administrator Jensen reported that the attorney for the Perry Vet's Club has sent a request to adjourn the public hearing as the site plan is not ready. A site plan is not necessary for the rezone but they want to give the boards a complete site plan to show the entire vision of their project. Mayor Hauser said the public hearing is on the request to rezone the parcel of land.

Motion to adjourn meeting at 8:44 pm was offered by Trustee Draper, second by Trustee Matson and carried with all voting aye.

Respectfully submitted,

*Gail I. Vosburg*

Gail Vosburg, Village Clerk