

**VILLAGE OF PERRY
VILLAGE BOARD MINUTES
APRIL 1, 2019**

A regular board meeting of the Village of Perry was held at the Village Hall, 46 North Main Street, Perry, New York at 7:30 pm on the 1st day of April 2019.

PRESENT:	Rick Hauser Dariel Draper Jacquie Billings Eleanor Jacobs Arlene Lapiana	Mayor Trustee Trustee Trustee Trustee
ALSO PRESENT:	Matt Jensen Gail Vosburg	Village Administrator Village Clerk
GUESTS:	Mary Syberg Eric Kelly	Julie Jensen

Mayor Hauser called the meeting to order at 7:30 pm and led in the pledge to the flag.

Mayor Hauser read the oath of office for new trustee Arlene Lapiana.

Mayor Hauser called the organizational Meeting to order.

Mayor Hauser presented the following Appointed Officials for approval:

Deputy Mayor	Dariel A. Draper	1 year term
Village Clerk/Deputy Treasurer	Gail Vosburg	2 year term
Tax Collector	Gail Vosburg	1 year term
Treasurer	Matt Jensen	2 year term
Deputy Village Clerk	Heather Bellinger	1 year term
Supt. Of Public Works	Eric Kelly	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	Heather Bellinger	1 year term
Zoning Officer	Donald Roberts	1 year term
Property Maint. Officer	Alyssa Cutcliff	1 year term
Zoning Clerk/Secretary	Heather Bellinger	1 year term
Fair Housing Officer	Rick Hauser	1 year term
Section 3 Coordinator	Matt Jensen	1 year term
Silver Lake Association Liasion	Matt Jensen	1 year term
Perry Main Street Association	Rick Hauser	1 year term
BIL Committee	Trustee Arlene Lapiana	1 year term
	Member at Large Matt Jensen	1 year term
	Member at Large Howard Wood	1 year term

Planning Board (alternate)
Dana Grover

Term Expiring 3/31/2020

Tim Cipolla

Term Expiring 3/31/2020

Zoning Board of Appeals

Zach Kowaz

Term Expiring 3/31/2024

Zoning Board of Appeals (alternate)

Joe Rebisz

Term expiring 3/31/2020

Motion by Trustee Billings, seconded by Trustee Draper, to approve the Mayor's appointments. Motion carried with all voting aye.

Mayor Hauser then read Committee assignments:

Budget	Hauser, Billings, Draper, Jacobs, Lapiana
Public Safety (Police & Fire)	Billings, Draper
Public Works (DPW& Water & Sewer)	Jacobs, Draper
Recreation & Resources (Park & Rec, SLWC)	Billings, Jacobs
Office (Oper., Employee Relations, Ins. Tech)	Hauser, Lapiana
Planning (Plan/Zoning, Grant & Dev., Revit.)	Lapiana, Hauser

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, Silverlake Watershed Commission and Capital Monies; Perry Office of the Bank of Castile be the official depository for the Trust and Agency, Payroll and Capital Monies. 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 disbursement of funds by check from Village bank accounts with one signature from an elected official and one 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 Matt Jensen, 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 the month following the month of the village election. 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 as such shall not be misused and posted on the Village's website with 7 (seven) business days after approval.

AND

The Village Board will require all department head to give presentations to the Village Board at a minimum of twice a year.

The Village Board will review all Village Polices and the Comprehensive Plan on an annual basis.

AND

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;

AND

Authorization is given to municipal official and employees to attend schools, conferences, association meetings and seminars that would benefit the municipality provided funds are available in the current fiscal year budget.

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

Auditing Schedule for 2019-2020

April	Jacobs
May & Year End 2019	Jacobs
June	Billings
July	Draper
August	Lapiana
September	Jacobs
October	Billings
November	Draper
December	Lapiana
January 2020	Jacobs

February
March
April

Billings
Draper
Lapiana

Motion by Trustee Billings, seconded by Trustee Draper, to approve the committee assignments, resolutions and auditing schedule. Motion carried with all voting aye.

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

BOARD MEETING MINUTES

March 18, 2019 Regular Board Meeting minutes approved – Motion by Trustee Jacobs, seconded by Trustee Billings, to approve the minutes from the March 18, 2019 regular board meeting as presented. Motion carried with all voting aye.

PUBLIC COMMENT

No one from the public spoke.

PRESENTATIONS

RESOLUTION – PROCLAMATION OF ARBOR DAY IN THE VILLAGE

Whereas, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special Day be set aside for the planting of trees, and
Whereas, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and
Whereas, Arbor Day is now observed throughout the nation and the world, and
Whereas, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife, and
Whereas, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and
Whereas, trees in our village increase property values, enhance the economic vitality of business areas, and beautify our community, and
Whereas, trees, wherever they are planted, are a source of joy and spiritual renewal.
Now, Therefore, I, Rick Hauser, Mayor of the Village of Perry, do hereby proclaim April 27, 2019 as Arbor Day In the Village of Perry and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands.
Further, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

PROPOSAL FROM WENDEL FOR URBAN FORESTRY INVENTORY & COMMUNITY MANAGEMENT PLAN

Wendel Engineering provided a proposal to complete the Urban Forestry Inventory and Community Management Plan as part of the Urban Forestry grant the Village received. The proposed fee is \$22,690 (\$7,350 for the tree inventory, \$1,800 for the Tree Inventory Report, and \$13,540 for the Community Forestry Management Plan).

Motion by Trustee Jacobs, seconded by Trustee Billings, to authorize the Mayor to sign the proposal from Wendel. Motion was denied, with five nay votes.

Administrator Jensen said he will contact Wendel to add that the tree inventory is not to exceed \$7,350 and to review the terms and conditions of the proposal so that the Village has unconditional license to use the data.

Motion by Mayor Hauser, seconded by Trustee Billings, to approve the proposal with the two conditions and authorize the Mayor to sign. Motion carried with all voting aye.

CLERK/DEPUTY TREASURER REPORT

Vouchers approved for payment – Clerk Vosburg presented the following vouchers for payment:

Vouchers # 191867 - # 191917

General Fund	\$ 67,181.22
Spec. Grant Fund	\$ 17,481.89
Water Fund	\$ 20,564.70
Sewer Fund	\$ 11,852.89
SLWC	\$ 16.34
Trust & Agency	<u>\$ 79,958.03</u>
Total	\$197,055.07

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

Reminder of the Village Association Dinner on April 17, 2019 at the Wyoming Inn in Wyoming. Scott Gardner from the Wyoming County Tourism will be the guest speaker.

OTHER

Rezone of 64 Lake Street Property

Administrator Jensen reported that no other agency contested the Village of Perry to become the Lead Agency for the Rezone request of 64 Lake Street.

RESOLUTION OF THE VILLAGE BOARD OF THE VILLAGE OF PERRY DECLARING THE VILLAGE BOARD AS LEAD AGENCY RELATIVE TO THE REZONING OF THE PERRY VET'S CLUB

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 has received a rezoning application for Perry Vet's Club located at 64 Lake Street; SBL No. 100.7-4-1 in the Village of Perry described herein as follows:

PARCEL I

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town and Village of Perry, County of Wyoming, New York, being part of Lot Number Thirty of William Shepard's Subdivision of

the Ogden Tract and being Village Lots numbered Eighteen, Nineteen and Twenty and parts of Village Lots numbered Seventeen and Twenty-one, as surveyed by Ansel Belton of the lands deeded by David L. Swain to Loren Grant, William Dolbeer and Reader Smith, bounded:
Westerly, by Genesee (now Federal) Street;
Northerly and Easterly, by land deeded to William Mitchell; and
Southerly, by the highway leading from Perry Village to West Perry (now Lake Street).

THE MEASUREMENTS of said Premises from the northerly line of Lake Street and the easterly line of Federal Street, as surveyed by G.D. Roche, Surveyor, February 8, 1915, are as follows:

BEGINNING on the northerly side of Lake Street at a point on the line of division between said land and lands formerly owned by M.H. Wright; and running thence,

Northerly on said division line, two hundred eighteen and one half feet, to lands (formerly) of the Wyckoff Estate; thence;

Westerly, along the said line of lands of said Wyckoff Estate, one hundred thirty-four feet, to the easterly line of Federal Street; thence,

Southerly, along the easterly line of Federal Street, two hundred twenty-five feet, to the northerly line of Lake Street; thence,

Easterly, along the northerly line of Lake Street, two hundred eight and one half feet, to the place of beginning

IT IS HEREBY INTENDED TO CONVEY the same Premises in Deed from Clara M. Henricus and George H. Henricus to James Slocum, dated February 10, 1915 and recorded in the Wyoming County Clerk's Office in Liber 164 of Deeds, at page 316

ALSO, ALL THAT TRACT OR PARCEL OF LAND, situate in the Town and Village of Perry, County of Wyoming and State of New York, being part of Lot Number 30 in William Shepard's Subdivision of the Ogden Tract and bounded and described as follows:

BEGINNING on the easterly side of Federal (formerly called Genesee) Street at the southwest corner of lands formerly owned by Mary Haley, said corner being also the northwest corner of Lot Number 22, as described on a Map and Survey made by Ansel Belton, Surveyor of lands deeded by David L. Swain to William Dolbeer, Loren Grant and Reeder Smith and now on file in the Genesee County Clerk's Office; and running thence;

Easterly, along the southerly line of lands of said lands of Mary Haley and lands formerly owned by Ellen Duffy, one hundred sixty feet, to the southeast corner of said Duffy's lands; thence,

Southerly, on a continuation of the easterly line of said Duffy's lands, forty-four feet; thence,

Southwesterly, thirty-nine feet, to a point where a line drawn in continuation of easterly line of lands conveyed by C. Frank Eaton and wife to William W. McMahan and Fannie A. McMahan and thirty-three distant, Northwesterly, from their northeast corner will intersect the same; thence,

Southeasterly, thirty-three feet, to the northeast corner of said McMahan lands; thence,

Westerly, along the northerly line of the McMahan lands, one hundred thirty-four feet, to the easterly side of Federal Street; thence,

North, along the easterly side of Federal Street, eighty-five feet, to the place of beginning, be the same, more or less.

Said parcel, Tax Map No. 100.7-4-1, is described herein as follows:

PARCEL II

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town and Village of Perry, County of Wyoming and State of New York and bounded and described as follows:

BEGINNING at a point on Federal Street which is the dividing line between lands now owned by first parties and lands formerly owned by James Wyckoff; and running thence,

Easterly, on dividing line of lands of first parties and lands formerly owned by said Wyckoff, about 96 feet and 6 inches, to lands now owned and occupied by Herman C. Prentice; thence,

Northerly, along said Prentice west line, fifty feet; thence,

Westerly and parallel with the first described line, about ninety-six feet and six inches, to Federal Street; thence,

Southerly, along the line of said Federal Street, fifty feet, to the place of beginning, be the same, more or less.

;and

WHEREAS, the Village Board of the Village of Perry believes it is most appropriate candidate to act as lead agent under State Environment Quality Review Law as the Village Board is the legislative body with the authority to amend the Zoning Map; and

WHEREAS, the Village Board of the Village of Perry sought lead agency status, by resolution dated February 19, 2019, and under the State Environmental Quality Review Act, also known as SEQRA, advised all other involved/interested agencies of the proposed project; and

WHEREAS, the Village Board of the Village of Perry submitted notice via first class mail on the 20th day of February, 2019, to the following involved/interested agencies of the proposed project:

Wyoming County Planning Board
Planning Board of the Village of Perry
Town Board of the Town of Perry
;and

WHEREAS, pursuant to review of section 239 1-m of the General Municipal Law, said project did require referral to the Wyoming County Planning Board and was referred to the County Planning Board on February 21, 2019, for review at the March 4, 2019 meeting; 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 as lead agency will review the proposed project and all supporting documents and take a "hard look" at all potential adverse environmental impacts pursuant to SEQRA by completing Part I and Part II of a Short EAF; and

WHEREAS, the Village Board, as lead agency, shall consider the proposed project, review the short form environmental assessment, review the criteria set forth in 6 NYCRR section

617.7(c), thoroughly analyze the relevant areas of potential environmental concern, and will consider all of the potential environmental impacts and their magnitude in connection with said project; 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 sought lead agency status pursuant to a resolution dated February 19, 2019, and under the State Environmental Quality Review Act, also known as SEQRA, advised the following involved/interested agencies of the proposed project by notice sent first class mail on February 20, 2019,:

Wyoming County Planning Board
Planning Board of the Village of Perry
Town Board of the Town of Perry
; and be it further

RESOLVED, that pursuant to the provisions of coordinated review under SEQRA, the involved/interested agencies were allowed 30-days to comment on the notice of coordination and no such agency submitted comments prior to the expiration of the 30-days on or before March 22nd, 2019; and be it further

RESOLVED, that pursuant to review of section 239 1-m of the General Municipal Law, said project did require referral to the Wyoming County Planning Board and was referred to the County Planning Board on February 21, 2019, for review at the March 4, 2019 meeting; and be it further

RESOLVED, that 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 as lead agency will review the proposed project and all supporting documents and take a "hard look" at all potential adverse environmental impacts pursuant to SEQRA by completing Part I and Part II of a Short EAF; and be it further

RESOLVED, that the Village Board, as lead agency, shall consider the proposed project, review the short form environmental assessment, review the criteria set forth in 6 NYCRR section 617.7(c), thoroughly analyze the relevant areas of potential environmental concern, and will consider all of the potential environmental impacts and their magnitude in connection with said project; and be it further

RESOLVED, that the Village Board of the Village of Perry has determined that the Village Board is the best candidate for Lead Agent for this Project and hereby declares itself Lead Agency.

Ayes: 4 Hauser, Draper, Jacobs, Lapiana
Nays: 0
Abstain: 1 Billings

Motion by Mayor Hauser to open the public hearing on the budget at 8:00 pm was seconded by Trustee Billings. Motion carried with all voting aye.

PUBLIC HEARING ON THE 2019-20 TENTATIVE VILLAGE BUDGET

Administrator Jansen reviewed the 2019-20 Tentative Village budget. He noted that the AIM Funding has been restored in the NYS Budget and he will have more information at next week's budget meeting. The Tentative Budget projects a tax rate is \$15.25 per thousand which is a reduction of 1% from the current tax rate. This continues a trend of over nine years of annual decreased in the Village Tax rate.

The Overall budget, as proposed:

	Appropriations	Revenue	From Fund Balance	Amount to be Raised by Tax
General Fund	\$2,645,278	\$ 543,925	\$ 50,000	\$ 2,051.353
Special Grant Fund	\$ 1,143	\$ 1,143		
Water Fund	\$ 745,200	\$ 745,200		
Sewer Fund	\$ 833,147	\$ 797,081	\$ 36,066	
SLWC	<u>\$ 13,000</u>	<u>\$ 13,000</u>		
Grand Total	\$4,237,768	\$2,100,349	\$ 86,066	\$ 2,051,353

A list of the expenditures by department was presented. The last page of the presentation is anticipated purchased from reserve funds and the fund balance.

No one from the public had any comments.

Motion by Mayor Hauser to close the public hearing on the budget at 8:10 pm was seconded by Trustee Draper. Motion carried with all voting aye.

Reminder that there is a budget meeting next Monday, April 8, 2019 at 7 pm.

Trustee Reports

Trustee Billings said that the public beach executive committee is working on the pavilion resign at the public beach.

Motion by Mayor Hauser, seconded by Trustee Draper, to adjourn the meeting and enter into executive session to discuss negotiations at 8:15 pm. Motion carried with all voting aye.

Motion by Mayor Hauser, seconded by Trustee Draper, to exit executive session and resume the regular meeting at 8:40 pm. Motion carried with all voting aye.

Motion to adjourn the meeting at 8:40 pm was made by Trustee Draper, seconded by Trustee Lapiana and carried with all voting aye.

Gail I. Vosburg

Gail I. Vosburg
Village Clerk