

**VILLAGE OF PERRY
VILLAGE BOARD MINUTES
MAY 20, 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 20th day of May 2019.

PRESENT:	Rick Hauser	Mayor
	Jacque Billings	Trustee
	Dariel Draper	Trustee
	Eleanor Jacobs	Trustee
	Arlene Lapiana	Trustee

ALSO PRESENT:	Matt Jensen	Village Administrator
	Gail Vosburg	Village Clerk
	Eric Kelly	Supt. DPW

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

BOARD MEETING MINUTES

May 6, 2019 Regular Board Meeting minutes approved – Motion by Trustee Jacobs, seconded by Trustee Draper, to approve the minutes from the May 6, 2019 Regular Board meeting. Motion carried with the following vote:

Ayes	4	Hauser, Draper, Jacobs, Lapiana
Nay	0	
Abstain	1	Billings

PUBLIC COMMENT

No one from the public spoke.

PRESENTATIONS

SUMMER WORK SCHEDULE-ERIC KELLY – SUPT. DPQ

Supt. DPW Eric Kelly reviewed the DPW summer work schedule, including some sewer repair work. He spoke on the park paving project, which will be discussed further with his committee.

2018 ANNUAL WATER QUALITY REPORT

2018 Annual Water Quality Report Approved – Motion by Trustee Jacobs, seconded by Trustee Draper, to approve the 2018 Annual Water Quality Report. Motion carried with all voting aye.

BENTON HOLDINGS GRANT APPLICATION REIMBURSEMENT WAIVED

Benton Holdings agreed to reimburse the Village \$5,500 for a 2018 Restore NY Grant application for improvements to their building. The property has been sold recently and the Village was not likely to see this reimbursement. The application was not approved for funding.

Benton Holdings Grant Application Reimbursement waived – Motion by Trustee Billings, seconded by Trustee Lapiana, to approve waiving of the \$5,500 reimbursement from Benton Holdings for the Restore NY Grant application. Motion carried with all voting aye.

ADVOCATING OF EXTREME WEATHER RECOVERY FUNDING

NYCOM is organizing an advocacy to restore the Extreme Weather Recovery Funding (EWR) and a long overdue increase in CHiPS funding. They are encouraging municipals to write letters to their representatives in the State.

Letters approved for EWR advocacy – Motion by Trustee Billings, seconded by Trustee Draper, to approve the EWR advocacy letters to state leaders with all of the board to sign. Motion carried with all voting aye.

Motion by Mayor Hauser, seconded by Trustee Draper, to open the public hearing at 8:00 pm for the Community Development Block Grant applications. Motion carried with all voting aye.

CDBG Public Hearing open

The purpose of the public hearing is to hear public comments on the Village’s community development needs and to discuss the possible submission of one or more CDBG applications for the 2019 program year. The CDBG programs will make available to eligible local governments funding for housing, economic development, public facilities, public infrastructure, and planning activities, with the principal purpose of benefitting low/moderate income persons.

No one from the public spoke.

Regular meeting continued.

EVENT FACILITY APPLICATIONS

An event form was presented for approval: ARC’s Tour de Perry on July 13, 2019 at the Village Park with food carts.

Tour de Perry Event form approved – Motion by Trustee Jacobs, seconded by Trustee Billings, to approve the ARC’s Event form for the Tour de Perry with the clarification that the event be revenue neutral and food carts be allowed. Motion carried with all voting aye.

DRI GRANT APPLICATION

A resolution that supports the submission of the DRI grant is required as part of the grant application.

Resolution approved –

**VILLAGE BOARD OF THE VILLAGE OF PERRY
RESOLUTION SUPPORT SUBMISSION OF A ROUND 4
DOWNTOWN REVITALIZATION INITIATIVE APPLICATION
Adopted: May 20, 2019**

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 State of New York offers up to \$10 million for each region to assist one community with a Downtown Revitalization Initiative (DRI) strategy; and

WHEREAS, the DRI will provide the Village with the opportunity to leverage a decade worth of public and private investment in Perry’s historic downtown; and

WHEREAS, the Village will work cooperatively with involved State agencies to advance the DRI; and

WHEREAS, the Village Board of the Village of Perry looks forward to working with the DRI Local Planning Committee that will be made up of a broad base of organizations and residents within the Village and region to develop the Strategic Investment Plan.

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

RESOLVED, that the Village Board of the Village of Perry does enthusiastically support submission of a Round 4 Downtown Revitalization Initiative application.

Ayes: 5
Nays: 0

CLARIFY PUBLICATION ERROR – CODE OF THE VILLAGE OF PERRY

There is an error in the publication of the Code of the Village of Perry – specifically regarding signs. This resolution would correct the table where the error is located.

Motion by Mayor Hauser, seconded by Trustee Draper, to open the public hearing at 8:15 pm for the purchase of a 1.2 ton roller from Capital Equipment Reserve Fund. Motion carried with all voting aye.

Transfer funds from Capital Reserve Fund for roller purchase

The Village of Perry proposed to authorize the transfer of moneys from the Capital Equipment Reserve Fund to the General Fund in the amount of \$15,900 for the purchase of a 1.2 ton roller.

No one from the public spoke.

Regular meeting continued.

Resolution approved -

**VILLAGE BOARD OF THE VILLAGE OF PERRY
RESOLUTION TO CLARIFY PUBLICATION ERROR IN
CODE OF THE VILLAGE OF PERRY
Adopted: May 20, 2019**

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 of the Village of Perry has reviewed the current Code of the Village of Perry printed as of August of 2018 and observed conflicting language in Article VII §490-72 in regard to the regulation of signs; and

WHEREAS, §490-72 D(1)(a) states that signs permitted in the R District include “One wall sign with a total face area that does not exceed four square feet, and does not project more than one foot beyond the outside wall of the building”; and

WHEREAS, §490-72 E “Schedule for Signs Requiring a Permit in All Districts”, a copy of which is attached hereto as Exhibit A, directs the reader to “(a)” when identifying the Face Area of a sign in R Districts; and

WHEREAS, readers typically look to Footnote (a) below the Schedule which states “Total maximum face area for all signs (except temporary signs and window signs) in square feet per linear foot of building frontage. [Where no building is involved, or for sites with a building of 100 square feet or less, the above face area factors shall be applied to the linear feet of street frontage (instead of building frontage), with the minimum face area not to exceed 20 square feet.]; and

WHEREAS, Attorney David M. Roach, who drafted the Code of the Village of Perry, reviewed the current publication of the Code and identified that the designation of (a) in the §490-72 E “Schedule of Signs Requiring a Permit in All Districts” is a publication error as the original draft of the code, attached hereto as Exhibit B, directed readers to “See §490-50(A)” as the equivalent of §490-72 D(1)(a) of the current Code of the Village of Perry; and

WHEREAS, §490-72 E “Schedule for Signs Requiring a Permit in All Districts” should direct readers to “See §490-72 D(1)(a)” rather than “(a)”; and

WHEREAS, the Village Board of the Village of Perry finds it in the best interest of the Village of Perry to consider correcting the current publication of the Code of the Village of Perry.

NOW ON MOTION OF Trustee Jacobs which has been duly seconded by Trustee Lapiana, be it

RESOLVED, that the Village Board of the Village of Perry hereby acknowledges that there is a publication error in §490-72 E “Schedule for Signs Requiring a Permit in All Districts” which directs readers to “(a)” to determine the Face Area of signs in the R District; and be it further

RESOLVED, that the Village Board of the Village of Perry shall direct the publisher to correct §490-72 E “Schedule for Signs Requiring a Permit in All Districts” in the current version of the Village Code of the Village of Perry to read as “See §490-72 D (1)(a)” to determine the appropriate Face Area of signs in an R District.

Ayes: 5

Nays: 0

Motion by Mayor Hauser, seconded by Trustee Jacobs, to close both public hearings at 8:20 pm.

Transfer from Capital Equipment Reserve approved – Motion by Trustee Jacobs, seconded by Trustee Lapiana, to authorize the transfer from the Capital Equipment Reserve Fund in the amount of \$15,900 to the General Fund for the purchase of a 1.2 ton roller. Motion carried with all voting aye.

CLERK/DEPUTY TREASURER REPORT

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

Vouchers # 192130 - # 192230

General Fund	\$183,592.48
Special Grant Fund	\$ 5,288.19
Water Fund	\$ 35,224.95
Sewer Fund	\$237,667.28
SLWC	\$ 5,758.60
Trust & Agency	<u>\$ 54,344.45</u>
Total	\$521,575.95

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

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

General Fund

From:	A1410.2	Clerk Equipment	\$ 750	
	A1450.4	Election Contractual	\$ 400	
	A1490.15	Public Works longevity	\$ 900	
	A1620.2	Village Hall Equipment	\$ 1,430	
	A1620.42	Village Hall Utilities	\$ 1,201	
	A1910.4	Unallocated Insurance	\$ 1,800	
	A1950.4	Taxes & Assess. Muni.	\$ 8,600	
	A3120.1	Police PS	\$ 6,000	
	A5112.24	Perm. Improv. Birchwood	\$ 790	
	A6772.4	Programs for Aging Contractual	\$ 430	
	A7020.1	Rec Admin PS	\$15,000	
	A7110.1	Parks PS	\$ 2,000	
	A8510.4	Community Beautification	\$ 1,000	
	A9050.8	Unemployment	\$ 1,500	
	A9060.8	Health Insurance	\$ 23,000	
To:	A1010.41	Boad of Trustees Labor Relations		\$ 4,000
	A1325.4	Treasurer Contractual		\$ 5,000
	A1410.12	Clerk ps part time		\$ 2,600
	A1410.4	Clerk Contractual		\$ 1,000
	A1420.4	Law Contractual		\$ 3,000
	A1490.4	Public Works Admin Cont.		\$ 800
	A312.12	Police PS part time		\$22,000
	A5110.1	Streets PS		\$17,000
	A5110.11	Streets PS Overtime		\$ 2,500

A5112.4	Perm. Improvements Contractual	\$	1
A5132.4	Garage Contractual	\$	3,000
A5132.42	Garage Utilities	\$	3,000
A6410.4	Publicity Contractual	\$	900
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		\$ 64,801	\$64,801

Clerk/Deputy Treasurer Report approved – Motion by Mayor Hauser, seconded by Trustee Jacobs, to approve the Clerk/Deputy Treasurer report. Motion carried with all voting aye.

Department Head Reports

The following department head reports were presented:

- Department Public Works
- Water & Sewer
- Police

Trustee Reports

Trustee Draper reported on the last fire committee meeting.

Trustee Billings spoke on PSMA’s application for a “Play Everywhere Grant” in the amount of \$80,000 (for items that were cut from the Public Beach project design).

Motion by Mayor Hauser, seconded by Trustee Draper, to enter into executive session to matters leading to the appointment of a particular person at 8:44 pm. Motion carried with all voting aye.

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

Motion to adjourn the meeting at 9:04 pm was made by Trustee Draper, seconded by Trustee Lapiana and carried with all voting aye.

Gail I. Vosburg

Gail I. Vosburg
Village Clerk