

**VILLAGE OF PERRY  
VILLAGE BOARD MINUTES  
JANURY 21, 2020**

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 21<sup>TH</sup> day of January 2020.

PRESENT:	Rick Hauser	Mayor
	Dariel Draper	Trustee
	Arlene Lapiana	Trustee
ABSENT:	Jacque Billings	Trustee
	Eleanor Jacobs	Trustee
ALSO PRESENT:	Matt Jensen	Village Administrator
	Gail Vosburg	Village Clerk
Guests:	Mary Syberg	

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

**MINUTES**

**DECEMBER 16, 2019 REGULAR MEETING MINUTES APPROVED** - Motion by Trustee Draper second by Trustee Lapiana the minutes of the December 16, 2019 Regular Board Meeting were approved as presented. Motion carried with all voting aye.

**JANUARY 6, 2020 REGULAR MEETING MINUTES APPROVED** - Motion by Mayor Hauser second by Trustee Lapiana the minutes of the January 6, 2020 Regular Board Meeting were approved as presented. Motion carried with all voting aye.

**PUBLIC COMMENT**

No one from the public had any comment.

**PRESENTATIONS**

**NY CLASS**

Administrator Jensen outlined two investment options for the Village to invest funds in NY CLASS. Option One would invest the reserve fund moneys to see how the program works. Option Two would invest most of the Village's funds. Administrator Jensen recommends that the Village go with Option One and in three months' time, go to Option Two.

**NY CLASS investment option one approved** - Motion by Trustee Lapiana, seconded by Trustee Draper, to approve the NY CLASS investment Option One. Motion carried with all voting aye.

**GRADE D LICENSE TRAINING**

Administrator Jensen requested board approval training for Michael Mott and Andrew Lowery to attend training for their “D” License certification for water distribution. Cost of the training is \$500 each and funding is available in each budget.

**“D” License training approved** – Motion by Trustee Lapiana, seconded by Trustee Draper, to approve the “D” License training at a cost of \$500 each for Michael Mott and Andrew Lowery. Motion carried with all voting aye.

**PROPERTY TAX CAP**

Administrator Jensen said the village should schedule a public hearing for the Property Tax Cap Override Law. He recommends Monday, March 2, 2020.

**VILLAGE OF PERRY  
RESOLUTION TO HOLD PUBLIC HEARING  
REGARDING OVERRIDE OF THE TAX CAP RATE**

**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**, Chapter 97 of the Laws of 2011 – “The Property Tax Cap” added section 3-c to the General Municipal Law which provides that the amount of real property taxes that may be levied by or on behalf of any local government shall not exceed two percent (2%); and

**WHEREAS**, in order to adopt a budget that requires a tax levy that is greater than the tax levy limit for the coming fiscal year, only if the Village Board first enacts, by a vote of sixty percent (60%) of the total voting power, a local law to override such limit for such coming fiscal year only; and

**WHEREAS**, the Village Board of the Village of Perry finds it in the best interest of the Village to hold a public hearing to consider the adoption of said local law.

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

**RESOLVED**, by the Village Board of the Perry will hold a public hearing on the proposed adoption of said local law on the 2<sup>nd</sup> day of March, 2020 at 8:00 p.m., at which time all interested parties and citizens for or against the proposed law will be heard.

Ayes:   3  

Nays:   0  

**BUDGET MEETINGS SCHEDULE**

**Budget Meetings schedule approved** – Motion by Trustee Draper, seconded by Trustee Lapiana, to approve the budget meeting schedule: February 10<sup>th</sup>, February 24<sup>th</sup> and March 9<sup>th</sup> at 7 pm. Motion carried with all voting aye.

**CFI STORM WATER MANAGEMENT AGREEMENT**

Administrator Jensen presented an agreement between Creative Food and the Village in regards to the maintenance of storm water improvements that CFI did as part of their latest

project. There would be no cost to the Village as this would name CFI to maintain any ongoing maintenance and repairs to the storm water.

**CFI Storm Water Maintenance Agreement approved** – Motion by Trustee Lapiana, seconded by Trustee Draper, to approve the CFI Storm Water Maintenance Agreement and authorize the Mayor to sign the agreement upon the receipt of a site plan for the improvements. Motion carried with all voting aye.

**WILLIAMSON LAW BOOK SOFTWARE**

Administrator Jensen presented a proposal to change the software the village uses for municipal purposes. The proposed software from Williamson Law Book, is easier to learn and use than the current software. Monies are available in the budget for the change in software.

**Williamson Law Book Software approved** – Motion by Trustee Draper, seconded by Trustee Lapiana, to approve the software proposal from Williamson Law Book in the amount of \$29,092.56. Motion carried with all voting aye.

**PARK USE REQUESTS**

Administrator Jensen presented a request from the Rochester Lady Lions to hold a softball tournament at the Village Park from June 5<sup>th</sup> – June 7<sup>th</sup>.

**Rochester Lady Lions Tournament approved** – Motion by Trustee Lapiana, seconded by Trustee Draper, to approve request of the Rochester Lady Lions to hold a softball tournament from June 5<sup>th</sup> to June 7<sup>th</sup> at the Village Park. Motion carried with all voting aye.

The Perry Fire Department presented a request to hold the Sea Serpent Softball Tournament from July 17<sup>th</sup> – July 19<sup>th</sup> at the Village Park on Lake Street and the park on park Ave.

**Sea Serpent Softball Tournament approved** – Motion by Trustee Draper, seconded by Trustee Lapiana, to approve request of the Perry Fire Department to hold the Sea Serpent Softball Tournament from July 17<sup>th</sup> to July 19<sup>th</sup> at the Village Park and on Park Ave. Motion carried with all voting aye.

**CLERK/DEPUTY TREASURER REPORT**

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

Vouchers # 20564 - # 201576

General Fund	\$ 43,731.32
Water Fund	\$ 7,522.05
Sewer Fund	\$ 7,470.61
Capital Projects Fund	\$ 79,707.85
Trust & Agency	<u>\$ 52,453.22</u>
Total	\$190,885.05

Vouchers # 201577 - # 201667

General Fund	\$ 27,007.64
Spec. Grant Fund	\$ 3,796.65
Water Fund	\$ 6,440.59
Sewer Fund	\$ 9,567.65
Capital Projects Fund	\$ 56.55
SLWC	\$ 18.60
Trust & Agency	<u>\$ 338.14</u>

Total \$ 47,225.81

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

Resignations were received from :

Gordon Truax – Police Officer – effective January 19, 2020

Bruce Billings – Planning Board Member – effective immediately

Terry Bogert – Acting Village Justice – effective April 1, 2020

**Clerk/Deputy Treasurer Report approved** – Motion by Trustee Draper, seconded by Trustee Lapiana to approve the Clerk/Deputy Treasurer report. Motion carried with all voting aye.

### **DEPARTMENT HEAD REPORTS**

The following department head report was presented:

Police

Water & Sewer

DPW

### **TRUSTEE REPORTS**

Mayor Hauser asked the board to consider a resolution directing the commencement of action against Nancy Beagle for ongoing property maintenance issues and authorize the Village Attorney to take action as deemed advisable.

### **VILLAGE BOARD OF THE VILLAGE OF PERRY RESOLUTION TO DIRECT COMMENCEMENT OF ACTION ON BEHALF OF MUNICIPALITY**

**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**, it appears that Nancy Beagle is in violation of §465-14 of the Zoning Code of the Village of Perry relative to the property located at 6-8 Park Place, Perry, New York; and

**WHEREAS**, it appears to be in the best interest of the Village of Perry to prohibit Nancy Beagle from continuing to be in violation of said section of §465-14 of the Zoning Code of the Village of Perry ; and

**WHEREAS**, the Village Board of the Village of Perry feels it is in the best interest of the Village of Perry to retain the services of Village Attorney, David M. DiMatteo, to pursue the enforcement of §465-14 of the Zoning Code of the Village of Perry against Nancy Beagle to ensure that this property is brought into compliance with said Law.

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

**RESOLVED**, that the Mayor of the Village of Perry, be and he hereby is authorized and directed to retain the services of David M. DiMatteo, Attorney for the Village of Perry in this matter, upon such terms as he deems proper and advisable, and Mayor of the Village of Perry shall authorize David M. DiMatteo on behalf of the Village of Perry to take such action as may be deemed advisable to prevent any continuation of the violation of §465-14 of the Zoning Code of the Village of Perry and the seeking of permanent injunction.

Ayes:   3  

Nays:   0  

Motion by Mayor Hauser, seconded by Trustee Draper to adjourn the regular meeting at 8:17pm and enter into executive session. Motion carried with all voting aye.

Motion by Mayor Hauser, seconded by Trustee Draper, to exit executive session at 8:20 pm. Motion carried with all voting aye.

Motion to adjourn the meeting at 8:20 pm was made by Trustee Draper, seconded by Trustee Lapiana and carried with all voting aye.

*Gail I. Vosburg*

Gail I. Vosburg

Village Clerk