

**VILLAGE OF PERRY
VILLAGE BOARD MINUTES
APRIL 20, 2020**

The Village of Perry Board of Trustees held a regular virtual board meeting through live video conference on the 20th day of April 2020, commencing at 7:30 pm.

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

ALSO PRESENT:	Matt Jensen	Village Administrator
	Gail Vosburg	Village Clerk

GUESTS:	Lorraine Sturm	Don Roberts
	Brenda Kelly	Christina Slusser
	Jonathan Duckworth, Mayor - Town of Nailsworth, England	

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

Mayor Hauser introduced Jonathan Duckworth, Mayor of the Town of Nailsworth, England. Mayor Duckworth extended best wishes to Perry. He explained how his town is dealing with the COVID 19 virus. They are on their 5th week of lockdown with 3 weeks remaining.

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
Tax Collector	Gail Vosburg	1 year term
Deputy Village Clerk	Christina Slusser	1 year term
Supt. Of Public Works	Eric Kelly	1 year term
Acting Village Justice	- vacant -	1 year term
Village Attorney	David DiMatteo	1 year term
Registrar of Vital Statistics	Gail Vosburg	1 year term
Deputy Registrar of Vital Statistics	Christina Slusser	1 year term
Zoning Officer	Donald Roberts	1 year term
Property Maint. Officer	Alyssa Cutcliff	1 year term
Zoning Clerk/Secretary	Christina Slusser	1 year term
Fair Housing Officer	Rick Hauser	1 year term
Section 3 Coordinator	Matt Jensen	1 year term
Silver Lake Association Liaison	Matt Jensen	1 year term
Letchworth Cable Access Rep.	Matt Jensen	1 year term
Perry Main Street Association	Rick Hauser	1 year term
Letchworth Gateway Villages Rep	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 3/31/2021

Zoning Board of Appeals (alternate)

Joe Rebisz

Term expiring 3/31/2021

James Reynolds

Term expiring 3/31/2021

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

Motion by Trustee Jacobs, seconded by Trustee Billings, to approve the Mayor's appointments. On a call of the roll, the vote was as follows: Jacobs aye; Billings aye; Draper aye; Lapiana aye. The motion was carried.

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 2020-2021

April	Draper
May	Jacobs
June	Billings
July	Draper
August	Lapiana
September	Jacobs
October	Billings
November	Draper
December	Lapiana
January 2021	Jacobs
February	Billings
March	Draper
April	Lapiana

Motion by Trustee Draper, seconded by Trustee Jacobs, to approve the resolutions and auditing schedule. On a call of the roll, the vote was as follows: Jacobs aye; Billings aye; Draper aye; Lapiana aye. The motion was carried.

Motion by Mayor Hauser, seconded by Trustee Draper, to adjourn the organizational meeting and resume the regular meeting. On a call of the roll, the vote was as follows: Jacobs aye; Billings aye; Draper aye; Lapiana aye. The motion was carried.

BOARD MEETING MINUTES

April 6, 2020 Regular Board Meeting minutes approved – Motion by Trustee Jacobs, seconded by Trustee Draper, to approve the minutes from the April 6, 2020 regular board meeting as presented. On a call of the roll, the vote was as follows: Jacobs aye; Billings aye; Draper aye; Lapiana aye. The motion was carried.

Mayor Hauser announced that the Public Hearing on the 2020-2021 Village Budget is still open.

PUBLIC COMMENT

No one from the public spoke.

PRESENTATIONS

ANNUAL ZONING & PROPERTY MAINTENANCE REPORTS PRESENTED

ZO Don Roberts reviewed the 2019 annual reports for zoning, property maintenance and building codes (relevant to Perry). A total of 58 zoning permits were issued in the Village for 2019.

COVID 19 UPDATE

Administrator Jensen reported that he is working with Supt. Kelly and Chief Operator Drain to put steps in place to bring the DPW, water and sewer employees back to work.

SWIMMING POOL DRAINAGE LOCAL LAW

VILLAGE OF PERRY RESOLUTION TO HOLD PUBLIC HEARING REGARDING A PROPOSED LOCAL LAW

WHEREAS, all Board Members, having due notice of said meeting, and that pursuant to Governor Andrew Cuomo’s Executive Order 202.1 dated March 7, 2020, said meeting was broadcast live and the public had ample notice of when and how to access the video conference; and

WHEREAS, the live video conference of the Village Board of the Village of Perry is being recorded and will later be transcribed and made available for public access in addition to the meeting minutes; and

WHEREAS, the Village Board of the Village of Perry is considering adopting proposed local laws entitled “Amending Chapter 465 ‘Property Maintenance Standards’ of the Code of the Village of Perry” and “Amending Chapter 355 ‘Sewer Use’ of the Code of the Village of Perry” with regard to the drainage of swimming pools; 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 laws; and

WHEREAS, the Village Board of the Village of Perry is aware that Governor Andrew Cuomo issued Executive Order 202.15 on April 9, 2020, which directed that “Any local official, state official or local government or school, which, by virtue of any law has a public hearing scheduled or otherwise required to take place in April or May of 2020 shall be postponed, until June 1, 2020, without prejudice, however such hearing may continue if the convening public body or official is able to hold the public hearing remotely, through use of telephone conference, video conference, and/or other similar service”; and

WHEREAS, in light of the social distancing regulations surrounding the COVID-19 pandemic and in accordance with Executive Order 202.15 issued by Governor Andrew Cuomo on Thursday, April 9, 2020, the Village Board feels it is in the best interest of the Village of Perry to hold the public hearing via live video conference; and

WHEREAS, the Village Board of the Village of Perry acknowledges that there may be members of the public who are unable to access the public hearing via live video conference due to technological limitations and will therefore allow comments to be made via mail and email up until 8:00 p.m. on the 18th day of May, 2020, and will then be read aloud during the public hearing.

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

RESOLVED, by the Village Board that a public hearing regarding the proposed adoption of the proposed local laws entitled “Amending Chapter 465 ‘Property Maintenance Standards’ of the Code of the Village of Perry” and “Amending Chapter 355 ‘Sewer Use’ of the Code of the Village of Perry” with regard to the drainage of swimming pools on the 18th day of May, 2020 at 8:00 p.m., at which time all interested parties and citizens for or against the proposed law will be heard and written comments will be read aloud; and be it further

RESOLVED, that in accordance with Governor Andrew Cuomo’s Executive Orders, the public hearing will be conducted via live video conference and due and proper notice of how to access the public hearing will be provided to the public; and be it further

RESOLVED, that the Village Board of the Village of Perry will record the live video conference of the public hearing and, within a reasonable amount of time thereafter, transcribe the video conference in supplement to the meeting minutes from the public hearing; and be it further

RESOLVED, that this live video conference of the Village Board of the Village of Perry on April 20, 2020, has been recorded and will be transcribed within a reasonable amount of time following this meeting and thereafter made available for public access in addition to the meeting minutes.

On a call of the roll, the vote was as follows: Jacobs aye; Billings aye; Draper aye; Lapiana aye. The motion was carried.

PROPOSAL FOR IMPROVEMENTS TO THE MAIN ST MEDIANS

Administrator Jensen reported on the revised proposals from VersaScape Inc for improvements to the Main Street medians. There is a reduction of the number of plants from the proposal reviewed at the April 6th meeting, resulting in a lower cost for the renewal and plantings.

Median renewal and plantings \$ 8,948.71

Irrigation system installation \$ 1,534.00

For a total of \$10,482.71

Motion by Trustee Jacobs, seconded by Trustee Billings, to approve the two proposals from VersaScape to improve the Main Street medians as reviewed for a total cost of \$10,482.71. On a call of the roll, the vote was as follows: Jacobs aye; Billings aye; Draper aye; Lapiana aye. The motion was carried.

Motion by Mayor Hauser, seconded by Trustee Draper, to close the public hearing on the 2020-2021 Village Budget. On a call of the roll, the vote was as follows: Jacobs aye; Billings aye; Draper aye; Lapiana aye, Hauser aye. The motion was carried.

CONSIDERATIONS FOR THE 2020-2021 VILLAGE BUDGET

Administrator Jensen presented two amendments to the tentative budget:

1. Decrease A1990.4 Contingency by \$3,100 to \$19,740
2. Increase A8510.4 Community Beautification by \$3,100 to \$11,100

Amendment to 2020-2021 Village budget approved - Motion by Billings, seconded by Trustee Jacobs, to amend the 2020-2021 tentative budget by decreasing A1990.4 Contingency by \$3,100 to \$19,740. On a call of the roll, the vote was as follows: Jacobs aye; Billings aye; Draper aye; Lapiana aye. The motion was carried.

Amendment to 2020-2021 Village budget approved - Motion by Billings, seconded by Trustee Lapiana, to amend the 2020-2021 tentative budget by increasing A8510.4 Community Beautification Contractual by \$3,100 to \$11,100. On a call of the roll, the vote was as follows: Jacobs aye; Billings aye; Draper aye; Lapiana aye. The motion was carried.

2020-2021 Village Budget Adopted - Motion by Billings, seconded by Trustee Lapiana, to adopt the 2020-2021 Village Budget. On a call of the roll, the vote was as follows: Jacobs aye; Billings aye; Draper aye; Lapiana aye; Hauser aye. The motion was carried.

VILLAGE OF PERRY SMALL BUSINESS SUPPORT - FRESH START 2020 PROGRAM

Administrator Jensen presented the board with a draft proposal for a small business support program named the Fresh Start 2020 program. The intent of the program is to assist small businesses in the Village to endure the economic impact of the COVID 19 virus. Zero interest loans would be made to assist local small businesses in weathering the economic impacts of the COVID 19 virus and also provide funds for reopening the business once COVID 19 related sanctions are lifted. A portion of funds from the Business Improvement Loan program will be utilized for this new program. Loans will be for a 24 month period with payment to begin 6 months after the loan is funded. Trustees feel that there should be some guarantee that the business will re-open if they receive funds from this new program. Administrator Jensen said that we could ask for their plan to reopen during the application process. Mayor Hauser would like to review and make so tweaks to the program before adopting.

Special Meeting scheduled – Motion by Mayor Hauser, seconded by Trustee Draper, to schedule a special board meeting for Monday, April 27, 2020 at 7:00 pm to review the Fresh Start 2020 program. On a call of the roll, the vote was as follows: Jacobs aye; Billings aye; Draper aye; Lapiana aye. The motion was carried.

Mayor Duckworth said that he was glad to see that the Village is working with the small businesses.

CLERK/DEPUTY TREASURER REPORT

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

Vouchers # 202119 - # 202213

General Fund	\$ 88,809.70
Spec. Grant Fund	\$ 2,630.93
Water Fund	\$ 16,217.98
Sewer Fund	\$ 12,184.42
SLWC	\$ 50.41
Trust & Agency	<u>\$ 81,514.41</u>
Total	\$201,407.85

Trustee Draper has audited the vouchers. Motion by Trustee Jacobs, seconded by Trustee Lapiana, to approve payment of the vouchers as presented. On a call of the roll, the vote was as follows: Jacobs aye; Billings aye; Draper aye; Lapiana aye. The motion was carried.

2019-2020 Budget Transfers & Amendments – Motion by Trustee Billings, seconded by Trustee Draper, to approve the following 2019-2020 Budget Transfers and amendments:

BUDGET TRANSFERS

GENERAL FUND

From:

A1010.41	Labor Relations Contractual	\$ 3,000
A3120.1	Police PS	\$ 30,000
A5110.1	Streets PS	\$ 15,000
A5110.2	Streets Equipment	\$ 8,200
A6410.4	Publicity Contractual	\$ 2,000
A7110.1	Park PS	\$ 3,000
A8110.4	Zoning Contractual	\$ 1,000
A8540.4	Drainage Contractual	\$ 1,500
A9015.8	Police Retirement	\$10,700

To:

A1110.11	Village Justice - Court Clerk PS	\$ 2,000
A1410.12	Village Clerk - Part Time PS	\$ 2,800
A1420.4	Law Contractual	\$ 500
A1620.41	Village Hall Network	\$10,000
A3120.12	Police - Part Time PS	\$20,000
A3310.4	Traffic Control Contractual	\$ 1,000

A5110.12	Streets - Seasonal PS	\$10,000
A5132.11	Garage - Overtime PS	\$ 500
A5132.42	Garage - Utilities	\$ 1,000
A5142.4	Snow Removal Contractual	\$ 3,500
A5680.4	Transportation - Elec Car Charge	\$ 100
A7110.2	Park Equipment	\$ 3,000
A8170.4	Street Cleaning Contractual	\$10,000
A9030.8	Social Security	\$10,000

General Fund

\$ 74,400	\$ 74,400
------------------	------------------

SEWER FUND

From:

G1440.4	Engineers Contractual	\$ 3,500
G8120.2	Sanitary Sewer Equipment	\$ 6,900

To:

G8120.22	Sanitary Sewer - Gardeau St	\$ 3,500
G8130.2	Sewage Treatment Equipment	\$ 6,900

Sewer Fund

\$10,400	\$10,400
-----------------	-----------------

BUDGET AMENDMENTS

General Fund

Increase	A1170	Franchise Taxes	\$ 9,500.00
	A2660	Sale of Real Property	\$ 155.00
	A2690	Other Compensation for Loss	\$ 7,000.00
	A12701	Refund of Prior Year Expenses	\$ 1,081.00
	A2705	Gifts & donations	\$ 50,000.00
	A7110.21	Park - Paving	\$ 82,000.00
	A9901.9	Transfer to other Funds	\$ 214,520.00

Sewer Fund

G2701	Refund of Prior Year Expenses	\$ 1,076.94
G8130.2	Sewage Treatment Equipment	\$ 79,150.00

Silver Lake Watershed Commission

JA2401	Interest	\$ 20.00
--------	----------	----------

BUDGET TRANSFERS

<i>Increase</i>	A2680	Insurance Recoveries	\$ 5,736.78
-----------------	-------	----------------------	-------------

	A3410.42	Fire truck maintenance	\$ 5,736.78	
		for insurance check for damage to fire truck		
<i>From:</i>	A1990.4	Contingency	\$ 21,000.00	
<i>To:</i>	A3650.4	Demo of Unsafe Buildings		\$ 21,000.00
		for demolition of 9-11 Travers Place		

On a call of the roll, the vote was as follows: Jacobs aye; Billings aye; Draper aye; Lapiana aye. The motion was carried.

**Village of Perry
CDBG Project No. 897PF151-19
(Village Hall ADA Improvements)
NEPA Resolution – Accept Environmental Assessment**

Mayor Hauser moved the adoption of the following resolution; Trustee Jacobs seconded the motion:

RESOLVED, that in accordance with the National Environmental Policy Act of 1969 (NEPA) and the related authorities listed at 24 CFP Part 58, the Village Board of the Village of Perry announces its intent to conduct an environmental review of a project to construct an addition for an elevator and stairway to improve accessibility within the Village Hall at 46 North Main Street; and

RESOLVED, that the Village Board hereby accepts the environmental review of the project prepared by LaBella Associates, DPC and the determination that the project will have no significant adverse impacts on the environment.

RESOLVED, that the Village Board hereby authorizes the publication in the Village’s official newspaper of a Notice of Finding of No Significant Impact and Request for Release of Funds for the project.

On a call of the roll, the vote was as follows: Jacobs aye; Billings aye; Draper aye; Lapiana aye. The motion was carried.

Gregory Kellogg appointed as part time police officer – Mayor Hauser appointed Gregory Kellogg as a part time police officer effective April 21, 2020 as per the CSEA Contract. Motion by Trustee Draper, seconded by Trustee Lapiana, to approve the Mayor’s appointment. On a call of the roll, the vote was as follows: Jacobs aye; Billings aye; Draper aye; Lapiana aye. The motion was carried.

SPLIT HEATING & COOLING SYSTEM FOR COURT FACILITIES

Administrator Jensen presented a quote from Harding Plumbing & Heating for a Split Heating & Cooling System for the Court Office and Court Room in the amount of \$8,371.00. Two other quotes were obtained for a similar system; one was a higher quote and one was a

lower quote. The lower quote was from a new business. Harding's was recommended as they are familiar with the heating system in the Village Hall.

Split Heating & Cooling System approved for Court Office and Court Room – Motion by Mayor Hauser, seconded by Trustee Jacobs, to approve the quote from Harding Plumbing & Heating for a split heating & cooling unit for the court facilities at a cost not to exceed \$8,371.00. On a call of the roll, the vote was as follows: Jacobs aye; Billings aye; Draper aye; Lapiana aye. The motion was carried.

Department Head Reports

Department reports were presented from:

- Department of Public Works
- Water & Sewer Department
- Police Department

Trustee Reports

Trustee Jacobs reported that the YMCA is still planning on operating the Summer Recreation program in some capacity. Construction of Phase II of the WWTF Improvement project will hopefully be bid in July.

Mayor Hauser said that Administrator Jensen will be planning a kick off meeting on the North Center Street Planning Study to begin the planning process for to make the area more pedestrian friendly.

Motion to adjourn the meeting at 8:47 pm was made by Trustee Draper, seconded by Trustee Lapiana. On a call of the roll, the vote was as follows: Jacobs aye; Billings aye; Draper aye; Lapiana aye. The motion was carried.

Gail I. Vosburg

Gail I. Vosburg
Village Clerk