

**VILLAGE OF PERRY
VILLAGE BOARD MINUTES
MAY 18, 2020**

A regular virtual meeting of the Village of Perry Board of Trustees was held through live video conferencing on the 18TH day of May 2020 at 7:30 pm 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.

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

ALSO PRESENT:	Matt Jensen	Village Administrator
	Gail Vosburg	Village Clerk

GUESTS:	Lorraine Sturm	Brian Beiger
	Bill Bark	

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

BOARD MEETING MINUTES

May 4, 2020 Regular Board Meeting minutes approved – Motion by Trustee Jacobs, seconded by Trustee Draper, to approve the minutes from the May 4, 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.

PUBLIC COMMENT

No one from the public spoke.

PRESENTATIONS

PROPOSED SEWER RATE INCREASE

Administrate Jensen presented a proposed sewer rate increase (step 2) to support the WWTF Project.

Public hearing scheduled for proposed sewer rate increase – Motion by Trustee Draper, seconded by Trustee Jacobs , to schedule a public hearing for the proposed sewer rate increase for June 1, 2020 at 8:00 pm. On a call of the roll, the vote was as follows: Jacobs aye; Billings aye; Draper aye; Lapiana aye. The motion was carried.

VILLAGE HALL ADA IMPROVEMENTS PROJECT

Administrator Jensen reported that as part of the Village Hall ADA Project, a declaration needs to be passed that stated the Village of Perry will serve as Lead Agency. A negative declaration under SEQR represents that the project will have no major impacts and will not cause significant damage to the environment.

**Village of Perry
Village Hall ADA Improvements (2019 CDBG Award)
Lead Agency Resolution**

Motion made by Trustee Jacobs, which has been seconded by Trustee Lapiana, **RESOLVED**, that in accordance with the New York State Environmental Quality Review regulations (SEQR), the Village Board of the Village of Perry announces its intent to swerve as lead agency to conduct an environmental review of a project to construct an addition to the Village Hall at 46 North Main Street for an elevator and stairway to improve accessibility within the building, under Section 617.7 of the New York State Codes, Rules, and Regulations (NYSCRR); and be it

FURTHER RESOLVED, that the Village Board has determined that the proposed action in an Unlisted Action under SEQR; and be it

FURTHER RESOLVED, that the Village Board, in its capacity of lead agency, has caused to be prepared the short form Environmental Assessment Form for this project. The Village Board hereby accepts the environmental assessment of the proposed project prepared by LaBella Associates, D.P.C., dated April 2, 2020; and be it

FURTHER RESOLVED, that in accordance with the requirements of the funding agency, the Village Board will notify the Involved Agencies of its intent to act as Lead Agency for this project and will provide them with a copy of the short form Environmental Assessment Form. Comments regarding the Environmental Assessment and the Village's intention to assume Lead Agency status will be received from the Involved Agencies during the 30-day review period.

Upon being put to a vote, the resolution was approved:

Ayes	4
Nays	0
Abstain	0

**VILLAGE OF PERRY
SEQR RESOLUTION - NEGATIVE DECLARATION
VILLAGE HALL ADA IMPROVEMENTS
(2019 COMMUNITY DEVELOPMENT BLOCK GRANT)**

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

WHEREAS,

1. In accordance with the New York State Environmental Quality Review regulations (SEQR), the Village Board of the Village of Perry announced its intent to serve as Lead Agency on April 6, 2020, to conduct an environmental review of proposed Village Hall ADA improvements.
2. The Village Board has determined that the proposed action is an "Unlisted Action" as defined under SEQR.
3. The Village Board, in its capacity of Lead Agency, has caused to be prepared an environmental assessment of the significance of and potential environmental impact of the action described above.
4. On April 8, 2020, the Village Board notified the Involved and Interested Agencies of its intention to act as Lead Agency for this project and circulated Part 1 of the short Environmental Assessment Form.

5. Comments received on the project have been addressed in Part 2 of the Environmental Assessment Form. The Village will continue to work with Federal, State and local agencies until all necessary permits and approvals have been obtained.
6. The Village Board has considered the Environmental Record prepared for this action, including any comments received from the Involved Agencies, and the proposed Negative Declaration.

NOW THEREFORE BE IT RESOLVED,

The Village Board declares that it will serve as Lead Agency for the Village Hall ADA Improvements project; and,

The Village Board declares that, based on the Environmental Record which has been prepared, the project will result in no major impacts and, therefore, will not cause significant damage to the environment. A Negative Declaration under SEQR is therefore issued for this project.

Upon being put to a vote, the resolution was approved:

Ayes	4
Nays	0
Abstain	0

Trustee Lapiana joined the meeting at 7:37 pm.

YMCA – SUMMER RECREATION PROGRAM

Administrator Jensen presented the Summer Rec Program Contract with the YMCA. Due to the COVID -19, it will be a recreation program only. To make the necessary accommodations, the program will be held at Camp Hough on the west side of Silver Lake. Trustees toured the facility and feel the program will do well at the change in location. One change is that the rate for a Town of Perry resident will increase \$5 per week, to \$95 per child.

YMCA Summer Recreation Program contract approved – Motion by Trustee Jacobs, seconded by Trustee Billings, to approve the Summer Recreation Program contract with the YMCA and authorize the Mayor to sign said contract. On a call of the roll, the vote was as follows: Jacobs aye; Billings aye; Draper aye; Lapiana aye. The motion was carried.

ADJUSTMENT REQUEST FOR CHERYL COWIE – 17 WATROUS ST

Administrator Jensen reported on the board had previously waived the sewer charge for the Cowie’s property at 17 Watrous Street. An additional adjustment to waive the sewer usage on their most recent bill (bill was for 2 days of water use after leak was discovered).

Additional Adjustment Request approved for 17 Watrous St - Motion by Trustee Jacobs, seconded by Trustee Draper, to approve additional adjustment request to waive the sewer use charges in the amount of \$74.40. On a call of the roll, the vote was as follows: Jacobs aye; Billings aye; Draper aye; Lapiana aye. The motion was carried.

PUBLIC BEACH IMPROVEMENT PROJECT PAY REQUESTS

Administrator Jensen presented the board with two pay requests from the General Contractor, CamCo : Pay #4 \$ 37,753.90 and Pay #5 \$ 37,792.49 for a total of \$ 75,546.39. These have been approved by SWBR.

CamCo pay requests approved for Public Beach Improvement Project – Motion by Trustee Jacobs, seconded by Trustee Lapiana, to approve both pay requests from CamCo for the Public Beach Improvement Project totaling \$ 75,546.39. On a call of the roll, the vote was as follows: Jacobs aye; Billings aye; Draper aye; Lapiana aye. The motion was carried.

2019 ANNUAL WATER QUALITY DRINKING WATER REPORT

Administrator Jensen presented the board with the 2019 Annual Water Quality Drinking Water Report and is requesting board approval. The county health department has approved the report. This needs to be publicized by June 1st.

2019 Annual Water quality Drinking Water Report approved – Motion by Trustee Billings, seconded by Trustee Draper, to approve the 2019 Annual Water Quality Drinking Water Report. On a call of the roll, the vote was as follows: Jacobs aye; Billings aye; Draper aye; Lapiana aye. The motion was carried.

CLERK/DEPUTY TREASURER REPORT

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

Vouchers # 202292 - # 202391

General Fund	\$ 183,927.41
Spec. Grant Fund	\$ 4,857.94
Water Fund	\$ 11,043.94
Sewer Fund	\$250,318.74
Capital Projects Fund	\$ 1,018.89
SLWC	\$ 1,824.68
Trust & Agency	<u>\$ 56,301.17</u>
Total	\$509,292.77

Trustee Jacobs 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.

NY CLASS investment summary

Clerk Vosburg presented a summary of the investments in NYCLASS through April 30, 2020.

Clerk’s/Deputy Treasurer’s report approved - Motion by Trustee Draper, seconded by Trustee Billings, to approve the Clerk/Deputy Treasurer’s report 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.

Department Head Reports

Department reports were presented from:

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

Motion by Mayor Hauser, seconded by Trustee Draper to open the public hearing at 8:00 pm on the proposed local laws entitled “Amending Chapter 463 “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 a call of the roll, the vote was as follows: Jacobs aye; Billings aye; Draper aye; Lapiana aye. The motion was carried.

Public Hearing- “Amending Chapter 463 “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.

Mayor Hauser reviewed the two proposed local laws. The purpose of these proposed local laws is to address the drainage of swimming pools so that they do not drain into the Village’s sewer system, over public property, or onto neighboring property. This laws will be enforced under the Sewer Use Law.

Rose McEwen – Gardeau Street – said that she suggested that something be done as a neighbor drained his pool and it drained onto her yard, causing erosion damage. She was concerned over the discharged water as she believes that it is highly chlorinated and full of chemicals.

No one else from the public spoke.

Regular meeting resumed.

Trustee Reports

Trustee Billings reported that parks are in the Governor’s Phase 4 reopening plan. She was asking if other events around Perry will still take place (i.e. Ring of fire, Memorial Day parade, etc.) She inquired if a policy has been developed for the COVID-19. Administrator Jensen replied that we do have a policy in place for COVID-19.

Trustee Jacobs reported that the Tour de Perry has been cancelled this year. There will be a Silver Lake Trail webinar on Wednesday, May 27th at 7:00 pm. At the DPW committee meeting, CHIPS funding was discussed. Supt. Kelly is looking at different paving options if there is a reduction in CHIPS funds.

Mayor Hauser reported a Problem Property Task force met to discuss Travers Place (55 S Main Street). The task force is concerned about the residents health and safety.

Motion by Mayor Hauser, seconded by Trustee Jacobs, to close the public hearing at 8:18 pm on the two proposed local laws regarding the drainage of swimming pools. 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 RESOLUTION
ADOPTING LOCAL LAW NO 2 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”**

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 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 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 a resolution was duly adopted by the Village Board of the Village of Perry on April 20, 2020 authorizing a public hearing to be held by the Village Board on June 1, 2020 at 8:00 pm via live video conference; 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 June 1, 2020 via live video conference commencing at 8:00 pm and all parties in attendance were permitted an opportunity to speak for or against the proposed law, or any part thereof; those members of the public who are unable to access the public hearing via live video conference due to technological limitations were allowed to make comments via mail and email and were read aloud during the public hearing (if any comments were received); 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 Lapiana, now therefor be it

RESOLVED, that the Village Board of the Village of Perry hereby adopts Local Law No. 2 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”; and be it further

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

On a call of the roll, the vote was as follows:

Ayes	5	Hauser, Jacobs, Billings; Draper; Lapiana
Nays	0	
Abstain	0	

Motion by Mayor Hauser, seconded by Trustee Jacobs, to enter into executive session at 8:23 pm. 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 executive session and resume the regular meeting at 8:43 pm. On a call of the roll, the vote was as follows: Jacobs aye; Billings aye; Draper aye; Lapiana aye. The motion was carried.

FRESH START PROGRAM 2020

Biblio-Tech Café awarded Fresh Start Program 2020 Loan – Motion by Trustee Jacobs, seconded by Trustee Draper, to award Biblio-Tech Café a Fresh Start Program 2020 loan in the amount of \$4,800 with monthly loan payments of \$100 beginning December 1, 2020. On a call of the roll, the vote was as follows: Jacobs aye; Billings aye; Draper aye; Lapiana aye. The motion was carried.

Wave Length Salone awarded Fresh Start Program 2020 Loan – Motion by Trustee Lapiana, seconded by Trustee Jacobs, to award Wave Lengths Salon a Fresh Start Program 2020 loan in the amount of \$4,800 with monthly loan payments of \$100 beginning December 1, 2020. On a call of the roll, the vote was as follows: Jacobs aye; Billings aye; Draper aye; Lapiana aye. The motion was carried.

R&R Lumberyard Restaurant LLC awarded Fresh Start Program 2020 Loan – Motion by Trustee Lapiana, seconded by Trustee Billings, to award R&R Lumberyard Restaurant LLC a Fresh Start Program 2020 loan in the amount of \$4,800 with monthly loan payments of \$100 beginning December 1, 2020. On a call of the roll, the vote was as follows: Jacobs aye; Billings aye; Draper aye; Lapiana aye. The motion was carried.

Fresh Start Program 2020 applications accepted – Motion by Mayor Hauser, seconded by Trustee Draper, to keep accepting applications for the Fresh Start Program 2020 on a first come/first serve basis until all allocated funds are expended. On a call of the roll, the vote was as follows: Jacobs aye; Billings aye; Draper aye; Lapiana aye. The motion was carried.

Motion to adjourn the meeting at 8:52 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