

**VILLAGE OF PERRY  
VILLAGE BOARD MEETING MINUTES  
JANUARY 4, 2021**

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 4<sup>th</sup> day of January 2021.

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

ALSO PRESENT:	Matt Horn	Acting Village Administrator
	Christina Slusser	Village Clerk

GUESTS:	Lorraine Sturm
	Samantha Pierce

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

PUBLIC COMMENT

A public hearing is set to open at 8:00 pm.

PRESENTATIONS & BOARD ACTIONS

**BOARD MEETING MINUTES**

Motion to approve the minutes from the December 21, 2020 board meeting was made by Trustee Draper and seconded by Trustee Billings. Motion was carried with all voting aye.

**PROCESS BRIEFING – FY2022 BUDGET**

Work has commenced on the budget for fiscal year 2022. Department heads received budget directives and are working to develop their budget proposals. The budget calendar was presented showing the tentative budget will be available for public inspection in March and the final budget ready for adoption at the second board meeting in April.

**RESOLUTION AUTHORIZING GRANT APPLICATION – NEW YORK MAIN STREET**

The Village has engaged with LaBella Associates to develop an application for the Technical Assistance grant program through New York Main Street. A resolution authorizing the application was adopted with motion being made by Trustee Billings, seconded by Trustee Draper, and carried unanimously.

**RESOLUTION AUTHORIZING PROFESSIONAL SERVICES AGREEMENT – MRB GROUP**

Funding has become available for the CDBG (Community Development Block Grant) program. LaBella associates previously completed eligibility data around the Streets of Watkins,

Hawthorne, and Benedict and found the Village of Perry to be within the income threshold to receive funding. In order to prepare for the CDBG application, a preliminary engineering report is needed. MRB group provided a proposal to complete the report. Mayor Hauser made a motion to approve the contract with MRB Group contingent on compensation not to exceed \$12,900 with a follow up conversation planned between the Village and MRB Group. The motion was seconded by Trustee Draper and carried with all voting aye.

#### RESOLUTION AUTHORIZING PROFESSIONAL SERVICES AGREEMENT – LABELLA ASSOCIATES

LaBella Associates provided a proposal for grant writing services for the CDBG grant in the amount of \$5,000. Trustee Draper made a motion to allow LaBella Associates to provide grant writing services not to exceed \$5,000. The motion was seconded by Trustee Lapiana and carried with all voting aye.

#### RESOLUTION AUTHORIZING BEACH PAY APPLICATION #9 – CAMCO

Payment application number 9 from Camco General Contracting Inc. for work done at the Perry Public Beach was reviewed and approved by Bill Price of SWBR. Additional funds beyond this payment will not be released until a review of final items has been approved by the Village. Trustee Billings made a motion to approve pay application number 9 for Camco in the amount of \$50,538.93 which was seconded by Trustee Lapiana and carried with all voting aye.

#### PUBLIC HEARING – ADOPTION OF LOCAL LAW #1 – AMENDING CHAPTER 98

At 8:00 pm Mayor Hauser addressed the opening of the public hearing for adoption of a Local Law Amending Chapter 98 of the Code of the Village of Perry. At the regular board meeting on December 7, 2020, the Board reviewed the initial proposal. The proposed changes fall under section III as outlined below:

#### **98-4. Appointment, term and qualifications.**

- D. ~~No elected official of the Village shall be eligible for such appointment during the term for which the official shall have been elected nor within one year after the expiration of said term.~~

*No elected or appointed official of the Village shall be eligible for such appointment during the current term for which the official shall have been elected or appointed nor within one year from the expiration or leaving of said position.*

#### **98-8. Procedure for removal from office.**

- A. The Mayor and Board of Trustees shall adopt, by the affirmation vote of the majority of its membership, a preliminary resolution which must state the reasons for removal and may suspend the Village Administrator from the position for a period not to exceed 30 business days with pay, but without reimbursable expenses *or health insurance, paid time off/sick time/personal time, and paid holidays*. A copy of the resolution shall be delivered to the Village

Administrator personally or by registered mail to his/her home address within five business days after adoption.

- D. The Village Administrator shall continue to receive his/her full salary, *but without reimbursable expenses including health insurance, paid time off/sick time/ personal time, and paid holidays*, until the effective date of the final resolution of removal and for a period of ~~60~~ 10 business days thereafter.

There was no opposition; the hearing was left open.

#### RESOLUTION AUTHORIZING STAFF CREDIT CARDS

With turnover in the Village Clerk and Village Administrator positions, it is necessary to reauthorize credit card accounts for these individuals. In addition, staff recommends the authorization of an account for the Chief of Police. The process of purchases via credit cards still goes through a proper audit. Trustee Draper made a motion authorizing M&T credit cards for the Village of Perry to Samantha Pierce, Christina Slusser, and Michael Grover not to exceed a limit of \$5,000 per card. Motion was seconded by Trustee Lapiana and carried unanimously.

#### RESOLUTION AUTHORIZING RETAINER – DAVID DIMATTEO

The Board has appointed David DiMatteo as the Village Attorney. Mr. Dimatteo is paid via a retainer agreement which is subject to annual revision. The retainer calls for an annual flat fee of \$14,000 for general legal support where other services are billed at an hourly rate or other as specified in the contract. The Board wishes to revisit this to get clarification on included services vs. those considered requiring additional fees.

#### RESOLUTION ADOPTING LOCAL LAW AMENDING CHAPTER 98

At 8:13 pm after no comments or opposition, Mayor Hauser made a motion to close the public hearing regarding Local Law Amending Chapter 98, which was seconded by Trustee Draper, and carried with all voting aye. Trustee Jacobs followed by making a motion to adopt the resolution adopting Local Law No. 1 of 2021 entitled "Amending Chapter 98 'Officers and Employees' of the Code of the Village of Perry." Trustee Draper seconded the motion which was carried with all voting aye.

#### RESOLUTION DECLARING EQUIPMENT AS SURPLUS

The Village of Perry owns a Kasco Marine decorative aerator which is no longer in use and recommended to be declared as surplus to be offered for sale via advertised bid. Trustee Draper made a motion declaring the Kasco Marine aerator as surplus which was seconded by Trustee Lapiana and carried with all voting aye.

#### RESOLUTION ESTABLISHING SILVER LAKE TRAIL COUNCIL

Mayor Hauser recommends the creation of Silver Lake Trail Council. This newly created committee will serve as a Trail Town Committee to assist with the Trail Town Initiative – an undertaking of Letchworth Gateway Villages. Mike Bellamy has agreed to chair the committee and will reach out to citizens to be involved. Mayor Hauser made a motion to establish the Silver Lake Trail Council as an ad hoc committee of the Village Board which was seconded by Trustee Billings and carried with all voting aye.

CLERK/DEPUTY TREASURER REPORT

Approval of payments was made for vouchers #642-696 for the Clerk/Deputy Treasurer Report dated 1/4/2021. Vouchers were reviewed and audited by Trustee Jacobs

General Fund	\$79,549.95
Spec. Grant Funds	\$2,361.84
Water Fund	\$11,347.99
Sewer Fund	\$9,927.74
Capital Projects Fund	\$53,769.70
Trust & Agency	\$ -
Silver Lake Watershed Commission	\$11.54
<u>TOTAL</u>	<u>\$156,968.76</u>

Motion was made by Trustee Billings and seconded by Trustee Jacobs authorizing payments in the amount of \$156,968.76 which was carried all voting aye.

DEPARTMENT REPORTS

Nothing to report.

TRUSTEE REPORTS

Nothing to report.

With there being no further business and no executive session necessary, Trustee Draper made a motion to adjourn the meeting at 8:22 pm which was seconded by Trustee Lapiana and carried with all voting aye.

Respectfully submitted,  
Christina Slusser  
Village Clerk