

**VILLAGE OF PERRY
VILLAGE BOARD MEETING MINUTES
JUNE 7, 2021**

A 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 7th day of June 2021.

PRESENT:	Rick Hauser	Mayor
	Dariel Draper	Trustee
	Jacquie Billings	Trustee
	Arlene Lapiana	Trustee
	Ernie Lawrence	Trustee
ALSO PRESENT:	Samantha Pierce	Administrator
	Christina Slusser	Village Clerk
GUESTS	Kay Hough	Ladies Auxiliary President
	Heidi Scott	Ladies Auxiliary Member
	Lorraine Sturm	Perry Herald

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

PRESENTATIONS & BOARD ACTIONS

PUBLIC COMMENT

Kay Hough of the Perry Fire Department's Ladies Auxiliary stated that their organization submitted an application for the Sea Serpent Festival planned for August 2021. This will be heard later on the agenda.

APPROVAL OF MINUTES

Minutes were reviewed from the regular board meeting on May 17, 2021 and the special board meeting on May 21, 2021. Trustee Lawrence made a motion to approve the minutes for both dates which was seconded by Trustee Lapiana and carried with all voting aye.

RESOLUTION APPROVING RENTAL REQUESTS FOR VILLAGE FACILITIES

WHEREAS, the Parks Committee has reviewed two rental requests; and

WHEREAS, the Parks Committee is recommending approving the rental request for the Perry Public Beach for an improv performance on June 26, 2021 at a fee of \$150.00; and

WHEREAS, the Parks Committee is recommending approving the rental request for a softball tournament at the Village Park and Park Avenue from August 6-August 8 for a fee of \$75 per field per day and will provide 8 hours of staff time with all additional staff hours to be billed to the organization; and

BE IT RESOLVED, that the Village of Perry Board of Trustees hereby approves the rental request for the Perry Public Beach at a fee of \$150.00; and

BE IT RESOLVED, that the Village of Perry Board of Trustees hereby approves the rental request for the softball tournament for \$75 per field per day and will provide up to eight hours of Village staff time with excess hours needed to be billed.

The Ladies Auxiliary of the Perry Fire Department, represented by Kay Hough and Heidi Scott, submitted an application for the annual Sea Serpent Softball Tournament on August 6th, 7th, and 8th. They are expecting 25-40 teams and are requesting the help of some village staff. The Ladies Auxiliary stated they are usually at the park from 8-9 am until 9-10 pm on the weekend of the festival. Mayor Hauser entertained a motion to approve the request where Trustee Lapiana made a motion to approve the resolution for the softball tournament stating the conditions above. Trustee Lawrence seconded the motion and it was carried unanimously.

A request was received from Josh Rice, the Producing Artistic Director of Shake on the Lake, Inc. The request is to hold an Improv@37 event at the Perry Public Beach on June 26th. The application mentions that there will be food vendors on site, but additional details on food plans were not provided. Trustee Draper made a motion to approve the resolution above for the show, conditionally upon finding out about vendors for the event. Trustee Lapiana seconded that motion and it was carried unanimously.

RESOLUTION APPROVING ANNUAL SOFTWARE SUPPORT CONTRACTS WITH WILLIAMSON LAW BOOK COMPANY

Annual contracts were received from Williamson Law Book for the accounting/budget prep and tax software for the 2022 fiscal year. The renewals were anticipated and budgeted for.

WHEREAS, the Village of Perry uses Williamson Law Book Company for their Municipal Accounting & Budget Preparation Software and Tax Collection Software; and

WHEREAS, both agreements are annual from June 1, 2021 until May 31, 2022; and

WHEREAS, the cost of the annual software for Municipal Accounting & Budget Preparation is \$1,395.00; and

WHEREAS, the cost of the annual software for Tax Collection is \$935.00; and

NOW, THEREFORE BE IT RESOLVED, that the Perry Village Board of Trustees does hereby approve the annual Municipal Accounting & Budget Preparation software contract in the amount of \$1,395.00 and the annual Tax Collection software contract in the amount of \$935.00 from June 1, 2021 until May 31, 2022.

Motion was made by Trustee Lawrence to approve the resolution which was seconded by Trustee Draper and carried with all voting aye.

RESOLUTION APPROVING TRANSFERS TO NYCLASS ACCOUNTS AND CLOSING BANK ACCOUNTS

For consistency and consolidation purposes, the Village Administrator is seeking approval to close the extra reserve bank accounts and to move the money into the corresponding NYCLASS investments where interest rates are higher.

WHEREAS, to optimize revenue earnings and provide a clear, concise overview of reserve accounts held by the Village, the Village Administrator is recommending transferring money for certain reserve accounts to NYCLASS and to close the related M&T and Bank of Castile accounts; and

WHEREAS, the proposed transfers are as follows:

From M&T Sewer Reserve (7434) to NYCLASS Sewer Reserve (0008) - **\$57,366.32**

From M&T Water Reserve (7385) to NYCLASS Water Reserve (0007) - **\$5,390.14**

From M&T Emp. Accrd Benefits Reserve (0586) to NYCLASS Emp. Accrd Benefits Reserve (0006) - **\$2,735.47**

From M&T Fire Apparatus Reserve (8190) to NYCLASS Fire Apparatus Reserve (0002) - **\$55,236.47** (balance as of May 10, 2021)

From M&T Repair Reserve (2597) to NYCLASS Repair Reserve (0003) - **\$4,865.96**

From Bank of Castile Equipment Reserve (4867) to NYCLASS Equipment Reserve (0004) - **\$89,716.27**

From Bank of Castile Park Capital Reserve (3401) to NYCLASS Park Capital Reserve (0005) - **\$507.95**

NOW, THEREFORE BE IT RESOLVED, that the Village of Perry Board of Trustees hereby approves the transfers to the NYCLASS accounts and authorizes the Village Administrator to close the appropriate M&T and Bank of Castile accounts.

Mayor Hauser made a motion to approve the above resolution which was seconded by Trustee Billings and carried unanimously.

RESOLUTION APPROVING PROPOSAL FROM SWBR FOR PROFESSIONAL SERVICES

WHEREAS, the Village of Perry is preparing for an extension of the Silver Lake Trail; and

WHEREAS, funding has been received from the New York Main Street grant in the amount of \$60,000 for the streetscape portion and \$50,000 has been received from the Ralph C. Wilson Foundation for a footbridge to cross the outlet; and

WHEREAS, SWBR has provided a proposal for Landscape Architectural design and Structural engineering services related to the extension in an amount of \$15,350 which would not be eligible for grant funding; and

NOW, THEREFORE BE IT RESOLVED, that the Perry Village Board of Trustees does hereby approve the proposal from SWBR for services related to the extension of the Silver Lake Trail and footbridge in an amount of \$15,350.

Trustee Billings made a motion approving the resolution which was seconded by Mayor Hauser and carried unanimously.

RESOLUTION REGARDING THE TRANSFER OF 59-61 SOUTH MAIN STREET

Rhonda McLaughlin is looking to sell 59-61 South Main Street where consent is needed from the Board to sell the property based on the contract for the previous transaction. Mike Bellamy is interested in purchasing the property and taking over the agreement to get the property into compliance. The property will be sold for \$1.00 and Bellamy will have access to grant funds to assist with restorations.

**RESOLUTION OF THE
VILLAGE BOARD OF THE VILLAGE OF PERRY
REGARDING THE TRANSFER OF 59-61 SOUTH MAIN STREET**

Adopted: June 7, 2021

WHEREAS, the Village Board of the Village of Perry met at a regular meeting at the Village Hall of the Village of Perry at 46 North Main Street, Perry, New York 14530 on the 7th day of June, 2021 commencing at 7:30 p.m. at which time and place the following members were:

- | | | |
|-----------------|---------|------------------|
| <u>Present:</u> | Mayor | Rick Hauser |
| | Trustee | Dariel Draper |
| | Trustee | Jacquie Billings |
| | Trustee | Arlene Lapiana |
| | Trustee | Ernie Lawrence |
| <u>Absent:</u> | N/A | |

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, on or about December 31, 2019, the Village of Perry, as the seller, entered into a Purchase and Sale Contract with Rhonda MacLaughlin, as the buyer/developer, for property known as 59-61 South Main Street in the Town/Village of Perry, Wyoming County, New York, also known as Tax Map No. 100.7-7-28; and

WHEREAS, the contingencies of such Purchase and Sale Contract were that:

1. Developer agrees to bring the real estate into compliance with Chapter 465-14 “Maintenance Standards” of the Code of the Village of Perry within one (1) year after the date of settlement, unless Developer receives written consent from the Village.
2. Developer, and their successors in interest, agree not to sell, subdivide or partition the real estate for five (5) years after the date of settlement, unless Developer receives written consent from the Village. If the Developer, or their successor in interest do sell, subdivide or partition the real estate within five (5) years after the date of settlement without the Seller’s written consent, the real estate will revert to the Village, or its successor in interest.
3. Developer agrees that the closing agent will be the Village’s Attorney, David M. DiMatteo.

WHEREAS, Ms. MacLaughlin did not bring the property into compliance with Chapter 465-14 “Maintenance Standards” of the Code of the Village of Perry since the settlement date of April 16, 2020, and is seeking written consent from the Village to transfer the property to Michael Bellamy in consideration of \$1.00 for Mr. Bellamy’s intent to improve the building for the purpose of vacation rentals; and

WHEREAS, the Village Board feels it is in the best interest of the Village of Perry to authorize the written consent for the transfer of said property for \$1.00 under the contingencies that:

1. Developer (Michael Bellamy) agrees to bring the real estate into compliance with Chapter 465-14 “Maintenance Standards” of the Code of the Village of Perry within one (1) year after the date of settlement, unless Developer receives written consent from the Village.
2. Developer, and their successors in interest, agree not to sell, subdivide or partition the real estate for the remaining balance of the five (5) years after the original date of settlement on April 16, 2020, unless Developer receives written consent from the Village. If the Developer, or their successor in interest do sell, subdivide or partition the real estate within five (5) years after the date of settlement (in other words, prior to April 16, 2025) without the Seller’s written consent, the real estate will revert to the Village, or its successor in interest.

; and

WHEREAS, the Village Board feels it is in the best interest to request that an Assignment of Contract be entered between Rhonda MacLaughlin and Michael Bellamy and filed in the Village Clerk's Office.

NOW ON MOTION OF Trustee Billings which has been duly seconded by Trustee Draper, now therefore

BE IT RESOLVED, that the Village Board of the Village of Perry authorizes the Mayor of the Village of Perry to provide written consent to Rhonda MacLaughlin to transfer the property known as 59-61 South Main Street, Perry, New York to Michael Bellamy for the consideration of \$1.00 under the contingencies that:

1. Developer (Michael Bellamy) agrees to bring the real estate into compliance with Chapter 465-14 "Maintenance Standards" of the Code of the Village of Perry within one (1) year after the date of settlement, unless Developer receives written consent from the Village.
2. Developer, and their successors in interest, agree not to sell, subdivide or partition the real estate for the remaining balance of the five (5) years after the original date of settlement on April 16, 2020, unless Developer receives written consent from the Village. If the Developer, or their successor in interest do sell, subdivide or partition the real estate within five (5) years after the date of settlement (in other words, prior to April 16, 2025) without the Seller's written consent, the real estate will revert to the Village, or its successor in interest.

; and be it further

RESOLVED, that the Village Board authorizes the Mayor of the Village of Perry in said written consent to request that an Assignment of Contract be entered between Rhonda MacLaughlin and Michael Bellamy and filed in the Village Clerk's Office.

Trustee Billings made a motion to adopt the resolution for the transfer of sale of 59-61 South Main Street authorizing the mayor's signature. Trustee Draper seconded the motion and it was carried unanimously.

RESOLUTION SETTING A PUBLIC HEARING ON A LOCAL LAW ENTITLED VACANT BUILDING REGISTRY

WHEREAS, the Planning and Zoning Committee have been reviewing a draft Local Law entitled "Vacant Building Registry" and a draft has been provided for Village Board review; and

WHEREAS, the Village Board would like to hear from residents about the proposed Local Law; and

NOW THEREFORE BE IT RESOLVED, the Village Board of the Village of Perry hereby establishes a public hearing for the proposed Local Law to be held on June 21, 2021 at 8:00 pm at the Perry Village Hall located at 46 North Main Street Perry, NY 14530; and

BE IT FINALLY RESOLVED, the Village Clerk is directed to provide notice of said public hearing.

Motion to adopt the resolution setting a public hearing on a local law concerning vacant buildings was made by Trustee Lawrence, seconded by Trustee Lapiana, and carried with all voting aye.

RESOLUTION ESTABLISHING 2021-2022 EMPLOYEE WAGE RATES AND PAYMENT

The Village Board of Trustees hereby fix employee wages and frequency of payment as noted below:

Position	2021-2021 Rate	Wage Calculated	Frequency
Mayor	\$4,800.00	Annual Salary	Monthly
Deputy Mayor	\$250.00	Annual Stipend	Monthly
Board Members (4)	\$2,900.00	Annual Salary	Monthly
Village Justice (Elected)	\$14,936.00	Annual Salary	Biweekly
Village Justice (Appointed)	\$4,760.00	Annual Salary	Biweekly
Clerk of the Justice	\$15,530.00	Annual Salary	Biweekly
Village Administrator	\$75,000.00	Annual Salary	Biweekly
Village Clerk	\$45,245.00	Annual Salary	Biweekly
Deputy Clerk	\$17.26	Hourly	Biweekly
Clerk, PT	\$15.00	Hourly	Biweekly
Village Attorney	\$14,000.00	Annual Salary	Biweekly
Chief of Police	\$82,000.00	Annual Salary	Biweekly
Police Officer, FT (BR)	\$32.79	Hourly	Biweekly
Police Officer, FT (JP)	\$28.96	Hourly	Biweekly
Police Officer, FT (MC)	\$24.94	Hourly	Biweekly
Police Officer, FT (MM)	\$26.17	Hourly	Biweekly
Police Officer, PT (DS, DS, SK, CE, TQ, GK)	\$22.76	Hourly	Biweekly
Crossing Guards (VP, TP, JR)	\$30.38	Hourly	Biweekly
Superintendent of Public Works	\$72,000.00	Annual Salary	Biweekly
Working Foreman (MN, MB)	\$26.49	Hourly	Biweekly
MEO (AR, DJ)	\$24.43	Hourly	Biweekly
MEO (AL)	\$24.68	Hourly	Biweekly
Laborer (JV)	\$21.67	Hourly	Biweekly
MEO (KZ)	\$24.75	Hourly	Biweekly
Laborer, Seasonal (DK)	\$20.00	Hourly	Biweekly
Laborer, Seasonal (SF)	\$17.00	Hourly	Biweekly
Laborer, Seasonal (JS)	\$12.50	Hourly	Biweekly
Zoning Officer (DR)	\$8,526.00	Annual Salary	Biweekly
Zoning Officer (BK)	\$16.00	Hourly	Biweekly
Chief WTP and WWTP Operator	\$60,000.00	Annual Salary	Biweekly
WTP Plant Operator (WS, MM)	\$24.68	Hourly	Biweekly
WWTP Plant Operator (JB, MK)	\$24.68	Hourly	Biweekly
Planning and Zoning Board Members	\$25.00		Per meeting

Employee wages and frequency of payment were reviewed as provided in the tentative and adopted budget. Mayor Hauser made a motion to adopt the resolution establishing employee wage rates which was seconded by Trustee Draper and carried with all voting aye.

CLERK/DEPUTY TREASURER’S REPORT

FY 2020-2021

Abstract #25

Vouchers #1460-1565

FY 2021-2022

Abstract #01

Vouchers #1-14

General Fund	\$ 114,443.31
Special Grant Fund	\$ 1,867.12
Water Fund	\$ 16,751.31
Sewer Fund	\$ 18,170.78
Capital Projects Fund	\$ 10,501.08
Trust & Agency	\$ 564.56
Silver Lake Watershed	\$ 3,012.08
Total	\$ 165,310.24

General Fund	\$14,554.57
Special Grant Fund	\$ -
Water Fund	\$ 3,041.94
Sewer Fund	\$ 2,015.68
Capital Projects Fund	\$ -
Trust & Agency	\$ 2,589.87
Silver Lake Watershed	\$ -
Total	\$22,202.06

Total to Pay for both Abstracts \$ 187,512.30

Vouchers were audited by Trustee Billings.

Trustee Draper made a motion to pay abstracts 25 and 1 totaling \$187,512.30. The motion was seconded by Trustee Lawrence and carried with all voting aye.

DEPARTMENT REPORTS

The monthly Police Department report was reviewed with no action needed.

TRUSTEE REPORTS

Trustee Billings attended the dance recital at the beach noting that the grounds and gardens were in good shape and it was a great performance. As the community liaison for the Letchworth Craft Show, the plan is to host a neighborhood public meeting when the plans are put together for the event.

Trustee Lapiana mentioned that progress has been made with the problem property meetings and several compliments have been received about how nice the park looks this year.

Per Trustee Lawrence, a meeting was held with Kaboom where a tentative site for the playground was plotted out towards the top of the property at the Public Beach. The Tree Board held a tree pruning workshop where there were about 3 times as many attendees as Tree Board members and they were happy with the turnout.

Administrator Pierce announced that the Village attorney is reviewing the contract for the Village Hall project. The goal is to start work soon.

The Request for Proposals (RFP) went out for the Silver Lake Trail Project. The bid opening is Friday, June 25th at 10:00 am.

The WWTP Project is moving along. Regular progress meetings are being held with MRB Group.

With no executive session necessary, Trustee Draper made a motion to adjourn at 8:32 pm which was seconded by Trustee Lapiana and carried with all voting aye.

Respectfully submitted,
Christina Slusser, Village Clerk