

**VILLAGE OF PERRY  
VILLAGE BOARD MEETING MINUTES  
JULY 19, 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 19<sup>th</sup> day of July 2021.

PRESENT:	Rick Hauser	Mayor
	Dariel Draper	Trustee
	Arlene Lapiana	Trustee
	Ernie Lawrence	Trustee
ALSO PRESENT:	Samantha Pierce	Administrator
	Christina Slusser	Village Clerk
GUESTS:	Lorraine Sturm	Perry Herald

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

**PUBLIC COMMENT**

No members of the public offered comment.

**PRESENTATIONS & BOARD ACTIONS**

Minutes were reviewed from the last board meeting on July 6, 2021, where motion to approve the minutes was made by Trustee Lawrence, seconded by Trustee Draper, and carried with all voting aye.

**RESOLUTION APPROVING PROPOSAL FROM MRB GROUP FOR ECONOMIC RESILIENCY AND RECOVERY PLAN**

**WHEREAS**, the Village of Perry received a grant in the amount of \$20,000 to develop an Economic Resiliency and Recovery Plan for the downtown business district with a \$2,000 match from the Village; and

**WHEREAS**, the Village sent out a Request for Proposals and received three proposals; and

**WHEREAS**, the Village developed a task force with two members from the Board of Trustees, the Village Administrator, and three downtown business owners to review the proposals and select a consultant; and

**WHEREAS**, the task force is recommending approving the proposal from MRB Group to prepare the Economic Resiliency and Recovery Plan in an amount of \$22,000.00; and

**NOW, THEREFORE BE IT RESOLVED**, that the Perry Village Board of Trustees hereby approves the proposal from MRB Group in an amount of \$22,000.00.

It was agreed upon that MRB Group scored slightly higher than the other proposals received and the Board is interested in moving forward with MRB Group's proposal for economic resiliency and recovery. Mayor Hauser called for further discussion or a motion to hire MRB Group for this project. Motion was made by Trustee Lapiana to adopt the above resolution which was seconded by Trustee Lawrence and carried with all voting aye.

#### **RESOLUTION APPOINTING FULL-TIME POLICE OFFICER, AUSTIN HARDING**

**WHEREAS**, there is a vacancy for a Full-Time Police Officer due to a recent resignation; and

**WHEREAS**, Officer Harding was employed with the Village of Perry Police Department for two years from 2017 until 2019; and

**WHEREAS**, Officer Harding since then has served for the Wyoming County Sheriff's Office; and

**WHEREAS**, Chief Grover is requesting the hiring of Officer Austin Harding as a Full-Time Police Officer and to start out on the third level of the wage table established in the Agreement with CSEA due to his prior experience in the field; and

**NOW, THEREFORE BE IT RESOLVED**, the Village of Perry Board of Trustees hereby approves the hiring of Officer Austin Harding as a full-time, benefit eligible, Police Officer with a starting hourly rate of \$27.47 effective August 2, 2021.

There is a vacancy in the department due to a resignation. Office Harding was recommended by Chief Michael Grover to fill the vacancy. Motion was made by Trustee Lapiana approving the resolution to hire Austin Harding as a full-time police officer which was seconded by Trustee Draper and carried with all voting aye.

#### **RESOLUTION APPROVING PAYMENTS FOR WASTEWATER TREATMENT PLANT PROJECT**

**WHEREAS**, the Village Clerk has received a pay app from the HVAC contractor for the WasteWater Treatment Plant Project; and

**WHEREAS**, Pay App #2 was received from the HVAC Contractor on the project, John W. Danforth Company, in the amount of \$3,420.00; and

**NOW, THEREFORE BE IT RESOLVED**, that the Perry Village Board of Trustees hereby approves the following payments for Pay App #2 and directs the Village Clerk to submit a voucher for payment:

John W. Danforth Company	\$3,420.00
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Motion was made by Trustee Draper accepting the resolution and authorizing the payment to John W. Danforth. The motion was seconded by Trustee Lawrence and carried with all voting aye.

**RESOLUTION OF AUTHORIZATION AND PROJECT COSTS FOR AWARD ALLOCATIONS FOR ENGINEERING PLANNING GRANT**

**WHEREAS**, the Village of Perry submitted and was awarded an Engineering Planning Grant (EPG) under the Consolidated Funding Application (CFA) process on behalf of the Village, for an Inflow & Infiltration Study; and

**WHEREAS**, the New York State Department of Environmental Conservation and the New York State Environmental Facilities Corporation offer a competitive statewide reimbursement grant programs for local governments, administered through the New York Clean Water State Revolving Fund; and

**WHEREAS**, that the Village of Perry Board of Trustees, accepts the EPG program grant award on behalf of the Village for an Inflow & Infiltration Study; and

**NOW THEREFORE BE IT RESOLVED**, that the Village Mayor is authorized to execute a Grant Agreement with the NYS Environmental Facilities Corporation and any and all other contracts, documents and instruments necessary to bring about the project and to fulfill the Village of Perry's obligations under the Grant Agreement; and

**BE IT FURTHER RESOLVED**, that the Village of Perry authorizes and appropriates a minimum 20% local match as required by the Engineering Planning Grant Program for the Inflow & Infiltration Study. Under the EPG program, this local match must be at least 20% of the EPG grant award of up to \$30,000. The source of the local match, and any amount in excess of the required match, shall be provided through the sewer fund. The maximum local match shall not exceed \$6,000 based upon a total estimated maximum project cost of \$36,000. The Mayor may increase this local match through the use of in kind services without further approval from the Village of Perry's Board.

Motion was made by Trustee Draper to pass this resolution authorizing the project costs and local match for the Engineering Planning Grant. This motion was seconded by Trustee Lapiana and carried unanimously.

**RESOLUTION OF SEQR FOR AWARD ALLOCATIONS FOR ENGINEERING PLANNING GRANT**

**WHEREAS**, the Village of Perry submitted and was awarded an Engineering Planning Grant (EPG) under the Consolidated Funding Application (CFA) process on behalf of the Village, for an Inflow & Infiltration study; and

**WHEREAS**, the New York State Department of Environmental Conservation and the New York State Environmental Facilities Corporation offer a competitive statewide reimbursement grant programs for local governments, administered through the New York Clean Water State Revolving Fund; and

**WHEREAS**, Title 6 of the New York Code of Rules and Regulations (6 NYCRR) Section 617.5 under the State Environmental Quality Review Act (SEQR) provides that certain actions identified in subdivision (c) of that section are not subject to environmental review under the Environmental Conservation Law; and

**NOW THEREFORE BE IT RESOLVED**, that the Village of Perry hereby determines that the proposed Inflow & Infiltration Study is a Type II action in accordance with 6 NYCRR Section 617.5(c) (24) and (27) which constitute “information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted Action; conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action” and is therefore not subject to further review under 6 NYCRR Part 617.

Because of the determination of no impact, this project is not subject to further review and therefore no SEQR is required. Motion to adopt this resolution was made by Trustee Lapiana, seconded by Trustee Draper, and carried with all voting aye.

**RESOLUTION ACCEPTING PROPOSAL FROM LITTLEHIVE, LLC FOR SILVER LAKE TRAIL MAP DESIGN AND ARTWORK**

LittleHive, LLC provided a proposal in the amount of \$2,400 to produce Silver Lake Trail map design & digital artwork for use on signage and promotional materials. The Board agreed to table the proposal as there is not a need for immediate action since negotiations are still ongoing for the trail project.

**RESOLUTION APPROVING PROPOSAL FOR AIR QUALITY MONITORING AND AUTHORIZING BUDGET TRANSFER FOR THE VILLAGE HALL CAPITAL PROJECT**

**WHEREAS**, the Village of Perry has awarded the Village Hall project to Picone Construction and they are beginning asbestos removal shortly; and

**WHEREAS**, the Village needs to hire an air quality monitoring company and has obtained three quotes with the lowest proposal being from Stohl Environmental in an amount of \$2,068.00; and

**WHEREAS**, the Village Administrator is proposing the following budget transfer to the Village Hall Capital Project:

FROM:	General Unassigned Fund Balance	\$ 2,068.00
TO:	CD9901.9 (Transfer, General Fund)	\$ 2,068.00

**BE IT RESOLVED**, the Village of Perry Board of Trustees hereby approves the proposal from Stohl Environmental for air monitoring services in an amount of \$2,068.00 and authorizes Flynn Battaglia to execute the proposal on behalf of the Village of Perry; and

**BE IT RESOLVED**, that the Village of Perry Board of Trustees hereby authorizes the Village Administrator to make the above budget transfer from Unallocated Fund Balance.

Trustee Draper made a motion to adopt this resolution to hire Stohl Environmental for air quality monitoring for the Village Hall project and authorize the transfer of funds to the Village Hall Capital Project. The motion was seconded by Trustee Lapiana and carried with all voting aye.

#### **RESOLUTION AUTHORIZING CHANGE ORDER #1 AND BUDGET TRANSFER FOR THE VILLAGE HALL CAPITAL PROJECT**

**WHEREAS**, Flynn Battaglia has presented Change Order #1 regarding the Village Hall Capital Project and additional asbestos removal in the basement of the Village Hall; and

**WHEREAS**, Picone Construction Corp. has provided a cost estimate to perform this addition for a total cost of \$3,918.50; and

**NOW, THEREFORE BE IT RESOLVED**, the Village of Perry Board of Trustees hereby authorizes Change Order #1 to the Village Hall ADA Improvements Capital Project in an amount of \$3,918.50 and authorizes the Mayor to execute the proposal; and

**BE IT RESOLVED**, that the Village of Perry Board of Trustees hereby authorizes the Village Administrator to make the following budget transfer:

FROM:	General Unassigned Fund Balance	\$ 3,918.50
TO:	CD9901.9 (Transfer, General Fund)	\$ 3,918.50

Motion was made by Trustee Lawrence for Change Order #1 for the Village Hall project and allowing a budget transfer for asbestos removal which was seconded by Trustee Lapiana and carried with all voting aye.

**RESOLUTION APPROVING THE APPOINTMENT OF CERTAIN OFFICIALS**

**WHEREAS**, there currently is a vacancy on the Village of Perry’s Planning Board; and

**WHEREAS**, Mr. James Reynolds has resigned from his position on the Zoning Board of Appeals and will fill the unexpired term on the Planning Board until 3/31/2026; and

**WHEREAS**, Mrs. Meggan Quartz will fill the unexpired term on the Zoning Board of Appeals until 3/31/2026; and

**BE IT RESOLVED**, that the Village of Perry Board of Trustees hereby approves the following appointments:

Position:	Name:	Expires:
Planning Board Member	James Reynolds	3/31/2026
Zoning Board of Appeals Member	Meggan Quartz	3/31/2026

There was originally a plan for a change in legislation allowing the Village to appoint individuals who are stakeholders in the community but who are not necessarily residents of the Village of Perry or Wyoming County. The Senate approved of the change but it did not pass in the Assembly. In the future, another attempt could be made at having the legislation changed, but in the meantime, as to not leave positions unfilled, James Reynolds will move to the Planning Board while Meggan Quartz will join the Zoning Board of Appeals. Mayor Hauser made the appointments of these individuals, who are Village of Perry residents, and requested a motion from the Board, which was made by Trustee Lawrence, seconded by Trustee Lapiana, and carried unanimously.

**RESOLUTION OF SEQR FOR WATER SYSTEM IMPROVEMENTS PROJECT AND DECLARING INTENT TO BE LEAD AGENCY**

**WHEREAS**, the Village of Perry Board of Trustees (hereinafter referred to as Village Board) has reviewed the SEQR Full Environmental Assessment Form (EAF) Part 1, prepared by the MRB Group (hereinafter referred to as Village Engineer) on the above referenced Village of Perry Water System Improvements Project (hereinafter referred to as Action); and

**WHEREAS**, the Village Board determines that said Action is classified as an Type 1 Action under the State Environmental Quality Review (SEQR) Regulations; and

**WHEREAS**, the Village Board determines that said Action is also subject to review and approval by other involved agencies under SEQR Regulations; and

**WHEREAS**, the Village Board determines that it is the most appropriate agency to insure the coordination of this Action and will provide written notifications to involved agencies, for the purposes of conducting a coordinated review and making the determination of significance thereon under the SEQR Regulations; and

**NOW, THEREFORE BE IT RESOLVED** that the Village Board does hereby declare its intent to be designated as the lead agency for the Action and directs the Mayor to sign and date the Full Environmental Assessment Form (EAF) Part 1; and

**BE IT FURTHER RESOLVED**, that the Village Engineer is directed to provide notice hereof to the involved and interested agencies, seeking their agreement (or objection thereto) in writing.

Trustee Draper made a motion to approve the resolution and for Mayor Hauser to sign the SEQR form which was seconded by Trustee Lapiana and carried with all voting aye.

#### **RESOLUTION COMMITTING TO PROVIDE THE LOCAL SHARE OF PROJECT COSTS FOR THE 2021 ENVIRONMENTAL PROTECTION FUND GRANT APPLICATION**

The Village has an opportunity to apply for up to \$500,000 in funding under the 2021 Environmental Protection Fund Historic Preservation Grant Program for renovations to the Village Hall requiring a minimum of 25% of the project costs to be matched. The Village was advised that it may not be in a position to create a strong application due to lack of historic designation. The Board agreed to table this to gather more information.

#### **RESOLUTION APPOINTING PART-TIME POLICE OFFICER, MATTHEW CROSS**

**WHEREAS**, Chief Grover has determined the need for an additional part-time Police Officer; and

**WHEREAS**, Chief Grover is requesting the hiring of Mr. Matthew Cross as a Part-Time Police Officer; and

**NOW, THEREFORE BE IT RESOLVED**, the Village of Perry Board of Trustees hereby approves the hiring of Mr. Matthew Cross as a part-time Police Officer with a starting hourly rate of \$22.76 pending Wyoming County Civil Service approval and satisfactory background checks.

There is a need to be hired by an agency in order to continue with part 2 of the police academy. There is also a need for an additional part time officer to help cover the craft show. Motion to

approve the resolution hiring part-time police officer Matthew Cross was made by Trustee Lapiana, seconded by Trustee Lawrence, and carried with all voting aye.

**RESOLUTION TO COMMIT TO PROVIDE THE LOCAL SHARE OF THE COST TO CONSTRUCT STORM DRAINAGE IMPROVEMENTS**

**WHEREAS**, the Village Board has authorized the Mayor to file a Community Development Block Grant (CDBG) application on behalf of the Village of Perry for assistance to fund a portion of the cost to construct improvements to the storm drainage system on portions of Hawthorne and Benedict Streets and Watkins and Olin Avenues.

**NOW THEREFORE BE IT RESOLVED**, that the Perry Village Board hereby commits \$35,000 in local funds for the administrative and a portion of the engineering costs of the project.

**BE IT FURTHER RESOLVED**, the Perry Village Board will provide local funds for project costs in excess of the funds provided through the CDBG grant and for any overruns that may be incurred to construct the improvements recommended in the preliminary engineering report prepared by the MRB Group PC.

Trustee Lawrence made a motion accepting this resolution regarding the CDBG Grant which was seconded by Trustee Draper and carried with all voting aye.

**CLERK/DEPUTY TREASURER'S REPORT**

FY 2021-2022  
Abstract 4  
Vouchers #92-218

General Fund	\$ 50,627.43
Special Grant Fund	\$ 2,454.83
Water Fund	\$ 6,794.35
Sewer Fund	\$ 14,785.38
Capital Projects Fund	\$ 100,761.30
Trust & Agency	\$ 4,684.00
Silver Lake Watershed	\$ 1,176.00
<hr/> Total	<hr/> \$ 181,283.29

With vouchers having been audited by Trustee Draper, motion was made by Trustee Lawrence authorizing the payment of vouchers in the amount of \$181,283.29 which was seconded by Trustee Lapiana and carried with all voting aye.



## **DEPARTMENT REPORTS**

Department head reports were submitted for the following departments with no action needed: Police Department, DPW, Parks, Water Treatment Plant, and Wastewater Treatment Plant.

## **AMERICAN RESCUE PLAN ACT (ARPA) FUNDING DISCUSSION**

Administrator Pierce has begun a review of what can be done with ARPA money. Some of the things the money can be used for are storm sewer improvements, clarifier costs, the clear well lining, small business and household support. The Administrator is looking to gauge the interest of the Board in determining how to use the funds. Certain expenses would require proof that revenue was lost due to COVID. It was decided that this topic be added to the agenda for each committee meeting. The Administrator will work to determine the revenue lost portion and communicate this to committee members in preparation for the next discussion.

## **TRUSTEE REPORTS**

Mayor Hauser provided an update on bids received for the Silver Lake Trail. The two bids received were higher than expected with the lowest being from C.P. Ward of Scottsville, NY. Currently, work is being done with a consultant team to identify strategies to bring costs down to fit within the budget. Another option would be to rebid the project in the fall. With a number of options offered to reduce costs, the majority of the Board agreed to continue negotiations and identify changes that could be made to the plans to fit the budget.

Trustee Lawrence reported that all three committees he takes part in were busy this month. The Police Committee submitted a purchase order for the Tesla and work continues on getting quotes for cameras on Main Street and at the park.

The Fire Committee is working on finalizing financing for the fire truck. The Fire Department will also incur a large expense with the need to replace air packs as they approach their 15-year shelf life in 2022. It is an estimated \$260,000 to replace the packs. Last time the packs were replaced, it was funded by a grant. Grant funding will be explored for the next replacement of air packs.

The Parks Committee discussed a letter received from Ralph Field. The letter offered a request to leave the tennis courts in place until the school can construct new courts. With the courts in a state of disrepair, it could be a liability to leave them up. A response will be drafted to Mr. Field.

Administrator Pierce announced that it appears there will be a \$90,000 grant towards the fire truck due to money being available at the end of the budget year.

The Village was approached by Josh Rice of Shake on the Lake wanting to have a controlled burn of a sea serpent head at the Public Beach. An approved container was offered to contain the controlled burn and safety concerns were discussed. It was determined that no damage will be caused to the beach so the request was approved.

The washout damage at the Public Beach was briefly discussed.

Trustee Lapiana added that it is believed that the sign on private property on the way to handicapped parking at the Public Beach was removed.

#### **EXECUTIVE SESSION**

Mayor Hauser made a motion to enter executive session at 8:55 pm to discuss the employment history of a particular individual. The motion was seconded by Trustee Draper and carried with all voting aye.

Respectfully submitted,  
Christina Slusser, Village Clerk