

**VILLAGE OF PERRY
VILLAGE BOARD MEETING MINUTES
AUGUST 26, 2021**

A special board meeting of the Village of Perry was held at the Village Hall, 46 North Main Street, Perry, New York at 8:15 am on the 26th day of August 2021.

PRESENT:	Rick Hauser	Mayor
	Dariel Draper	Trustee
	Arlene Lapiana	Trustee
ALSO PRESENT:	Samantha Pierce	Administrator
	Christina Slusser	Village Clerk
GUESTS:	N/A	
ABSENT:	Jacquie Billings	Trustee
	Ernie Lawrence	Trustee

Mayor Hauser called the meeting to order at 8:15 am and led in the pledge to the flag.

PRESENTATIONS & BOARD ACTIONS

RESOLUTION APPROVING AGREEMENT WITH THE ARTS COUNCIL FOR WYOMING COUNTY FOR THE LETCHWORTH ARTS & CRAFTS SHOW & SALE

WHEREAS, the Arts Council for Wyoming County (“ACWC”) will be holding the Letchworth Arts & Crafts Show & Sale at the Perry Village Park between October 9, 2021 and October 11, 2021; and

WHEREAS, the Village and the ACWC wish to enter into an agreement for the Letchworth Arts & Crafts Show & Sale; and

BE IT RESOLVED, that the Village of Perry Board of Trustees hereby approves the agreement with the Arts Council for Wyoming County and authorizes the Mayor to execute the agreement.

The Board has reviewed the ACWC contract dated 8/23/21 drafted by Village Attorney David DiMatteo. Changes were made to the previous draft for the administrative fee for Village of Perry employees (for the administrator, superintendent, and police chief) as well as the level of insurance coverage. Motion to approve the resolution and contractual agreement between the Village of Perry and the Arts Council for Wyoming County as written and attached to the provided agenda, was made by Trustee Draper, seconded by Trustee Lapiana, and carried with all voting aye.

RESOLUTION APPOINTING THE VILLAGE ADMINISTRATOR AS THE RESPONSIBLE LOCAL OFFICIAL IN CONNECTION WITH THE SILVER LAKE TRAIL PROJECT

WHEREAS, the NYSDOT has identified a need to designate a responsible local official associated with the Silver Lake Trail Project; and

BE IT RESOLVED, that the Village of Perry Board of Trustees does appoint Samantha Pierce, Village Administrator, as the Responsible Local Official, with authority to perform designated function(s) on the NYSDOT EBO website, as pertains to the Silver Lake Trail Project, and any other Federal-Aid project that should occur in the future, that requires EBO responsibilities; and

BE IT RESOLVED, that Samantha Pierce is empowered to designate any and all administrators to assist in the performance of those functions required within EBO; and

BE IT RESOLVED, that the Mayor is authorized and directed to sign and file any documents that may be necessary to comply with this authorization.

Motion to approve the resolution appointing Samantha Pierce, Village Administrator, as the local official in connection with the Silver Lake Trail project was made by Trustee Lapiana, seconded by Trustee Draper, and carried with all voting aye.

RESOLUTION APPROVING PROPOSAL FOR ADDITIONAL ASBESTOS TESTING FOR THE VILLAGE HALL CAPITAL PROJECT

WHEREAS, the Village needs to hire a company to perform additional asbestos testing for the Village Hall project and has obtained two proposals with the lowest proposal being from Stohl Environmental; and

WHEREAS, Flynn Battaglia is recommending approving the proposal from Stohl Environmental to perform the additional asbestos testing needed for the Village Hall project; and

BE IT RESOLVED, the Village of Perry Board of Trustees hereby approves the proposal from Stohl Environmental for additional asbestos testing in an amount not to exceed \$1,920.00 and authorizes the Mayor to execute the proposal.

Additional asbestos testing is recommended for a ceiling in the police department and also for the windows in the Village Hall. The Village has applied for a GVRP grant to replace the windows and testing will be required for that. Motion to approve the resolution for additional asbestos testing by Stohl environmental was made by Trustee Draper, seconded by Trustee Lapiana, and carried with all voting aye.

RESOLUTION AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFORE

WHEREAS, a Project for the Village of Perry Silver Lake Trail Phase 1, P.I.N. 4761.26 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the Village of Perry desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of the Silver Lake Trail Phase 1; and

NOW, THEREFORE, the Village Board, duly convened does hereby

RESOLVED, that the Village Board hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Village Board hereby authorizes the Village of Perry to pay in the first instance 100% of the federal and non-federal share of the cost of the Project or portions thereof; and it is further

RESOLVED, that the sum of \$169,769.00 is hereby appropriated from General Unallocated Fund Balance and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Village of Perry shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

RESOLVED, that the Mayor of the Village of Perry be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the Village of Perry with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project and it is further

RESOLVED, this Resolution shall take effect immediately.

The program described in the Supplemental Agreement #1 between the New York State Department of Transportation (NYSDOT) and the Village of Perry for Phase 1: Design and Construction is a reimbursable program. Motion to approve the above resolution was made by trustee Lapiana, seconded by Trustee Draper, and carried with all voting aye.

Some discussion took place on the new signage law and how to direct the zoning officer to proceed with enforcement of the law. Recently written complaints were received by the Village about properties on N. Main Street and Federal Street. Additional discussion will occur on addressing quantity and set back with the zoning officer and village attorney.

Motion was made by Trustee Draper at 8:34 pm to enter executive session to discuss pending litigation which was seconded by Trustee Lapiana and carried with all voting aye. At 8:37 pm, motion was made by Mayor Hauser to exit the executive session which was seconded by Trustee Draper and carried. Immediately following, motion was made by Trustee Draper to close the meeting, which was seconded by Trustee Lapiana, and carried.

Respectfully submitted,
Christina Slusser, Village Clerk