

**VILLAGE OF PERRY
VILLAGE BOARD MEETING MINUTES
NOVEMBER 15, 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 15th day of November 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:	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 were present for comment.

PRESENTATIONS & BOARD ACTIONS

MINUTES

Motion to approve the minutes from the regular board meeting on November 1, 2021 was made by Trustee Draper with the addition of noting that Trustee Billings was absent. This motion was seconded by Trustee Lawrence and carried. Trustee Billings abstained from the vote.

BOND RESOLUTION ADOPTION TO FINANCE WATER SYSTEM CAPITAL IMPROVEMENTS

The Bond Resolution Dated November 15, 2021 of the Village Board of Trustees of the Village of Perry, New York, Authorizing General Obligation Serial Bonds to Finance Water System Capital Improvements within the Village, Authorizing the Issuance of Bond Anticipation Notes in Contemplation thereof, the Expenditure of Sums for such purpose, and Determining other matters in connection therewith was presented.

To clarify the bond resolution, it is not an agreement to proceed but rather an agreement to submit the WIIA grant for up to 3 million dollars in grant funds for at least a 5 million dollar project. The project could be divided by adding phase two items, like painting the exterior of the water tower because this wouldn't change the scoring for the WIIA grant. Upon the award

of the grant, the board can decide how to proceed. It was stated that the village scored “just a hair” above the qualification to be approved for a 0% interest loan. The approval of the bond resolution does not limit the village to working with MRB Group.

Mayor Hauser made a motion to adopt the 4-page Bond Resolution for Water Treatment Plant improvements authorizing serial bonds of up to 7.2 million as described above. The motion was seconded by Trustee Billings and carried with all voting aye.

RESOLUTION OF SUPPORT & AUTHORIZATION FOR DRINKING WATER GRANT APPLICATION

WHEREAS, the Village of Perry Village Board supports the submission of a New York State Water Infrastructure Improvement Act (WIIA) grant application, on behalf of the Village for a drinking water project to protect public health and improve water quality of the water system; and

WHEREAS, the New York State Environmental Facilities Corporation (EFC) administers grants to assist municipalities in funding water infrastructure projects that improve water quality and/or protect public health; and

WHEREAS, an Engineering Report, entitled “*Preliminary Engineering Report for the Village of Perry Water Treatment Plant Evaluation*”, dated April 2021 (updated November 2021), recommends implementing the Project to help improve water quality and protect public health; and

WHEREAS, the Village Board passed a bond resolution (the “Bond Resolution”) on November 15, 2021 authorizing the borrowing of up to \$7,200,000 for implementation of the Project.

NOW, THEREFORE BE IT RESOLVED, that the Village Board identifies the Village Mayor as the authorized representative of the Village to submit the WIIA application on behalf of the Village and execute all associated documents relative to and as required for the WIIA application, including the funding agreement and *financial application, as applicable*; and

BE IT FURTHER RESOLVED, that the Village Board authorizes the undertaking of this water system improvement project with a maximum total project cost of up to \$7,200,000 including expenditures necessary to meet any required local match, including any cash and/or in-kind services; and

BE IT FURTHER RESOLVED, that the Village shall provide local matching funds totaling at least 40% of the Project Costs in the form of in-kind services or cash contributions

appropriated and obligated through State Revolving Fund (SRF) or other approved financing or funds, in accordance with the Bond Resolution; and

BE IT FURTHER RESOLVED that the Village of Perry Board of Wyoming County recognizes and fully supports this water system improvement project as well as the submission of the WIIA grant application on behalf of the Village to improve water quality and protect public health.

Motion to adopt the above resolution of Support & Authorization for the Drinking Water Grant Application for the New York State Water Infrastructure Improvement Act (WIIA application) was made by Mayor Hauser, seconded by Trustee Lawrence and unanimously carried.

RESOLUTION APPROVING THE OYA SOLAR NY, L.P. COMMUNITY SOLAR SUBSCRIBER AGREEMENT

WHEREAS, the Village of Perry has been presented an opportunity to partner with OYA Solar for Community Solar to save on electric bills and continue the goal towards clean energy; and

WHEREAS, the estimated annual savings to the Village is \$7,119; and

WHEREAS, the OYA Community Solar project is currently the only solar project known and available to the Village at this time; and

WHEREAS, a discount is prescribed by the State of New York and the Village will be receiving the maximum discount amount; and

NOW, THEREFORE BE IT RESOLVED, the Village of Perry Board hereby approves the Community Solar Subscriber Agreement and authorizes the Mayor to sign the agreement.

OYA Solar guarantees a percentage off each electric bill without charging additional fees. Termination guidelines are included and Village Attorney DiMatteo has reviewed the agreement. OYA Solar estimated \$7,119 per year in savings. It was confirmed that this type of agreement does not require multiple bids. Motion was made by Trustee Lawrence to approve the agreement with OYA Solar which was seconded by trustee Lapiana and carried with all voting aye.

LED lights are currently being installed throughout the village. The LED street lights program saves up to \$22,000 annually after a one-time fee is paid (with roughly a 6-month or less payback).

RESOLUTION APPROVING PROPOSAL FROM MRB GROUP FOR PROFESSIONAL SERVICES FOR LEAD SERVICE LINE REPLACEMENT PROGRAM

WHEREAS, the Village of Perry submitted and was awarded a grant for Lead Service Line Replacement in an amount of \$554,112; and

WHEREAS, engineering fees, legal fees, municipal administration fees, construction and site restoration are eligible costs under the program; and

WHEREAS, MRB has submitted a proposal for project coordination and inspection (\$41,600.20), design (\$21,500.00), bidding (\$9,000.00), construction administration (\$29,500.00) for a total of \$101,600.20; and

NOW THEREFORE BE IT RESOLVED, that the Village of Perry Board of Trustees hereby approves the proposal from MRB Group in the amount of \$101,600.20 for the Lead Service Line Replacement Program and authorizes the Mayor to sign the proposal.

The Lead Service Line Replacement Program (LSLRP) money all comes from the grant, including soft costs. It is a reimbursable program. MRB Group's proposal includes fees which are generally hourly with a not-to-exceed amount of \$101,600.20. Motion to approve the resolution and proposal for grant services with MRB Group for the LSLRP was made by Trustee Billings, seconded by Trustee Lapiana, and carried with all voting aye.

RESOLUTION APPROVING PROPOSAL FROM MRB GROUP FOR GRANT WRITING SERVICES FOR ASSISTANCE TO FIREFIGHTERS GRANT

WHEREAS, the Village of Perry Fire Department is in need of replacing their air packs and bottles within the next year; and

WHEREAS, the total cost to replace the air packs and bottles is almost \$300,000; and

WHEREAS, the Village Administrator and Fire Committee are recommending applying for the Assistance to Firefighters Grant; and

WHEREAS, MRB group has provided a proposal to perform grant writing services for the assistance to firefighters grant at an amount not to exceed \$5,000; and

NOW THEREFORE BE IT RESOLVED, that the Village of Perry Board of Trustees hereby approves the proposal from MRB Group in an amount not to exceed \$5,000 and authorizes the Mayor to execute the proposal.

Robin Palmer on MRB Group's staff has written many fire department grants, as discussed in Fire Committee Meetings. There are 27 packs in need of replacement at an estimated \$10,000 a piece. In trying to limit the cost to taxpayers, the Village is interested in a FEMA grant that just came out which includes air packs & bottles. The USDA also has a grant/loan program like

the Village did completed the fire truck recently. The Fire Chief is familiar with the grant writer and is supportive of this choice. With confirmation that the proposal is an hourly rate not to exceed \$5,000, motion was made by Trustee Draper to approve the resolution for MRB Group to write the Assistance to Firefighters Grant (AFG) which was seconded by Trustee Lapiana and carried unanimously.

RESOLUTION APPROVING TRANSFER TO NYCLASS ACCOUNT AND TRANSFER TO M&T SAVINGS ACCOUNT

WHEREAS, in an effort to consolidate savings accounts and increase efficiency, the Village Administrator is proposing to consolidate certain savings accounts and close the accounts with zero balance; and

WHEREAS, the proposed transfers are as follows:

From M&T Repair Reserve (2597) to NYCLASS Repair Reserve (0003) - **\$0.02**

From M&T Savings (0840) to M&T Municipal Savings (9549) - **\$25,091.59**

From M&T Savings (0907) to M&T Municipal Savings (9549) - **\$26,496.36**

From M&T Savings (0890) to M&T Municipal Savings (9549) - **\$42,970.42**

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

The above summarizes some cleanup and consolidation with the Village bank accounts so they can be consolidated into a larger savings account. Trustee Lapiana made a motion to approve the resolution above detailing bank transfers. The motion was seconded by Trustee Draper and carried with all voting aye.

PROPOSAL FROM BONADIO GROUP FOR 2020-2021 AUDIT SERVICES

A proposal was received from The Bonadio Group for the 2020-2021 audit for \$19,000 which is \$5,600 more than the last audit and more than the \$14,000 that was budgeted for. Administrator Pierce has reached out to other municipalities to see who they use for audit services and what it costs. The Village could push off the audit if needed but the administrator will have to move forward with the AUD without an audit. The board agreed to table this to get additional proposals for audit services.

RESOLUTION APPROVING PAYMENT #4 FOR VILLAGE HALL PROJECT

WHEREAS, the Village Administrator has received pay app #4 from the contractor for the Village Hall Project; and

WHEREAS, Pay App #4 was received from the Picone Construction Corporation in the amount of \$32,873.80; and

BE IT RESOLVED, that the Perry Village Board of Trustees hereby approves the following payment for Pay App #4 and directs the Village Clerk to submit a voucher for payment:

Picone Construction Corporation \$32,873.80; and

BE IT RESOLVED, that the Perry Village Board of Trustees hereby authorizes the Mayor to execute the payment certification.

Pay app #4 for the Village Hall Project includes the initial payment to order the elevator and stairs. Motion to adopt the resolution approving payment #4 to Picone Construction Corp. was made by Trustee Billings, seconded by Trustee Lapiana, and carried with all voting aye.

RESOLUTION AUTHORIZING CHANGE ORDER #5 FOR THE VILLAGE HALL CAPITAL PROJECT

WHEREAS, Flynn Battaglia has presented Change Order #5 regarding the Village Hall Capital Project in an amount of \$61,379.97; and

WHEREAS, the scope of the change order includes:

- Removal of vermiculite insulation on the floor on the second floor
- Removal of drop ceiling in the Assembly Hall and patching the plaster ceiling above
- Filling the gaps in the ceiling tile grids and walls and replacing ceiling tiles in the fire department exercise room, records room, and toilet room on the second floor
- Removal of asbestos plaster debris in the court vault on the ground floor and patching existing plaster walls and ceilings

NOW, THEREFORE BE IT RESOLVED, the Village of Perry Board of Trustees hereby authorizes Change Order #5 for the Village Hall ADA Improvements Capital Project in the amount of \$61,379.97 and authorizes the Mayor to execute the change order.

With receipt of Change Order #4 for the Village Hall Project, an additional proposal was requested for removal of the ceiling upstairs and to connect the steam main. The total project budget was reviewed between the original budget, additional expenditures, and change orders. A question arose to see if the Village can get a report of the percentage of asbestos that has been abated in the building; something to show what has been abated so far. Motion to adopt the resolution for approval of Change Order #5 for the Village Hall Project was made by Trustee Billings, seconded by Trustee Lawrence, and carried with all voting aye.

RALPH WILSON DESIGN & ACCESS PIECE

Mayor Hauser explained that last year around this time, the Village applied for a Ralph Wilson grant for the footbridge and is now looking at a boardwalk to get to Borden Ave. ARPA money will be discussed for funding the project, but also, in speaking to a liaison at the Community Foundation, the Village was encouraged to apply for a grant for planning purposes with the positive story of a trail project in Wyoming County. The proposal doesn't require a local match and with application of a \$50,000 grant, the money is paid in advance and could fund a variety of things: a design feasibility study for connecting the section of Borden Ave. to Gardeau St. or survey work to explore ownership, right-of-way access, and topography. Geotech work could be done, legal or title work, or an environmental study. Grover & Bates will be approached for survey work and a proposal will be coming from SWBR. Mayor Hauser offered to put the grant application together and is seeking the Board's authorization to submit the grant application. Mayor Hauser made a motion to submit a Design & Access Grant application through the Ralph C. Wilson Jr. Foundation & Community Foundation of Grater Buffalo for the next segments of the Silver Lake Trail. Motion was seconded by Trustee Lapiana and carried unanimously.

CLERK/DEPUTY TREASURER REPORT

FY 2021-2022

Abstract #12

Vouchers #797-891

General Fund	\$ 300,589.82
Special Grant Fund	\$ 1,920.00
Water Fund	\$ 43,253.17
Sewer Fund	\$ 37,737.59
Capital Projects Fund	\$ 54,678.10
Trust & Agency	\$ -
Silver Lake Watershed Commission	\$ -
Total	\$ 438,178.68

Vouchers were audited by Trustee Draper. Motion to approve the clerk report and payments in the amount of \$438,178.68 was made by Trustee Lawrence, seconded by Trustee Billings, and carried with all voting aye. NYCLASS balances and revenue/expense reports were provided for the Board's review.

DEPARTMENT REPORTS

The following department reports were received and reviewed with no action needed: Police, DPW/Parks, WTP/WWTP.

TRUSTEE REPORTS

The Tesla runs for 12 hours on a 4-hour charge but winter conditions may draw harder on the battery. The cage for the car is not available yet due to supply limitations. Chief Grover would like to explore the purchase of a Dodge Durango; something with a trailer hitch. The Board decided that it is too early to decide how to move forward with the purchase of another vehicle, as they would like more information on how the Tesla will handle the winter and to make sure the cage is going to fit.

With regards to the Silver Lake Trail Project, the islands in the DPW parking area got reduced to two when the project scope was cut back. CP Ward did the initial work cutting out the green space, but with it being on a fairly steep part of the driveway, there is concern that it will wash down the hill. This also results in the loss of a parking space. There are 40 days left in the contract. Some time might need to be moved to the spring for planting trees. Trustee Lawrence will meet with Mayor Hauser and DPW Superintendent Deaton this week to discuss this part of the project.

EXECUTIVE SESSION

Mayor Hauser made a motion to enter executive session to discuss matters leading to the appointment of a particular individual which was seconded by Trustee Lapiana and carried with all voting aye.

Upon motion to exit executive session, brief discussion took place on exploring other options for auditing services.

With there being no further business, motion to adjourn the meeting was made by Trustee Draper at 8:49pm which was seconded by Trustee Lapiana and carried with all voting aye.

Respectfully submitted,
Christina Slusser, Village Clerk