

**VILLAGE OF PERRY
VILLAGE BOARD MEETING MINUTES
DECEMBER 6, 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 6th day of December 2021.

PRESENT:	Rick Hauser	Mayor
	Jacquie Billings	Trustee
	Arlene Lapiana	Trustee
	Ernie Lawrence	Trustee

ALSO PRESENT:	Samantha Pierce	Administrator
	Laura Gifford	Village Deputy Clerk

GUESTS:	Lorraine Sturm	Perry Herald
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ABSENT:	Dariel Draper	Trustee
	Christina Slusser	Village Clerk

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 special board meeting on November 8, 2021 was made by Trustee Lawrence. Trustee Billings abstained from the vote. This motion was seconded by Trustee Lapiana and carried.

Motion to approve the minutes from the regular board meeting on November 15, 2021 was made by Trustee Lawrence, seconded by Trustee Lapiana, and carried with all voting aye.

RESOLUTION APPROVING PAYMENTS FOR WASTEWATER TREATMENT PLANT PROJECT

WHEREAS, the Village Clerk has received pay app #6 from the general contractor, Crane-Hogan Structural Systems, Inc., for the waste water treatment plant project in the amount of \$351,774.55; and

WHEREAS, the Village Clerk has received pay app #3 from the electrical contractor, M.W. Controls Service, Inc., for the waste water treatment plant project in the amount of \$123,298.92; and

NOW, THEREFORE BE IT RESOLVED, that the Perry Village Board of Trustees hereby approves the following payments for the wastewater treatment plant project and directs the Village Clerk to submit vouchers for payment:

Crane-Hogan Structural Systems, Inc.	\$351,774.55
M.W. Controls Service, Inc.	\$123,298.92

Motion to adopt resolution approving payment #6 to Crane-Hogan Structural Systems, Inc. and payment #3 to M.W. Controls Service, Inc. was made by Trustee Lapiana. The motion was seconded by Trustee Lawrence and carried with all voting aye.

RESOLUTION ACCEPTING RESIGNATION OF PART-TIME POLICE OFFICER, MATTHEW CROSS

WHEREAS, Mr. Matthew Cross has tendered his resignation from the part-time position of Police Officer effective September 12, 2021; and

NOW, THEREFORE BE IT RESOLVED, the Village of Perry Board hereby accepts the resignation of Mr. Cross and wishes him well with future endeavors.

Trustee Lapiana made a motion to adopt resolution accepting the resignation of part-time police officer Matthew Cross. The motion was seconded by Trustee Billings and carried with all voting aye.

RESOLUTION ACCEPTING RESIGNATION OF PART-TIME CLERK, ANNETA MARINACCIO

WHEREAS, Mrs. Anneta Marinaccio has tendered her resignation from the part-time position of Clerk effective November 26, 2021; and

NOW, THEREFORE BE IT RESOLVED, the Village of Perry Board hereby accepts the resignation of Mrs. Marinaccio and wishes her well with future endeavors.

Trustee Lawrence made a motion to adopt resolution accepting the resignation of part-time clerk Anneta Marinaccio. The motion was seconded by Trustee Lapiana and carried with all voting aye.

Mayor Hauser asked Trustee Lapiana and Trustee Billings to review applications and interview for a new part-time clerk. Administrator Pierce reported receiving 7 applications. She will get copies to Trustee Lapiana and Trustee Billings for review.

RESOLUTION APPROVING ANNUAL SERVICE AND SUPPLY MAINTENANCE AGREEMENT WITH EAGLE SYSTEMS, INC.

WHEREAS, the Village of Perry contracts with Eagle Systems, Inc. for the Toshiba printer in the Police Department and Court Office; and

WHEREAS, the agreement covers service, parts, and toner; and

WHEREAS, the cost per page for the court printer is 0.0115 and the cost per page for the police department print is 0.0081 billed quarterly; and

NOW, THEREFORE BE IT RESOLVED, that the Perry Village Board of Trustees does hereby approves the annual service and supply maintenance agreement with Eagle Systems, Inc. from January 29, 2022 until January 28, 2023.

Trustee Billings made a motion to adopt resolution approving the annual service and supply maintenance agreement with Eagle Systems, Inc. The motion was seconded by Trustee Lawrence and carried with all voting aye.

RESOLUTION APPROVING REQUEST FROM LABELLA ASSOCIATES FOR NYMS GRANT ADMINISTRATION

WHEREAS, the Village of Perry recently contracted with LaBella Associates to administer the 2019 NYMS Grant; and

WHEREAS, the scope of the 2019 NYMS Grant has been modified and LaBella Associates has spent additional time and effort to request the amendment and will need to restart the administration documentation process; and

WHEREAS, LaBella Associates is requesting an addendum to their fee in the amount of \$5,000 for a total cost not to exceed \$15,000; and

WHEREAS, the total cost of \$15,000 is reimbursable through the NYMS program and will result in no cost to the Village; and

NOW, THEREFORE BE IT RESOLVED, that the Perry Village Board of Trustees does hereby approves the additional \$5,000 addendum to LaBella Associates fee for the 2019 NYMS Grant for a total cost not to exceed \$15,000.

Modification was successful converting grant to a building stabilization grant. This requires more structural work but no occupancy is required to complete the work. Additional administration is needed and fully covered by the grant.

A motion to adopt resolution approving request from LaBella Associates for NYMS Grant Administration was made by Trustee Billings. The motion was seconded by Trustee Lapiana and carried with all voting aye.

Trustee Lawrence inquired if any balance would be applied to vacant buildings. Mayor Hauser indicated the grant was for commercial buildings but any extra could be used for projects such as Streetscape.

RESOLUTION APPROVING PAYMENTS FOR THE SILVER LAKE TRAIL PROJECT

WHEREAS, the Village has received pay app #3 from the contractor, CP Ward, Inc., for the Silver Lake Trail project in the amount of \$234,949.43; and

WHEREAS, the engineers on the project, C&S Engineers, have reviewed and approved pay app #3; and

WHEREAS, the Village has received an invoice for Construction Inspection from C&S Engineers, Inc. for services rendered from 6/7/2021 to 10/29/2021 in the amount of \$68,855.39;and

NOW, THEREFORE BE IT RESOLVED, that the Perry Village Board of Trustees hereby approves the following payments for the Silver Lake Trail project and directs the Village Clerk to submit a voucher for payment:

CP Ward, Inc.	\$234,949.43
C&S Engineers, Inc.	\$68,855.39

BE IT FURTHER RESOLVED, that the Perry Village Board of Trustees hereby authorizes the Mayor to sign the payment invoice.

Administrator Pierce indicated there would be one more payment before taking a break for the winter. CP Ward will resume trail work in March. Trustee Lawrence made a motion to adopt resolution approving payment #3 to CPWard, Inc. and payment to C&S Engineers, Inc. The motion was seconded by Trustee Lapiana and carried by all voting aye.

RESOLUTION APPROVING BUDGET AMENDMENT FOR POLICE DEPARTMENT TRAFFIC SAFETY PROGRAM

WHEREAS, the Village of Perry Police Department participates in the NYS Traffic Safety Program; and

WHEREAS, Village of Perry Police Officer’s time is reimbursable through the safety program; and

WHEREAS, the Village Administrator is recommending the following budget amendment to account for monies received and expenses for salaries in relation to the Traffic Safety Program:

Increase Revenue:	A1589, Public Safety Misc Income	\$2,520
Increase Expense:	A3120.12, Police Officer, P/T	\$368.16
Increase Expense:	A3120.13, Police Officer, O/T	\$2,151.84

NOW, THEREFORE BE IT RESOLVED, the Village of Perry Board hereby approves the budget amendment and authorizes the Village Administrator to make the budget amendment to the 2021-2022 Village of Perry Budget.

Trustee Lapiana made a motion to adopt resolution approving budget amendment for police department traffic safety program. The motion was seconded by Trustee Lawrence and carried by all voting aye.

RESOLUTION TO ENTER WATER AGREEMENTS WITH THE TOWN OF CASTILE

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, the Village of Perry has provided water services to Gardeau Water District, Silver Lake Institute Water District and Silver Lake Sewer District between March 30, 2018 and March 31, 2021.

WHEREAS, from March 30, 2018 to March 31, 2021 the Village of Perry has failed to bill the Town of Castile for said water services and the Town of Castile has failed to make payments in accordance with the agreements dated April 14, 2016 and December 31, 2002; and

WHEREAS, the Town of Castile currently owes \$12,510.00 to the Village of Perry with regard to the Gardeau Water District; and

WHEREAS, the Town of Castile currently owes \$108,405.00 to the Village of Perry with regard to the Silver Lake Institute Water District; and

WHEREAS, the Town of Castile currently owes \$95,003.09 to the Village of Perry with regard to the Silver Lake Sewer District; and

WHEREAS, the Village of Perry and the Town of Castile have reviewed proposed repayment plans for the Village to recoup the fees for the water services which were provided to the Town of Castile; and

WHEREAS, pursuant to the proposed repayment agreements, the Town of Castile shall pay \$1,205.00 per year to the Village of Perry for Gardeau Water District, \$10,840.50 per year for the Silver Lake Institute Water District, and \$9,500.31 per year for the Silver Lake Sewer District; and

WHEREAS, Said yearly payments from the Town of Castile to the Village of Perry shall be made annually for ten (10) years in order reach the amount due to the Village of Perry; and

WHEREAS, the Village of Perry wishes to continue to supply water to the Town of Castile through the Gardeau Water District, Silver Lake Institute Water District, Silver Lake Sewer District; and

WHEREAS, the Village Board of Trustees believes it to be in the best interest of the Village of Perry to authorize Mayor Hauser to execute said water agreements and repayment agreements with the Town of Castile based on the terms within each agreement.

RESOLVED, the Village Board of Trustees of the Village of Perry hereby authorizes Mayor Hauser to sign the proposed Intermunicipal Shared Services Agreement regarding Gardeau Water District and the corresponding repayment agreement; and be it further

RESOLVED, the Village Board of Trustees of the Village of Perry hereby authorizes Mayor Hauser to sign the proposed Intermunicipal Shared Services Agreement regarding Silver Lake Institute Water District and the corresponding repayment agreement; and be it further

RESOLVED, the Village Board of Trustees of the Village of Perry hereby authorizes Mayor Hauser to sign the proposed repayment plan regarding the Silver Lake Sewer District.

Trustee Billings made a motion to approve resolution to enter water agreements with the Town of Castile. The motion was seconded by Trustee Lapiana and carried by all voting aye.

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE OUT OF DISTRICT WATER SUPPLY AGREEMENT

WHEREAS, Highbanks Dairy, LLC and Fitch Farms, Inc. desires to be supplied with water by the Village; and

WHEREAS, Highbanks Dairy, LLC and Fitch Farms, Inc. are located within the Town of Castile Gardeau Water District and wish to obtain water through an additional meter within the Village of Perry; and

WHEREAS, the Town of Castile will aid in the collection and will remit payment to the Village of Perry; and

BE IT RESOLVED, the Perry Village Board of Trustees approves the Out of District Water Supply Agreement and authorizes the Mayor to execute said Agreement between the Town of Castile, Highbanks Dairy, LLC. and Fitch Farms, Inc.

Mayor Hauser noted the support to farms in times of need is needed for their success. While waiting for upgrades, Highbanks ran a line to directly hook up to the Village of Perry water and the

A motion was made by Trustee Lapiana. Motion was seconded by Trustee Lawrence and carried by all voting aye.

RESOLUTION FOR STANDARD WORKDAY AND REPORTING FOR ELECTED AND APPOINTED OFFICIALS

BE IT RESOLVED, that the Village of Perry hereby established standard work days as found on form RS 2417-A for Trustee Arlene Lapiana and Village Attorney David DiMatteo and will report the officials to the New York State and Local Retirement based on their record of activities. The Village Clerk will appropriately post the Resolution for at least 30 days.

In order to report retirement properly, NYS requires setting a standard work day for employees who are not in the timekeeping system. Trustee Lapiana submitted a record of activities over a 3 month time period; setting the work day at 6.

Trustee Billings asked if other municipalities have their lawyer as an employee. Administrator Pierce commented that the Village of Perry lawyer handles general municipal matters. The lawyer reports them monthly and does not charge; it's more like a stipend.

A motion was made by Trustee Lawrence to approve resolution for reported standard workday for elected and appointed officials. Trustee Lapiana abstained from the vote. Motion was seconded by Trustee Billings and carried by all voting aye.

CLERK/DEPUTY TREASURER REPORT

FY 2021-2022

Abstract #13

Vouchers #892 - 972

General Fund	\$ 38,437.74
Special Grant Fund	\$ 5,846.75
Water Fund	\$ 9,893.19
Sewer Fund	\$ 5,125.84
Capital Projects Fund	\$ 758,470.00
Trust & Agency	\$ 13,595.95
Silver Lake Watershed	\$ 58.35
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Total	\$ 831,427.82

Vouchers were audited by Trustee Lapiana. Motion to approve the clerk report and payments in the amount of \$831,427.82 was made by Trustee Billings, seconded by Trustee Lawrence, and carried with all voting aye.

DEPARTMENT REPORTS

There are no department reports.

TRUSTEE REPORTS

The speed sign on Center Street is not working.

Trustee Lawrence is completing the Tree City USA application. He met with the LCA advisory committee last Friday and will meet again this Friday. Committee members are Allison Hamilton, Chase Herring, Mike Belamy, Ernie Lawrence and Kyle Adamzak.

Trustee Lapiana reported that the Holiday Delights was a success. Notices are going out to owners of vacant properties.

Mayor Hauser had an update meeting with Administrator Pierce today. Bids have been received for the Footbridge project. Mayor Hauser made a motion to accept the Geotech proposal from Foundation Design, seconded by Trustee Billings and carried by all voting aye.

Mayor Hauser submitted the application for the design and access grant through Ralph C. Wilson for \$50,000 with no local match for planning the next 2 segments of the Silver Lake Trail.

Trustee Lawrence sent a letter of inquiry regarding a skate park. Administrator Pierce indicated Trevor is working on funding.

Administrator Pierce reported the Serpent Mound project is delayed until spring.

Drainage project announcements are usually made before Christmas.

Center Street open house to be held on Wednesday from 4:00pm-7:00pm at Breezeway Barn; to discuss access control, vehicle and pedestrian safety. The meeting information was mailed to all Center Street residents. A Facebook Event will also be posted and flyers printed.

Budget season is starting soon.

EXECUTIVE SESSION

An executive session was not requested.

With there being no further business, motion to adjourn the meeting was made by Trustee billings at 8:12pm which was seconded by Trustee Lapiana and carried with all voting aye.

Respectfully submitted,
Laura Gifford, Village Deputy Clerk