

VILLAGE OF PERRY
VILLAGE BOARD MEETING MINUTES
May 2, 2022

A Regular 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 2nd day of May 2022.

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| PRESENT: | Rick Hauser | Mayor |
| | Jacquie Billings | Trustee |
| | Arlene Lapiana | Trustee |
| | Ernie Lawrence | Trustee |
| ALSO PRESENT: | Samantha Pierce | Administrator |
| | Jeff Drain | Village Water/Sewer Chief Operator |
| | Laura Gifford | Deputy Clerk |
| GUESTS: | Lorraine Sturm | Perry Herald |
| GUESTS PRESENT FOR PUBLIC HEARING: | | |
| | Jason Schwartz | BPD, Inc. |
| | William Davis | MRB Group |
| | Mark Bailey | MRB Group |
| 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.

PRESENTATIONS & BOARD ACTIONS

MINUTES

Motion to approve the minutes from the regular board meeting on April 18, 2022 was made by Trustee Lawrence, seconded by Trustee Lapiana , and carried with all voting aye.

RESOLUTION APPROVING THE 2021 ANNUAL DRINKING WATER QUALITY REPORT

WHEREAS, to comply with State regulations the Village of Perry is required to issue an annual report on the quality of the Village’s drinking water; and

WHEREAS, Chief Water/Sewer Treatment Plant Operator, Jeff Drain, has provided the 2021 Annual Drinking Water Quality Report; and

BE IT RESOLVED, that the Village of Perry Board of Trustees hereby approves the 2021 Annual Drinking Water Quality Report.

Mayor Hauser made a motion to approve the 2021 Annual Drinking Water Quality Report with revised Spanish language based on last year's amendment. Trustee Billings seconded the motion and carried with all voting aye.

RESOLUTION APPROVING SCHOOL RESOURCE OFFICER AGREEMENT BETWEEN THE VILLAGE OF PERRY AND THE PERRY CENTRAL SCHOOL DISTRICT

WHEREAS, the Village of Perry's current School Resource Officer Agreement has expired, and the Village of Perry and Perry Central School District have been in discussions regarding a two-year agreement for the 2022-2023 and 2023-2024 school years; and

WHEREAS, the Public Safety Police Committee reviewed the draft agreement; and

WHEREAS, the Perry Central School District approved the agreement on April 18, 2022; and

NOW THEREFORE BE IT RESOLVED, that the Village Board of Trustees hereby approves the School Resource Office Agreement with the Perry Central School District for the 2022-2023 and 2023-2024 school years and authorizes the Mayor and Chief of Police to execute the agreement.

Administrator Pierce relayed that, for future agreements, Perry Central School District is interested in a contract term corresponding to the Village of Perry School Resource Officer's Union Contract. The school will also allow use of a school vehicle for the School Resource Officer when needing to transport students, without the Investigative Police Therapy Dog.

Motion was made by Trustee Lapiana to approve the School Resource Officer agreement between the Village of Perry and the Perry Central School District. This motion was seconded by Trustee Lawrence and carried with all voting aye.

RESOLUTION APPROVING EVENT REQUESTS AND POLICE SUPPORT

WHEREAS, the Parks Committee and Police Committee have reviewed three event requests and request for police support; and

WHEREAS, the Parks Committee is recommending approving all three event request and donating eight hours of police support to each event; and

BE IT RESOLVED, that the Village of Perry Board of Trustees hereby approves the event request for the Silver Serpent on June 4, 2022 and June 5, 2022 and will provide up to eight hours of police support; and

BE IT RESOLVED, that the Village of Perry Board of Trustees hereby approves the event request for the Tour de Perry on July 9, 2022 and will provide up to eight hours of police support; and

BE IT RESOLVED, that the Village of Perry Board of Trustees hereby approves the event request for the Serpents Shadow Multisport Festival on September 24, 2022 and will provide up to eight hours of police support.

Administrator Pierce indicated that the Perry Ambulance will be on scene for all three events. Also, each event organization will be billed the total hours of police support after the event.

Motion was made by Trustee Billings to approve the event requests and police support. This motion was seconded by Trustee Lawrence and carried with all voting aye.

RESOLUTION APPOINTING SEASONAL LABORER, JASE STONE

WHEREAS, Mr. Jase Stone has been employed with the Village's Parks Department May 2021; and

WHEREAS, the Superintendent of Public Works is requesting the appointment of Mr. Stone for the 2022 season; and

BE IT RESOLVED, that the Perry Village Board of Trustees does hereby appoint Mr. Jase Stone as a Seasonal Laborer designated to the Parks Department at a rate of \$13.20 per hour effective May 3, 2022.

Motion was made by Trustee Lapiana to approve the resolution appointing seasonal laborer, Jase Stone. This motion was seconded by Trustee Lawrence and carried with all voting aye.

RESOLUTION ACCEPTING WIIA GRANT AWARD FOR THE WATER TREATMENT PLANT IMPROVEMENTS PROJECT NO. 18898

WHEREAS, the Village of Perry applied for funding through the Drinking Water State Revolving Fund for improvements to the water treatment plant facility; and

WHEREAS, the Village of Perry has received notification of the grant award in an amount not to exceed \$3,000,000.00; and

NOW, THEREFORE BE IT RESOLVED, that the Perry Village Board of Trustees hereby accepts the grant award not to exceed \$3,000,000.00 and authorizes the Mayor to execute the grant award.

Administrator Pierce reported that the DPW Committee will be scoping the project. BPD will have a survey in the next week or 2. The grant can be amended to set the project up for another grant; maybe split the project up (such as taking the phases of construction and separating them into separate projects). Also, the 0% interest loan is still available.

Motion was made by Trustee Billings to approve the resolution accepting the WIIA grant award for the water treatment plant improvements project no. 18898. This motion was seconded by Trustee Lapiana and carried with all voting aye.

RESOLUTION AUTHORIZING BUDGET AMENDMENT AND TRANSFER TO THE 2021-2022 VILLAGE BUDGET

WHEREAS, the Village Administrator is proposing the following budget amendment to account for unexpected revenue for the police department; and

Increase Revenue:	A1589 – Public Safety Misc. Income	\$799.50	
Increase Expense:	A3120.4 – Police contractual		\$799.50

WHEREAS, the Village Administrator is proposing the following budget transfer to account for grant funding spent on part-time staff hours for the police department; and

Decrease:	A3315.4 – Stop DWI Contractual	\$6,000.00	
Increase:	A3120.12 – Police Part-Time		\$6,000.00

BE IT RESOLVED, that the Village of Perry Board of Trustees hereby authorizes the Village Administrator to make the above budget amendment and transfer for the 2021-2022 fiscal year; and

BE IT RESOLVED, that the Village Clerk shall provide a copy of this resolution to the Village Administrator.

Administrator Pierce explained that the unexpected revenue was from the police traffic stop program; which increased the budget \$800.00. The \$6000.00 will cover the part-time police officers' salaries for the DWI program.

Motion was made by Trustee Billings to approve the resolution authorizing a budget amendment and transfer to the 2021-2022 village budget. This motion was seconded by Trustee Lawrence and carried with all voting aye.

RESOLUTION APPROVING PAYMENT #8 FOR VILLAGE HALL PROJECT

Administrator Pierce reviewed the Clerk/Deputy Treasurer Report detailed above. Vouchers were audited by Trustee Lawrence. Trustee Billings made a motion to approve the Clerk Report and payments in the amount of \$82,879.47 which was seconded by Trustee Lapiana and carried with all voting aye.

DEPARTMENT REPORTS

Nothing to report.

TRUSTEE REPORTS

Trustee Lawrence reported that Letchworth Cable Access interviewed for their open director position. The candidate hired for the new position was given the title of Director of Media Production. This position is less salary than the director position since he is missing some of the qualifications. Trustee Lawrence volunteered to stay on as interim director for 6 months/ 3 days per week. Letchworth Cable Access will make some new purchases and plan to create content by the end of May 2022.

Trustee Lawrence has reached out to Kevin regarding the skate park but he has not responded. He will look for another contact at the Tony Hawk Foundation.

Trustee Lapiana has nothing new to report.

Trustee Billings reported that the Silver Lake Watershed Committee met on April 21st, 2022. All members are in support of the new agreement and agreed to the dues.

A Memorial Day parade will be held on 5/31/2022 at 10:00 am. There will more youth participation, different music, and Mayor Hauser has agreed to speak at this event. It was suggested to also have the Little League Baseball players in the parade.

The planning for the 2022 Arts and Craft Show is running smooth.

The Main Street Association has their Annual meeting this Wednesday 5/4/2022 at 7:00pm.

Perry Rotary has reached out to the Village of Perry. They have some funds they would like to use to support the local community.

The Village of Perry annual Clean Sweep is coming up on Saturday 5/21/2022.

PUBLIC COMMENT

PUBLIC HEARING AT 8:00PM ON THE PROPOSED SEWER USE LAW & INCREASES IN QUARTERLY BASE RATES AND USAGE RATE PER 1,000 GALLONS

Rick opened the public hearing at 8:00 pm. The proposed sewer use law and increases in quarterly base rates and usage rate per 1,000 gallons is to maintain a balanced sewer fund budget while paying off debt for improvements. The Board has had a lot of communication while working with BPD to increase EDU charges to balance use and base costs. There were no comments from public.

Bill Davis of the MRB Group informed that the project is going well. It is slightly behind due to the delay in equipment and the grant for the ultraviolet light. This ultraviolet light inactivates bacteria and viruses so they cannot reproduce and will need to be added to the project. New York State requires disinfection by 2024. \$400,000 will be reimbursed. The bond resolution says the village can spend 13.2 million which is the max project cost; cannot go over that. It is riding with a small contingency. Will continue work and see if anything needs to be addressed. They will deal with any issues until funds are available and the bond resolution revised or deal with the issues as separate projects.

Some of the budget lines from the project budget have not been spent and could be reallocated in case of an emergency. The total project is \$13.2 million with \$400,000 reimbursed from the WQIP Disinfection grant means the Village would be financing \$12.6 million. We can increase the bond resolution, but the cost to amend the bond resolution was not suggested at this time.

The walls on the UV structure will be discussed at the end of the project. UV walls keep out the weather and blown debris. It also protects the staff during maintenance. MRB will gather the numbers.

The Dam does have more flow exiting which makes the repairs a little more dire than before, but the lake level is high, so the issue does not need to be addressed immediately. The village will discuss with DPW about slowing the flow. A Cofferdam will allow operators to drain the area and permit a repair. WACO has the parts but need to get them in the hands of CP Ward. Administrator Pierce will look into getting this process expedited as it may be four weeks out from once it's scheduled.

An Ionized study is to be completed and given to DPW Superintendent in May. Manhole inspections are moving along and expect to be completed in a couple more days.

There are no new areas to target for the Lead Service Line Inspections. Currently, no lead services have been found. The inspection budget will be reviewed to then go back to NYS for more funds to do more inspections. NYS is requiring a full inventory by 2024. Gooseneck parts connect to the main line and could be made of lead. Hydro excavation can be done to see if there are any lead lines on the village side; such as lead gooseneck parts that connect to the main line. The village water department is also inspecting and tracking lines for lead at each home they enter.

Firms will be reviewed with DPW regarding the CDBG storm drainage project and be presented at the next board meeting.

Mark Bailey of the MRB Group did a lot of work on our sewer laws. The major amendments to the law include DEC compliance which enables the village to permit unusual users & Apt buildings with multiple units and how to charge them. Communications will be sent out to give them over a year notice. The grease trap laws have also been strengthened.

With no further comments, motion to adjourn was made by Mayor Hauser at 8:33pm which was seconded by Trustee Billings and carried with all voting aye.

**VILLAGE OF PERRY RESOLUTION TO ADOPT
THE PROPOSED SEWER USE LAW & INCREASES
IN QUARTERLY BASE RATES**

Adopted: May 2, 2022

The Village Board of the Village of Perry met at a regular board meeting at the Village Hall of the Village of Perry, on the 2nd day of May 2022, commencing at 7:30 p.m., and thereafter a public hearing directly followed, and the following members were:

Present:	Mayor	Rick Hauser
	Trustee	Jacque Billings
	Trustee	Arlene Lapiana
	Trustee	Ernie Lawrence

Absent:	Trustee	Dariel Draper
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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 Board of the Village of Perry is considering a law entitled, "Chapter 355 Sewer Use" to be added to the Village of Perry Code; and

WHEREAS, the Village Board of the Village of Perry has reviewed the proposed Sewer Use local law and has determined that this is a Type II action per the SEQR requirements, as this is an administrative action; and

WHEREAS, for public health and safety benefit, the Village of Perry is planning to undergo significant wastewater treatment plant upgrades with an estimated cost of \$13,200,000.00; and

WHEREAS, relative to the significant wastewater treatment plant upgrades, the Village Board of the Village of Perry wishes to increase their current quarterly base rate of \$60.00 (for Village residents) by \$4.50 effective June 1st of 2022 and \$4.50 effective June 1st of 2023; and

WHEREAS, relative to the significant wastewater treatment plant upgrades, the Village Board of the Village of Perry wishes to increase their current usage rate per 1,000 gallons of \$7.30 (for Village residents) by \$0.55 effective June 1st of 2022 and \$0.55 effective June 1st of 2023; and

WHEREAS, the Village of Perry wishes to increase the current quarterly base rate for Out of District Users of \$75.00 by \$5.75 effective June 1st of 2022 and \$5.50 effective June 1st of 2023; and

WHEREAS, the Village of Perry wishes to increase the current usage rate per 1,000 gallons for Out of District Users of \$9.00 by \$0.80 effective June 1st of 2022 and \$0.70 effective June 1st of 2023; and

WHEREAS, the proposed quarterly base rates and usage rate per 1,000 gallons for both Village residents and out of district users are as follows:

Proposed Rates for Village Residents

<u>Year</u>	<u>Quarterly Base Rate</u>	<u>Usage Rate per 1,000 gallons</u>
June 1, 2022	\$64.50	\$7.85
June 1, 2023	\$69.00	\$8.40

Proposed Rates for Out of District Users

<u>Year</u>	<u>Quarterly Base Rate</u>	<u>Usage Rate per 1,000 gallons</u>
June 1, 2022	\$80.75	\$9.80
June 1, 2023	\$86.25	\$10.50

WHEREAS, the Village Board of the Village of Perry did hold a public hearing on the 2nd day of May, 2022, to consider the adoption of proposed Sewer Use law and increases to quarterly base rates.

WHEREAS, the Village Board of the Village of Perry finds it to be in the best interest of the Village of Perry to adopt the Sewer Use law, and increase the quarterly base rates.

NOW ON MOTION OF Trustee Lapiana which has been duly seconded by Trustee Billings now

therefore, be it

RESOLVED, that Village Board of the Village of Perry hereby adopts the local law entitled, "Chapter 355 Sewer Use" in addition to the increases in quarterly base rates, as depicted above.

Ayes: 4

Nays: 0

Quorum Present: Yes

With no further business and no executive session needed, motion to adjourn was made by Trustee Billings at 8:33pm which was seconded by Trustee Lapiana and carried with all voting aye.

Respectfully submitted,
Laura Gifford, Deputy Clerk