

**VILLAGE OF PERRY
VILLAGE BOARD MEETING MINUTES
MAY 16, 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 16th day of May 2022.

PRESENT:	Rick Hauser	Mayor
	Dariel Draper	Trustee
	Jacque 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.

PRESENTATIONS & BOARD ACTIONS

MINUTES

Minutes were reviewed from May 2, 2022 where a few changes were suggested and made: spelling of Trustee Draper’s first name; Under Trustee Reports – Trustee Billings, the Memorial Day Parade is to be held on May 30th (not May 31st); under Trustee Reports – Trustee Lawrence, “The candidate hired. . . director of media” production (not projection). With these changes in place, motion to approve the minutes from the regular board meeting on May 2, 2022 was made by Trustee Lawrence, seconded by Trustee Lapiana, and carried with all voting aye.

RESOLUTION APPROVING PAYMENT FOR WASTEWATER TREATMENT PLANT PROJECT

WHEREAS, the Village Clerk has received pay app #12 from the general contractor, Crane-Hogan Structural Systems, Inc., for the waste water treatment plant project in the amount of \$938,902.10; 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.

\$938,902.10

Motion to approve the resolution approving pay app #12 for the WWTP project was made by Trustee Billings, seconded by Trustee Draper, and carried with all voting aye.

RESOLUTION ESTABLISHING 2022-2023 EMPLOYEE WAGE RATES AND PAYMENT

The Village Board of Trustees hereby fix employee wages and frequency of payment as noted below:

Position	2022-2023 Rate	Wage Calculated	Frequency
Mayor	\$4,800.00	Annual Salary	Monthly
Deputy Mayor	\$250.00	Annual Stipend	Monthly
Board Members (4)	\$2,900.00	Annual Salary	Monthly
Village Justice (Elected)	\$15,235.00	Annual Salary	Biweekly
Village Justice (Appointed)	\$4,855.00	Annual Salary	Biweekly
Clerk of the Justice	\$15,840.00	Annual Salary	Biweekly
Village Administrator	\$79,050.00	Annual Salary	Biweekly
Village Clerk	\$50,000.00	Annual Salary	Biweekly
Deputy Clerk	\$17.61	Hourly	Biweekly
Clerk, PT	\$15.00	Hourly	Biweekly
Village Attorney	\$15,000.00	Annual Salary	Biweekly
Chief of Police	\$83,640.00	Annual Salary	Biweekly
Sergeant, FT (BR)	\$35.28	Hourly	Biweekly
Police Officer, FT (AH)	\$28.30	Hourly	Biweekly
Police Officer, FT (MC)	\$26.96	Hourly	Biweekly
Police Officer, FT (MM)	\$28.30	Hourly	Biweekly
Police Officer, PT	\$23.44	Hourly	Biweekly
Crossing Guards (VP, TP, JR)	\$30.38	Hourly	Biweekly
Superintendent of Public Works	\$73,440.00	Annual Salary	Biweekly
Working Foreman (MN, MB)	\$26.90	Hourly	Biweekly
MEO (AR, DJ, AL)	\$25.04	Hourly	Biweekly
Laborer (JV)	\$21.67	Hourly	Biweekly
Automotive Repair Worker (KZ)	\$25.37	Hourly	Biweekly
Laborer, Seasonal (DK)	\$20.40	Hourly	Biweekly
Laborer, Seasonal (SF)	\$17.34	Hourly	Biweekly
Laborer, Seasonal (JS)	\$13.20	Hourly	Biweekly
Zoning Officer (DR)	\$8,697.00	Annual Salary	Biweekly
Zoning Officer (BK)	\$16.32	Hourly	Biweekly
Chief WTP and WWTP Operator	\$61,200.00	Annual Salary	Biweekly
WTP Plant Operator (WS, MM)	\$25.04	Hourly	Biweekly
WWTP Plant Operator (JB, MK)	\$25.04	Hourly	Biweekly
Planning and Zoning Board Members	\$25.00		Per meeting

Trustee Draper made a motion to adopt the resolution establishing 2022-2023 employee wage rates which was seconded by Trustee Lawrence and carried with all voting aye.

RESOLUTION APPROVING ENGAGEMENT WITH VILLAGE ATTORNEY

WHEREAS, the Village of Perry's Attorney has provided an engagement agreement in an annual amount of \$15,000.00; and

WHEREAS, basic services include legal consultation, contract reviews, attendance at meetings of the Village Board as requested, and drafting of local laws; and

WHEREAS, additional services will be billed at a rate of \$250.00 per hour unless noted otherwise; and

NOW THEREFORE BE IT RESOLVED, that the Village Board of Trustees hereby approves the Village Attorney Agreement for an annual amount of \$15,000.00 and authorizes the Mayor to execute the agreement.

Trustee Draper made a motion to approve the engagement agreement from the Village Attorney David DiMatteo. Motion seconding the approval was made by Trustee Lapiana and carried unanimously.

RESOLUTION APPROVING PAYMENT TO LETCHWORTH CABLE ACCESS

WHEREAS, Letchworth Cable Access is undergoing changes to their structure and will be drafting a new agreement and payment terms for review by the Village of Perry and Town of Perry; and

WHEREAS, the Village of Perry in past years has paid at least half of the franchise fees received within a fiscal year to Letchworth Cable Access; and

WHEREAS, the Village of Perry has received \$45,477.73 in franchise revenue in the 2021-2022 fiscal year; and

WHEREAS, in the absence of an agreement, the Village Administrator is suggesting a contribution of \$19,000 to be paid to Letchworth Cable Access for the 2021-2022 fiscal year to meet their expected revenue from the Village of Perry; and

NOW THEREFORE BE IT RESOLVED, that the Village Board of Trustees hereby approves the payment of \$19,000 to Letchworth Cable Access and authorizes the Village Clerk to remit payment.

Motion approving a payment of \$19,000 to Letchworth Cable Access was made by Trustee Draper, seconded by Trustee Billings, and carried with all voting aye.

RESOLUTION APPROVING VILLAGE CLERK, CHRISTINA SLUSSER, AND VILLAGE TRUSTEE, ERNIE LAWRENCE, AS SIGNERS FOR THE LETCHWORTH CABLE ACCESS BANK ACCOUNT

WHEREAS, the Village Clerk, Christina Slusser, serves as the Secretary and Treasurer for Letchworth Cable Access; and

WHEREAS, Village Trustee, Ernie Lawrence, serves as the Village liaison and Interim Director for Letchworth Cable Access; and

WHEREAS, Letchworth Cable Access needs authorized signers on the bank account; and

BE IT RESOLVED, the Village Board approves Christina Slusser and Ernie Lawrence as signers for Letchworth Cable Access.

Trustee Billings made a motion to approve the resolution above for signers on the Letchworth Cable Access bank account. Trustee Draper seconded the motion and it was carried unanimously.

RESOLUTION AMENDING VILLAGE OF PERRY 2022-2023 BUDGET

WHEREAS, the Village of Perry is expecting to receive an increase in revenue to the 2022-2023 Village Budget due to charges in the amount of \$35,603.35 being applied to each individual property's tax bill; and

WHEREAS, the following budget amendment is recommended to allocate the additional revenue to the general fund contingency account:

INCREASE REVENUE: OTHER TAX ITEMS (A1089)	\$35,603.35
INCREASE EXPENSE: CONTINGENCY (A1990.4)	\$35,603.35

BE IT RESOLVED, that the Village of Perry Board of Trustees hereby amends the 2022-2023 budget to reflect the expected increased revenue of \$35,603.35; and

BE IT RESOLVED, that the Village of Perry Board of Trustees hereby approves the budget amendment to increase the total budget by \$35,603.35 for a total of \$2,811,638.35 in the general fund and a total budget of \$4,605,179.35 for the 2022-2023 fiscal year.

The additional increase is to account for relevies to the 2022 Village Tax Bills. Motion to adopt the resolution amending the 2022-2023 village budget was made by Trustee Billings, seconded by Trustee Lapiana, and carried with all voting aye.

An additional resolution amending the budget, specifically the tax rates, may be necessary due to the equalization rate for the Town of Castile being 93% while the Town of Perry is 100%.

RESOLUTION APPROVING CONTRACT FROM WARREN’S COMMERCIAL CLEANING, INC. FOR CLEANING SERVICES FOR VILLAGE HALL

WHEREAS, the Village of Perry has received a Janitorial Services Contract from Warren’s Commercial Cleaning, Inc. in an amount of \$594.00 per month; and

WHEREAS, the Village of Perry currently contracts with Warren’s Commercial Cleaning, Inc. for janitorial services; and

BE IT RESOLVED, that the Village of Perry Board of Trustees hereby accepts Warren’s Commercial Cleaning, Inc. proposal for cleaning services at Village Hall in an amount of \$594.00 per month from June 1, 2022 until May 31, 2023 and authorizes the Village Administrator to sign the contract.

This contract is up \$29 per month from last year’s contract. An employee with Warren’s comes in to clean the Village Hall one day per week. Motion to adopt the resolution approving the contract with Warren’s Commercial Cleaning was made by Trustee Lapiana, seconded by Trustee Lawrence, and carried with all voting aye.

RESOLUTION AUTHORIZING CHANGE ORDER #6 AND BUDGET AMENDMENT FOR THE VILLAGE HALL CAPITAL PROJECT

WHEREAS, Flynn Battaglia has presented Change Order #6 regarding the Village Hall Capital Project in the amount of \$19,339.25 for the following items:

- CP#8-Sitework for drainage piping at the base of the rear stairs (previously approved) - \$617.10
- CP#12-Revised cost increase in the price of the linoleum flooring and increase in area for elevator lobbies - \$655.59
- CP#13-Installing of a new gypsum board ceiling and furring of one wall in the first-floor elevator lobby (previously approved) - \$844.67
- CP#14-Reroute of water line - \$727.71
- CP#15-Rework elevator lid - \$1,488.60
- CP#16-Fire alarm work - \$15,005.58

WHEREAS, the Village of Perry has approved additional change orders and testing that has been needed for the Village Hall capital project resulting in an increase of the Village’s contribution; and

WHEREAS, the Village Administrator is proposing the following budget amendment for the Village Hall Capital Project to cover expenses to date and expected expenditures for the remainder of the project:

DEBIT:	A599 General Unassigned Fund Balance	\$ 16,036.13	
CREDIT:	A9901.9 Interfund Transfers		\$ 16,036.13
DEBIT:	A9950.9 Transfer to Capital Projects	\$ 16,036.13	
CREDIT:	A201 Savings		\$ 16,036.13
DEBIT:	CD201 Savings	\$ 16,036.13	
CREDIT:	CD5031 Interfund Transfers		\$ 16,036.13
DEBIT:	CD5031 Interfund Transfers	\$ 16,036.13	
CREDIT:	CD8666.22 Building Construction		\$ 16,036.13

BE IT RESOLVED, that the Village of Perry Board of Trustees hereby approves Change Order #6 in the amount of \$19,339.25 and authorizes the Mayor to execute the change order documents; and

BE IT FURTHER RESOLVED, that the Village of Perry Board of Trustees hereby authorizes the Village Administrator to make the budget amendments for the Village Hall capital project.

Motion to adopt the resolution authorizing change order #6 and budget amendments for the Village Hall Project was made by Trustee Billings, seconded by Trustee Draper, and carried with all voting aye. Trustee Billings added that the board should better understand what caused the change orders resulting in higher than expected project costs in an effort to be prepared for future projects. Mayor Hauser noted that a 20% contingency should be built in to all projects requiring bids.

CLERK REPORT

FY 2021-2022

Abstract #24

Vouchers #1821 - 1911

General Fund	\$ 37,334.56
Special Grant Fund	\$ -
Water Fund	\$ 37,686.28
Sewer Fund	\$ 89,110.85
Capital Projects Fund	\$ 940,170.61
Trust & Agency	\$ 232.88
Silver Lake Watershed Commission	\$ 1,687.00
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Total	\$ 1,106,222.18

Trustee Lawrence audited vouchers. Trustee Billings made a motion to approve the clerk report and payments in the amount of \$1,106,222.18 which was seconded by Trustee Lapiana and carried with all voting aye.

DEPARTMENT REPORTS

The Board reviewed reports for DPW and Parks. The splash pad will be open by next Friday, May 27th for Memorial Day weekend. Comments were made on how nice the park looks. Park Ave. has also seen some improvements with an old fence being replaced.

Reports were reviewed for the Water and Wastewater Treatment Plants. A large project was recently completed at the Water Treatment Plant of replacing the weir boxes. The project went smoothly with the help of WTP employees who worked consistently to make sure there were no issues with the plant being down for 3 days without producing water.

The monthly report for the Police Department was also reviewed with no action needed.

WYOMING COUNTY WATER RESOURCE AGENCY MEETING – LWRP GRANT

Administrator Pierce spoke about the Wyoming County Water Resource Agency meeting tomorrow morning where the LWRP grant application will be discussed. The county was unsuccessful last year but plans to reapply this year in hopes of getting approved for a study which will put the county in a better position to apply for funds for dredging. The county planner and a grant writer will be involved and four municipalities will plan to split the cost of applying and the 25% match if awarded. The study could lead to opportunities for other things along the outlet. The Village of Perry would like to be involved in the selection process for the study if awarded.

TRUSTEE REPORTS

Trustee Billings informed the board that the Water Treatment Plant is currently being reviewed since being awarded the WIIA grant. Many factors are being considered to make sure the best

options for upgrades are chosen: work on the water tower could be a bid alternate; the village could be eligible for 0% interest; a rate study is being done by BPD; if considering a \$5 mil project, there could be no increase to the water rates; if a \$7 mil project, there would be a low increase but more upgrades could be done. The condition of the water tower also needs to be considered as it is anticipated that water quality will be affected in 3-5 years if no improvements are made. If water quality is affected it would put the village in a good position for a hardship, but if the median income goes up, the village will no longer qualify for 0% interest.

Clean Sweep is this Saturday, May 21st.

The village is currently looking for a road legal watering vehicle.

Docks for the public beach have been ordered.

Trustee Billings met with Eleanor Jacobs on needs to close out the Silver Lake Trail Project. Memorial Park needs some attention and Rotary has expressed an interest in helping.

Funds were raised for a kayak launch in the outlet but a further study needs to be completed before selecting a location – easy access and algae are a couple of things to consider.

Trustee Lawrence let the board know that the Silver Lake Trail sign committee is nearing conclusion of its meetings. The sign designs are completed. The committee just needs to figure out where and how many signs to place. Once this is done a quote will be taken to the DOT. Trustee Billings added that PMSA received grant funding in the amount of \$11,000 for signage and a bike repair kiosk. A more formal announcement will be made.

Letchworth Cable Access received its first order of equipment to get off to a fresh start. Trustee Lawrence is hopeful that the first program with the new equipment and new Director of Media Production will be of Clean Sweep, an expected 7-12 minute film of interviews and cooperation of individuals and organizations working together to make Perry a nicer place.

EXECUTIVE SESSION

At the conclusion of the regular agenda, Mayor Hauser made a motion to enter executive session at 8:25 pm to discuss proposed, pending, or current litigation and to discuss the employment history of a particular individual. This motion was seconded by Trustee Draper and carried with all voting aye.

ADDITIONAL MOTIONS

Regular session resumed at 9:18 pm. Mayor Hauser made a motion to approve distribution of merit pay for the fiscal year as discussed and agreed upon in executive session. The motion was seconded by Trustee Billings and carried unanimously.

Trustee Lawrence made a motion to reduce the police vehicle fleet from six vehicles to four. Trustee Draper seconded the motion and it was carried with all voting aye.

Trustee Lapiana made a motion to create a full-time police officer position. The motion was amended by Mayor Hauser, per the Board's discussion to work within the constraints of the budget, noting that the anticipated vehicle reduction will result in a savings of \$10,000 per year, reducing the summer rec program subsidy, reducing the Letchworth Cable Access contribution for 3 years to \$19,000 will save \$3-5,000 per year, reducing the future budget of Letchworth Gateway Villages contribution to \$5,000 to save \$3,000 in future years, and savings from retirement of the merit pay program saves \$3-5,000 allowing the Police Department to maintain their night shift and to allow for the creation of a full-time police officer position within the department. Trustee Lapiana seconded this motion by Mayor Hauser.

The department maintains a list of qualified people for a full-time position. Currently one officer has passed the test and is eligible to fill the position. Trustees Lawrence and Lapiana added that this officer is very effective and liked by the community.

Mayor Hauser offered the appointment of Officer Kramell effective June 1st of the new budget year at step one of the current union agreement. Trustee Lawrence made a motion to appoint Spencer Kramell as a full-time police officer for the Village of Perry. This motion was seconded by Trustee Lapiana and carried unanimously.

Trustee Lawrence added that he was very happy to have the opportunity to appoint this officer and is thankful for the work done recently by the Village Board and Administrator to listen to concerns and to work through budget constraints to reach a unanimous decision to appoint this individual without increasing the tax burden on citizens.

At 9:25, Trustee Draper made a motion to adjourn which was seconded by Trustee Lapiana and carried.

Respectfully submitted,
Christina Slusser, Village Clerk