

**VILLAGE OF PERRY  
VILLAGE BOARD MEETING MINUTES  
AUGUST 1, 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 1<sup>st</sup> day of August 2022.

PRESENT:	Rick Hauser	Mayor
	Dariel Draper	Trustee
	Arlene Lapiana	Trustee
	Ernie Lawrence	Trustee
ALSO PRESENT:	Christina Slusser	Village Clerk
GUESTS:	Lorraine Sturm	Perry Herald
ABSENT:	Jacquie Billings	Trustee

Mayor Hauser called the meeting to order at 7:30 pm and led in the Pledge of Allegiance.

**PRESENTATIONS & BOARD ACTIONS**

**PUBLIC COMMENT**

No members of the public were present for comment.

**MINUTES**

Motion was made by Trustee Lawrence to approve the minutes from the regular board meeting on July 18, 2022 which was seconded by Trustee Lapiana and carried unanimously.

**RESOLUTION AUTHORIZING USE OF AMERICAN RESCUE PLAN ACT FUNDS ON PURCHASE FOR PARKS DEPARTMENT**

**WHEREAS**, the Village of Perry was awarded \$357,742.50, in American Rescue Plan Act (ARPA) funds; and

**WHEREAS**, during the 2022-2023 budget planning process it was discussed purchasing an electric utility vehicle for the Parks Department; and

**WHEREAS**, the Parks Committee is requesting the purchase of a TE 4x2 Electric Utility Vehicle to be designated to the Parks Department and the use of ARPA funds for the purchase not to exceed \$15,000; and

**NOW, THEREFORE BE IT RESOLVED**, that the Perry Village Board of Trustees hereby authorizes the use of ARPA funds for the purchase of the utility vehicle designated to the Parks

Department in an amount not to exceed \$15,000.00 with the remaining cost of the vehicle to be spent from the Parks budget line A7110.4.

Trustee Draper made a motion to approve the resolution authorizing the use of ARPA funds for the purchase of an electric utility vehicle for the parks department. Trustee Lapiana seconded the motion and it was carried unanimously.

#### **RESOLUTION APPOINTING PART-TIME POLICE OFFICER, HUNTER ANDERSON**

**WHEREAS**, Chief Grover has determined the need for an additional part-time Police Officer; and

**WHEREAS**, Chief Grover is requesting the hiring of Mr. Hunter Anderson as a Part-Time Police Officer for the Village of Perry; and

**NOW, THEREFORE BE IT RESOLVED**, the Village of Perry Board of Trustees hereby approves the hiring of Mr. Hunter Anderson as a part-time Police Officer with a starting hourly rate of \$23.44 pending Wyoming County Civil Service approval and satisfactory background checks.

Mr. Anderson is currently in the Police Academy. He has to pass a physical, background checks, and will have a one-year probationary period. Chief Grover's request was approved by the Police Committee. Mayor Hauser made the appointment of Mr. Anderson, requesting a motion from the board. Trustee Lapiana made a motion to adopt the resolution appointing part time police officer Hunter Anderson which was seconded by Trustee Draper and carried with all voting aye.

#### **RESOLUTION FOR "LETTER OF INTENT TO APPLY" FOR DOWNTOWN REVITALIZATION INITIATIVE AND NY FORWARD**

**WHEREAS**, on July 13, 2022, Governor Hochul announced \$200 million in funding for two downtown revitalization initiatives: the Downtown Revitalization Initiative and New York Forward, and;

**WHEREAS**, the programs are critical to the continued growth of businesses and the local economy, and;

**WHEREAS**, the Village of Perry Board of Trustees demonstrates its support for the submittal of a grant application for the continued revitalization of Perry's Main Street, and;

**WHEREAS**, it is strongly recommended to submit a letter of intent to apply, and;

**WHEREAS**, by submitting a letter of intent to apply, municipalities will be eligible to register for office hours with technical experts who can provide advice and guidance on application development, and;

**WHEREAS**, letter of intent submissions are due by August 10, 2022, and;

**THEREFORE BE IT RESOLVED**, that the Village of Perry Board of Trustees hereby authorizes the Mayor to sign and submit a letter of intent to apply for the Downtown Revitalization Initiative and New York Forward to the Finger Lakes Regional Economic Development Council.

The DRI and NY Forward are 2 parallel programs where the DRI is favorable to larger cities and the NY Forward is geared towards small cities and rural regions. The DRI Committee met last week and recommended to check the boxes for both programs because there is no downside. The Committee will meet again on Wednesday to discuss the next steps. Motion was made by Trustee Lawrence to adopt the resolution authorizing the Mayor to sign and submit a letter of intent to apply for the DRI and NY Forward which was seconded by Trustee Draper and carried with all voting aye.

**RESOLUTION OF THE  
VILLAGE BOARD OF THE VILLAGE OF PERRY  
REGARDING THE TRANSFER OF 59-61 SOUTH MAIN STREET  
Adopted: August 1, 2022**

**WHEREAS**, the Village Board of the Village of Perry met at a regular meeting at the Village Hall of the Village of Perry at 46 North Main Street, Perry, New York 14530 on the 1<sup>st</sup> day of August, 2022 commencing at 7:30 p.m. at which time and place the following members were:

<u>Present:</u>	Mayor	Rick Hauser
	Trustee	Dariel Draper
	Trustee	Arlene Lapiana
	Trustee	Ernie Lawrence

<u>Absent:</u>	Trustee	Jacquie Billings
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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**, on or about December 31, 2019, the Village of Perry, as the seller, entered into a Purchase and Sale Contract with Rhonda MacLaughlin, as the buyer/developer, for property known as 59-61 South Main Street in the Town/Village of Perry, Wyoming County, New York, also known as Tax Map No. 100.7-7-28; and

**WHEREAS**, the contingencies of such Purchase and Sale Contract were that:

1. Developer agrees to bring the real estate into compliance with Chapter 465-14 "Maintenance Standards" of the Code of the Village of Perry within one (1) year

after the date of settlement, unless Developer receives written consent from the Village.

2. Developer, and their successors in interest, agree not to sell, subdivide or partition the real estate for five (5) years after the date of settlement, unless Developer receives written consent from the Village. If the Developer, or their successor in interest do sell, subdivide or partition the real estate within five (5) years after the date of settlement without the Seller's written consent, the real estate will revert to the Village, or its successor in interest.
3. Developer agrees that the closing agent will be the Village's Attorney, David M. DiMatteo.

**WHEREAS**, Ms. MacLaughlin did not bring the property into compliance with Chapter 465-14 "Maintenance Standards" of the Code of the Village of Perry since the settlement date of April 16, 2020, and is seeking written consent from the Village to transfer the property to Mohamed Abid in consideration of \$1.00 for Mr. Abid's intent to improve the building for the purpose of restaurant services; and

**WHEREAS**, the Village Board feels it is in the best interest of the Village of Perry to authorize the written consent for the transfer of said property for \$1.00 under the contingencies that:

1. Developer (Mohamed Abid) agrees to bring the real estate into compliance with Chapter 465-14 "Maintenance Standards" of the Code of the Village of Perry within one (1) year after the date of settlement, unless Developer receives written consent from the Village.
2. Developer, and their successors in interest, agree not to sell, subdivide or partition the real estate for the remaining balance of the five (5) years after the original date of settlement on April 16, 2020, unless Developer receives written consent from the Village. If the Developer, or their successor in interest do sell, subdivide or partition the real estate within five (5) years after the date of settlement (in other words, prior to April 16, 2025) without the Seller's written consent, the real estate will revert to the Village, or its successor in interest.

; and

**WHEREAS**, the Village Board feels it is in the best interest to request that an Assignment of Contract be entered between Rhonda MacLaughlin and Mohamed Abid and filed in the Village Clerk's Office.

**NOW ON MOTION OF** Mayor Hauser which has been duly seconded by Trustee Draper, now therefore

**BE IT RESOLVED**, that the Village Board of the Village of Perry authorizes the Mayor of the Village of Perry to provide written consent to Rhonda MacLaughlin to transfer the property known as 59-61 South Main Street, Perry, New York to Mohamed Abid for the consideration of \$1.00 under the contingencies that:

1. Developer (Mohamed Abid) agrees to bring the real estate into compliance with Chapter 465-14 "Maintenance Standards" of the Code of the Village of Perry within one (1) year after the date of settlement, unless Developer receives written consent from the Village.
2. Developer, and their successors in interest, agree not to sell, subdivide or partition the real estate for the remaining balance of the five (5) years after the original date of settlement on April 16, 2020, unless Developer receives written consent from the Village. If the Developer, or their successor in interest do sell, subdivide or partition the real estate within five (5) years after the date of settlement (in other words, prior to April 16, 2025) without the Seller's written consent, the real estate will revert to the Village, or its successor in interest.

; and be it further

**RESOLVED**, that the Village Board authorizes the Mayor of the Village of Perry in said written consent to request that an Assignment of Contract be entered between Rhonda MacLaughlin and Mohamed Abid and filed in the Village Clerk's Office; and be it further

**RESOLVED**, the Village shall request proof of funds in the amount of \$100,000 to ensure the developer is able to facilitate and implement the project as anticipated; and be it further

**RESOLVED**, the developer (Mohamed Abid) agrees to the Villages requirement that he shall provide proof of funds; and be it further

**RESOLVED**, the developer (Mohamed Abid) will provide proof of funds via \$50,000 mortgage from Greg McConnell, and the additional \$50,000 in the form of liquid cash and equipment.

Dated: August 2, 2022

Ayes: 4

Nays: 0

Quorum Present:  Yes  No

A resolution was previously approved for the sale of 59-61 South Main to Mr. Abid which was adopted on June 6, 2022 but this amended resolution addresses proof of funds. The new owner will have one year to make improvements to the property. Motion to adopt the resolution regarding the transfer of 59-61 South Main Street was made by Mayor Hauser, seconded by Trustee Draper, and carried unanimously.

#### **CLERK/DEPUTY TREASURER REPORT**

FY 2022-2023

Abstract #5

Vouchers #233 – 304

General Fund	\$34,329.65
Special Grant Fund	\$ -
Water Fund	\$15,794.34
Sewer Fund	\$ 4,172.35
Capital Projects Fund	\$28,723.26
Trust & Agency	\$ 4,373.19
Silver Lake Watershed Commission	\$ 37.99
<b>Total</b>	<b>\$87,430.78</b>

Trustee Lapiana audited vouchers. Motion to approve payment of abstract #5 in the amount of \$87,430.78 was made by Trustee Lawrence, seconded by Trustee Draper, and carried with all voting aye.

The Silver Lake Trail reimbursement was submitted for review.

AFG (FEMA) grant awards will be announced each Friday until all money has been awarded.

The EPF grant for the Village Hall was submitted 7/29/2022.

The public hearing on Travers Place will continue 8/2/2022.

ECode has completed the online zoning code and local law updates.

**Village of Perry - 2022 - 2023 - Village Tax Collection**  
**Trial Balance - All Swis Codes**  
07-29-22

Original Warrant	2,232,534.16
Adjustments	0.00
Adjusted Warrant	2,232,534.16
Full Payments	2,019,929.24
Penalties	1,612.59
<b>Total Collections</b>	<b>2,021,541.83</b>
<b>Taxes Outstanding</b>	<b>212,604.92</b>

**TRUSTEE REPORTS**

Trustee Lawrence reported that there is a Park’s Committee meeting on Wednesday.

Construction of the serpent mound will begin soon – likely on Thursday. Gravel has been delivered to the public beach in preparation. The mound will be at the edge of the parking lot so barriers will need to be placed at the end of each parking space.

Trustee Draper added that Genesee Street and Fruit Street were paved today.

Mayor Hauser spoke about Letchworth Gateway Villages stating that “terrific work is happening.” Itineraries can be found on [exploregenesevalley.com](http://exploregenesevalley.com). LGV will need to find a

replacement for the current project manager, Emily Ashworth, and may be advertising for a part time project manager. Invoices went out to partner communities with positive responses.

Work is ongoing for the boardwalk. Mayor Hauser met onsite to brainstorm strategies. There are complications with the logistics of how to get to the area to pour the concrete footings while trying to keep the staging costs down. The bridge will be installed by the county possibly next month.

At 7:53 pm, with no further business, motion to adjourn was made by Trustee Draper, seconded, by Trustee Lapiana, and carried.

Respectfully submitted,  
Christina Slusser, Village Clerk