

**VILLAGE OF PERRY  
VILLAGE BOARD MEETING MINUTES  
AUGUST 22, 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 22<sup>nd</sup> day of August 2022.

PRESENT:	Rick Hauser	Mayor
	Dariel Draper	Trustee
	Arlene Lapiana	Trustee
	Ernie Lawrence	Trustee

ALSO PRESENT:	Christina Slusser	Village Clerk
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GUESTS:	Lorraine Sturm	Perry Herald
	Laura Stiffler	Village Resident

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

**PUBLIC COMMENT**

Laura Stiffler, a resident of Walnut Street and Village taxpayer, addressed the board about concerns with a motorhome that had been parked in front of her home for over 2 months. Ms. Stiffler was born and raised in the Village of Perry and has been in her current home for 14 years. The motorhome creates a hazardous obstruction on the hill and makes it difficult for her to maintain the yard near the street and for her garbage to be picked up. The street cleaner is unable to clean that area of the street causing garbage to pile up underneath the motorhome. She is unable to utilize parking in front of her house for herself or guests and has safety concerns should there be an emergency. The motorhome was moved on Friday and Ms. Stiffler's friend parked her Jeep out front but it was blocked in by other vehicles, reportedly owned by the same person owning the motorhome. Ms. Stiffler contact the Perry Police Department and was told it was parallel parking and nothing illegal was taking place. She is desperately looking for a resolution and turned to the Village Board for help. She is hoping that no parking signs can be placed on her side of the street. Mayor Hauser agreed that it is a very frustrating situation and he would address the matter with the Problem Properties Task Force.

**PRESENTATIONS & BOARD ACTIONS**

**MINUTES**

Motion to approve the minutes from the last regular board meeting on August 1, 2022 was made by Trustee Lapiana, seconded by Trustee Lawrence, and carried with all voting aye.

**RESOLUTION APPROVING PAYMENTS FOR WASTEWATER TREATMENT PLANT PROJECT**

**WHEREAS**, the Village Clerk has received Pay App #15 from the general contractor, Crane-Hogan Structural Systems, Inc., for the wastewater treatment plant project in the amount of \$291,703.20; and

**WHEREAS**, the Village Clerk has received pay app #9 from the electrical contractor, M.W. Controls Service, Inc., for the wastewater treatment plant project in the amount of \$12,560.68; and

**WHEREAS**, the Village Clerk has received pay app #2 from the plumbing contractor, Crosby-Brownlie, Inc., for the wastewater treatment plant project in the amount of \$1,641.19; 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.	\$291,703.20
M.W. Controls Service, Inc.	\$12,560.68
Crosby-Brownlie, Inc.	\$1,641.19

It was noted that the project has been moving along and only a handful of items on the main contract are not completed. Motion to approve payments for the Wastewater Treatment Plant Project as detailed in the resolution above was made by Trustee Draper, seconded by Trustee Lapiana, and carried unanimously.

**TITLE: ACCEPTING THE ENVIRONMENTAL REVIEW RECORD FOR THE VILLAGE OF PERRY’S STORM DRAINAGE IMPROVEMENTS PROJECT AND THE NOTICE OF INTENT TO REQUEST THE RELEASE OF FUNDS**

**WHEREAS**, the Village of Perry has received a Community Development Block Grant (CDBG) to make storm drainage improvements to serve the residents of the Village of Perry, CDBG Project #897PR105-21, and

**WHEREAS**, that in accordance with the National Environmental Policy Act of 1069 (NEPA) and the related authorities listed at 24 CFR Part 58, the Village Board of Trustees of the Village of Perry announces that an environmental review of said project has been conducted and categorized as an Environmental Assessment subject to 24 CFR Part 58.5 and 58.6,

**WHEREAS**, consultation was required for the following agencies:

- State Historic Preservation Office (SHPO)—received a letter with a finding of “No Adverse Effect”

- Tribal Historic Preservation Office (THPO)—One THPO has responded with “No Effect”
- U.S. Army Corp of Engineers (USACE)—received an email with the Nationwide Permit (NWP) 3 Guide. Upon review of the guide it was determined that a NWP 3 permit was not needed.

**NOW, THEREFORE, BE IT,**

**RESOLVED**, that the Village Board of Trustees hereby accepts the environmental review record of the project prepared by LaBella Associates, DPC, and be it further

**RESOLVED**, that the Village Board of Trustees hereby authorizes the publication in the Village’s official newspapers of a Notice of Intent to Request the Release of Funds for the project.

Motion to approve the resolution above pertaining to the CDBG grant was made by Trustee Lawrence, seconded by Trustee Lapiana, and carried with all voting aye.

**RESOLUTION APPROVING PROPOSAL FROM LITTLEHIVE, LLC FOR DOWNTOWN REVITALIZATION INITIATIVE GRANT APPLICATION SUPPORT**

**WHEREAS**, the Village of Perry needs design consultation services and content development for the Downtown Revitalization Initiative and NY Forward grant application; and

**WHEREAS**, litteHive, LLC has provided a proposal estimated at 30 hours for design and document construction and project management at a rate of \$125 per hour; and

**WHEREAS**, the village anticipated fees associated with applying for the Downtown Revitalization grant as budgeted in the 2022-2023 fiscal year; and

**BE IT RESOLVED**, that the Perry Village Board of Trustees hereby approves the proposal from littleHive, LLC, in an amount not to exceed \$3,750.00 and authorizes the Mayor to execute the proposal.

This will be Perry’s third application for the DRI. A letter of intent to apply was submitted and through the assigned technical expert, learned that there is no downside to applying for both the DRI and NY Forward. One major change for this year is the size of the application. Last year, Perry’s application contained about 70 pages. This year, applications are required to be 20 pages so some major graphic redesign and editing is needed. There will be more robust public engagement. The committee will be presenting to Perry Rotary soon and will be set up at the upcoming Farmers’ Market. Motion to approve the proposal from littleHive was made by Trustee Lapiana, seconded by Trustee Lawrence, and carried unanimously.

**RESOLUTION AWARDING CONTRACT TO MRB GROUP FOR ENGINEERING SERVICES FOR CDBG STORM DRAINAGE IMPROVEMENTS PROJECT**

**WHEREAS**, the Village of Perry received a grant in the amount of \$672,500 for a storm drainage improvements project in the Watkins-Hawthorne-Olin-Benedict neighborhood with a \$35,000 match from the Village; and

**WHEREAS**, the Village sent out a Request for Qualifications for engineering services for the storm drainage improvements project and received ten proposals; and

**WHEREAS**, the Village Department of Public Works Committee reviewed the proposals and the Village Administrator, DPW Superintendent, and Chief Water/Sewer Operator rated the companies on the following criteria:

- Successful experience on similar projects
- Technical capability and financial resources
- Available staff resources
- CDBG experience; and

**WHEREAS**, based on the qualifications provided, the review committee and DPW Committee are recommending awarding the contract to MRB Group to provide engineering services for the CDBG Storm Drainage Improvements Project contingent upon the negotiation of a reasonable fee; and

**NOW, THEREFORE BE IT RESOLVED**, that the Perry Village Board of Trustees hereby approves awarding the contract to MRB Group to provide engineering services for the CDBG Storm Drainage Improvements Project contingent upon the negotiation of a reasonable fee.

Motion to approve the resolution awarding the contract to MRB Group for engineering services for CDBG storm drainage improvements was made by Trustee Lawrence, seconded by Trustee Lapiana, and carried with all voting aye.

**RESOLUTION ACCEPTING RESIGNATION OF ZONING BOARD OF APPEALS AND TREE BOARD MEMBER, ELEANOR JACOBS**

**WHEREAS**, Ms. Eleanor Jacobs has tendered her resignation from the Village of Perry Zoning Board of Appeals and Tree Board effective August 3, 2022; and

**WHEREAS**, the Village Board appreciates all the contributions that Ms. Jacobs has provided over the years as a public servant; and

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

The Board agreed that Ms. Jacobs would be difficult to replace and extended their gratitude for her deep public service. Trustee Lawrence especially appreciated that Ms. Jacobs handled a lot of communication with the Tree Board. Mayor Hauser, with regrets, made a motion to accept the resignation of Eleanor Jacobs which was seconded by Trustee Draper and carried.

**RESOLUTION WAIVING VACANT BUILDING FEES FOR 15 PARKER LANE**

**WHEREAS**, Village Clerk, Christina Slusser, submitted a request to waive vacant building fees for the Wyoming County Power Sports building at 15 Parker Lane; and

**WHEREAS**, a vacant building application was received from the owner of Wyoming County Power Sports indicating the building would be sold but did not indicate a timeframe, so more information was requested; and

**WHEREAS**, due to no other communication having been received, an invoice was sent on July 7, 2022 and the building sold on July 15, 2022 as advised by the seller's attorney; and

**WHEREAS**, the request went before the Zoning Committee who reviewed it and recommend waiving the vacant building fees and penalties totaling \$510.00

**NOW, THEREFORE BE IT RESOLVED**, the Village of Perry Board hereby waives invoice V1-2022 issued to Wyoming County Power Sports in the amount of \$510.00 for 15 Parker Lane.

Motion to waive vacant building fees for 15 Parker Lane was made by Trustee Lapiana, seconded by Trustee Lawrence, and carried with all voting aye.

**RESOLUTION WAIVING WATER AND SEWER CHARGES FOR 3656 DAVIS AVENUE**

**WHEREAS**, Deputy Village Clerk Laura Gifford submitted a petition to waive water and sewer charges and penalties for 3656 Davis Avenue due to a curb stop malfunction on the village side; and

**WHEREAS**, the request went before the DPW Committee who reviewed and would recommend waiving the water charges, sewer charges, water penalties, and sewer penalties, totaling \$805.21 as it was confirmed by the Water Department that the malfunction was at a meter pit outside of the house and water did not pass through the Village's sewer system; and

**NOW, THEREFORE BE IT RESOLVED**, the Village of Perry Board hereby waives the water and sewer charges and penalties totaling \$805.21 for 3656 Davis Ave.

Trustee Lapiana made a motion to waive water and sewer charges for 3656 Davis Ave which was seconded by Trustee Draper and carried unanimously.

**RESOLUTION AMENDING VILLAGE OF PERRY 2022-2023 BUDGET**

**WHEREAS**, the Village of Perry Board of Trustees has authorized the use of ARPA funds for the purchase of a parks cart in the amount of \$15,000.00; and

**WHEREAS**, the following budget amendment is recommended to allocate the additional revenue to the general fund parks budget:

INCREASE REVENUE: FEDERAL AID, OTHER (A4089)	\$15,000.00
INCREASE EXPENSE: PARKS CONTRACTUAL (A7110.4)	\$15,000.00

**BE IT RESOLVED**, that the Village of Perry Board of Trustees hereby amends the 2022-2023 budget to reflect the increased revenue to the general fund budget of \$15,000.00.

Motion to approve the resolution amending the budget for the purchase of a parks cart was made by Trustee Lawrence, seconded by Trustee Draper, and carried unanimously.

**RESOLUTION AMENDING VILLAGE OF PERRY 2022-2023 BUDGET**

**WHEREAS**, the Village of Perry balance for the New York State Consolidated Local Street and Highway Improvement Program “CHIPS” is higher than estimated when the 2022-2023 Village budget was adopted; and

**WHEREAS**, the current 2022-2023 Village budget had a total of \$107,000 in revenue line A3501 and the actual CHIPS balance available is \$336,970; and

**WHEREAS**, the DPW Committee has reviewed and recommends increasing the Village budget to reflect the actual CHIPS balance to pave Water Street and additional streets in the Village as the budget allows; and

**WHEREAS**, the following budget amendment is recommended to allocate the additional CHIPS funding:

INCREASE REVENUE: CONS. HIGHWAY AID (A3501)	\$229,970
INCREASE EXPENSE: STREET IMPROVEMENTS (A5112.2)	\$229,970

**BE IT RESOLVED**, that the Village of Perry Board of Trustees hereby amends the 2022-2023 budget to reflect the current CHIPS balance of \$336,970; and

**BE IT RESOLVED**, that the Village of Perry Board of Trustees hereby approves the budget amendment to increase the total budget by \$229,970 for purposes of paving Village streets for the 2022-2023 fiscal year.

Motion to approve the resolution amending the budget for CHIPS revenue for paving was made by Trustee Draper, seconded by Trustee Lapiana, and carried unanimously.

**CLERK/DEPUTY TREASURER REPORT**

FY 2022-2023

Abstract #6

Vouchers #305 - 443

General Fund	\$ 115,732.59
Special Grant Fund	\$ 905.00
Water Fund	\$ 13,104.05
Sewer Fund	\$ 10,457.33
Capital Projects Fund	\$ 381,146.83
Trust & Agency	\$ 73,890.06
Silver Lake Watershed Commission	\$ 233.87
<b>Total</b>	<b>\$ 595,469.73</b>

Vouchers were audited by Trustee Lapiana. Motion to approve payment of abstract #6 in the amount of \$595,469.73 was made by Trustee Draper, seconded by Trustee Lawrence, and carried with all voting aye.

**Village of Perry - 2022 - 2023 - Village Tax Collection  
 Trial Balance - All Swis Codes  
 08-19-22**

Original Warrant	2,232,534.16
Adjustments	0.00
Adjusted Warrant	2,232,534.16
Full Payments	2,037,514.94
Penalties	2,614.39
Total Collections	2,040,129.33
Taxes Outstanding	195,019.22

Other clerk updates:

The Tree City USA grant application submitted by the Tree Board was approved for \$1,000. The Village received a WQIP grant for the WWTP Disinfection Project for \$1,000,000. The Complete Streets Policy was featured in the Country Courier on August 2, 2022. The Village is applying for a downtown revitalization grant and is looking for input from the public at the Farmers' Market this Saturday from 9am-Noon. Updated NYCLASS balances were also provided.

## **DEPARTMENT REPORTS**

The following department reports were reviewed: DPW/Parks, WTP/WWTP, Police.

## **TRUSTEE REPORTS**

Mayor Hauser informed the Board that local law language is in the works to have the law strengthened regarding first floor residential use in a commercial district. To have this be effective, an amortization period should be written into the law like there is for signage. The law will provide a period of time to bring a property into compliance.

Trustee Lawrence told the Board that sales manager, Travis Rawleigh, from Churchville Fire came to the Fire Committee tonight to discuss air pack purchases for the Fire Department. Mr. Rawleigh informed the committee of a current sale to get 1 free air tank for each one purchased. Two thirds of the fire department's air packs expire in October. The Village is still hopeful to receive the FEMA grant which was applied for at the end of last year, but if not, needs to be prepared to finance the packs. The lifespan of the air packs is 15 years and the warranty lasts for the life of the pack. Normal wear and tear use is covered. Financing options were also provided. The Fire Committee was clear that the Village may not enter into any agreement or make any purchases for the air packs or the Village will not be eligible for the grant award. The Village should know 2-3 weeks ahead of the online grant announcements if an award is expected. More information will be provided at the next Board Meeting in preparation to act soon on securing new air packs.

With no further regular business and no executive session needed, Trustee Draper made a motion to adjourn the meeting at 8:28 pm which was seconded by Trustee Lapiana and carried.

Respectfully submitted,  
Christina Slusser, Village Clerk