

**VILLAGE OF PERRY  
VILLAGE BOARD MEETING MINUTES  
DECEMBER 5, 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 5<sup>th</sup> day of December 2022.

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

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

**PUBLIC COMMENT**

No members of the public were present for comment.

**PRESENTATIONS & BOARD ACTIONS**

Trustee Lawrence made a motion to approve the minutes from the regular Board Meeting on November 21, 2022 which was seconded by Trustee Lapiana and carried unanimously.

**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 0.0132 and the cost per page for the police department print is 0.009 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, 2023 until January 28, 2024.

Trustee Draper made a motion to approve the annual agreement with Eagle Systems for the police department and court printers which was seconded by Trustee Lawrence and carried with all voting aye.

**RESOLUTION APPROVING RETAINER WITH WEBSTER SZANYI, LLP**

**WHEREAS**, the Village of Perry has engaged with Webster Szanyi, LLP for general employment matters; and

**BE IT RESOLVED**, that the Village of Perry Board of Trustees hereby approves the retainer with Webster Szanyi, LLP for services related to general employment matters as needed to be hourly based on the rates outlined in the attached agreement; and

**BE IT RESOLVED**, that the Village of Perry Board of Trustees hereby authorizes the Mayor to sign the agreement.

Motion was made by Trustee Draper to approve the resolution approving retainer with Webster Szanyi, LLP which was seconded by Trustee Lapiana and carried unanimously.

**RESOLUTION AUTHORIZING THE RELEVY OF UNPAID VILLAGE TAXES**

**WHEREAS**, the Village of Perry Tax Collector has provided the total amount of unpaid Village of Perry taxes for the 2022 Tax Roll in an amount of \$164,835.13; and

**WHEREAS**, the unpaid Village taxes are subject to relevy and collection pursuant to resolution duly adopted by the Village of Perry Board of Trustees; and

**BE IT RESOLVED**, that the Village Clerk of the Village of Perry is hereby authorized and directed to relevy any and all unpaid Village taxes; and

**BE IT RESOLVED**, that the Village of Perry Board of Trustees authorize the Deputy Treasurer and Treasure to sign the 2022 Affidavit of Collector.

Trustee Lapiana made a motion to approve the resolution authorizing the relevy of unpaid village taxes which was seconded by Trustee Draper and carried with all voting aye.

**RESOLUTION ACCEPTING RESIGNATION OF LABORER, JAMES VANALLEN**

**WHEREAS**, Mr. James VanAllen as tendered his resignation from the position of Laborer effective November 30, 2022; and

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

Trustee Lapiana made a motion accepting the resignation of James VanAllen which was seconded by Trustee Draper and carried unanimously.

**RESOLUTION ACCEPTING RESIGNATION OF MOTOR EQUIPMENT OPERATOR, ANDREW LOWERY**

**WHEREAS**, Mr. Andrew Lowery has tendered his resignation from the position of Motor Equipment Operator effective December 1, 2022; and

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

Mayor Hauser made a motion accepting the resignation of Andrew Lowery which was seconded by Trustee Draper and carried with all voting aye.

**RESOLUTION APPROVING BUDGET AMENDMENT TO THE 2022-2023 VILLAGE BUDGET**

**WHEREAS**, the Village of Perry Board of Trustees approved a Bond Anticipation Note for the Police Ford Explorer Hybrid on June 20, 2022; and

**WHEREAS**, the Village Administrator is proposing the following budget amendment to the 2022-2023 Village Budget; and

INCREASE REVENUE: A5730 (BOND ANTICIPATION NOTES)	\$57,467.15
INCREASE EXPENSE: A3120.2 (POLICE EQUIPMENT)	\$57,467.15

**NOW, THEREFORE BE IT RESOLVED**, the Village of Perry Board hereby approves the budget amendment for the purchase of the Ford Explorer Hybrid.

A budget amendment is needed after receiving the BAN to make the payment for the police vehicle. The vehicle has been delivered but still needs police graphics. Motion was made by Trustee Lapiana approving the budget amendment to the 2022-2023 village budget. Trustee Draper seconded the motion and it was carried unanimously.

**RESOLUTION APPROVING LEASE PURCHASE AGREEMENT WITH COMMUNITY FIRST NATIONAL BANK**

**WHEREAS**, the Village of Perry Board of Trustees authorized the Village Administrator to enter into a 10-year repayment of \$186,235.00 for the remaining amount owed for the purchase of SCBA Air Packs for the Fire Department; and

**WHEREAS**, Community First National Bank has offered a 10-year lease purchase agreement with a yearly payment of \$23,587.36 and the first payment due on July 1, 2023; and

**NOW, THEREFORE BE IT RESOLVED**, the Village of Perry Board hereby approves the Lease Purchase Agreement with Community First National Bank and authorizes the completion of the necessary documents.

Motion was made by Mayor Hauser to adopt the resolution approving the lease purchase agreement with Community First National Bank which was seconded by Trustee Lapiana and carried with all voting aye.

**RESOLUTION AUTHORIZING THE USE OF FIRE APPARATUS RESERVE FUND AND BUDGET AMENDMENT TO THE 2022-2023 VILLAGE BUDGET**

**WHEREAS**, the Perry Village Board of Trustees held a public hearing on October 17, 2022 regarding appropriating funds from the Fire Apparatus Reserve in an amount not to exceed \$50,000 towards the purchase of self-contained breathing apparatus (“SCBA”) air packs for the Perry Fire Department; and

**WHEREAS**, the Perry Village Board of Trustees approved a resolution on October 31, 2022 for the transfer and use of \$25,000 from the Fire Apparatus Reserve Fund to the General Fund towards the purchase of 27 SCBA air packs; and

**WHEREAS**, the use of the Fire Apparatus Reserve Fund was subject to permissive referendum; and

**WHEREAS**, there has been no petition opposing the use of the reserve funds within 30 days after the adoption of the resolution; and

**WHEREAS**, the Village Administrator is proposing the following budget amendment to the 2022-2023 Village Budget; and

INCREASE REVENUE: A5031 (INTERFUND TRANSFER)	\$25,000.00
INCREASE EXPENSE: A3410.2 (FIRE EQUIPMENT)	\$25,000.00

**NOW, THEREFORE BE IT RESOLVED**, that the Perry Village Board of Trustees hereby authorizes the payment of \$25,000.00 to Churchville Fire Equipment for the purchase of the air packs following no petition in opposition.

Trustee Lapiana made a motion to adopt the resolution authorizing the use of Fire Apparatus Reserve Funds and budget amendment which was seconded by Trustee Draper and carried with all voting aye.

### **CLERK/DEPUTY TREASURER'S REPORT**

FY 2022-2023

Abstract #13

Vouchers #1002 - 1059

General Fund	\$ 82,661.71
Special Grant Fund	\$ -
Water Fund	\$ 10,550.64
Sewer Fund	\$ 6,615.47
Capital Projects Fund	\$ 11,290.05
Trust & Agency	\$ 2,230.04
Silver Lake Watershed Commission	\$ 239.93
Total	\$ 113,587.84

Vouchers were audited by Trustee Lapiana. Trustee Draper made a motion to approve payment of abstract #13 in the amount of \$113,587.84 which was seconded by Trustee Lawrence and carried with all voting aye.

### **DEPARTMENT REPORTS**

Brittini Kwiecien provided the Board with a property maintenance report showing types of violations, complaints received vs. resolved and vacant property registry updates. The Property Maintenance Officer will plan to provide the report monthly for the Board's review. A request was made to note the time period covered as well as cumulative and monthly totals.

A draft Local Law regarding Amortization is in the works but has not made it out of Zoning Committee yet.

### **TRUSTEE REPORTS**

Trustee Lawrence submitted the Tree City USA application last Friday.

The advisory committee for Letchworth Cable Access met just before the last Board Meeting. The Committee spent some time looking over the goals of LCA. The principal goals are increasing content creation and involving more partners. LCA has also been clearing out

obsolete equipment. The Committee feels that no one seems to miss the old program. Trustee Lawrence may recommend holding the Village's contribution towards LCA next year. For now, the biggest part of the budget is rent and utilities. LCA is in a position to move from the current location on Main Street if it were an option but is unfortunately tied into a lease.

#### **EXECUTIVE SESSION**

At 7:55 pm, Mayor Hauser made a motion to enter executive session to discuss the employment history of a particular individual and to discuss collective negotiations.

At 8:36pm, Trustee Lapiana made a motion to exit executive session, which was seconded by Trustee Draper, and carried.

Trustee Draper made a motion to approve a settlement agreement with a particular individual which was seconded by Trustee Lapiana and carried.

Trustee Lapiana made a motion to approve the holiday pay MOU with CSEA which was seconded by Trustee Lawrence and carried.

At 8:37pm, Trustee Draper made a motion to adjourn the meeting which was seconded by Trustee Lapiana and carried.

Respectfully submitted,  
Christina Slusser, Village Clerk