

VILLAGE OF PERRY
VILLAGE BOARD MEETING MINUTES
APRIL 3, 2023

A Regular Board Meeting, the Annual Organizational 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 3rd day of April 2023.

PRESENT:	Rick Hauser	Mayor
	Arlene Lapiana	Trustee
	Ernie Lawrence	Trustee
ALSO PRESENT:	Christina Slusser	Village Clerk
	Joshua Wolcott	Newly elected Village Justice
	Charles Miller	Retiring Village Justice
GUESTS:	Bryan Boss	Village Resident
	Bill Bark	Country Courier
	Lorraine Sturm	Perry Herald
ABSENT:	Dariel Draper	Trustee
	Jacquie Billings	Trustee
	Samantha Marcy	Administrator

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

Mayor Hauser called upon retiring elected official, Judge Miller, to extend gratitude for handling his challenging position with dignity and honor stating that you “give so much more than you get” in that vital part of government. Judge Miller performed the swearing in (Oath of Office) for newly elected Judge Wolcott, re-elected Mayor Hauser, and re-elected Trustee Lapiana.

PUBLIC COMMENT

Bryan Boss, a resident of Lake Street in the Village, wanted to address a concern he has with speed control and bus safety on Lake Street. He suggested moving the speed limit sign closer to Silver Lake Road. Lake Street is a county road and the suggested sign placement is outside of village limits. Mr. Boss was directed to the Town of Perry but informed that it may need to go to the county for consideration as well. Trustee Lawrence plans to bring the issues up at the next Police Committee meeting. Mr. Boss was invited to stop in to see the Village Clerk for more information on contacts and how to make progress with his request.

PRESENTATIONS & BOARD ACTIONS

MINUTES

Trustee Lawrence made a motion to approve the minutes from the last regular board meeting on March 20, 2023 which was seconded by Trustee Lapiana and carried unanimously.

ORGANIZATIONAL RESOLUTIONS

RESOLUTION SETTING THE VILLAGE BOARD MEETING SCHEDULE

BE IT RESOLVED, that the Village of Perry Board of Trustees meetings will, throughout April 1, 2023 until March 31, 2024, be held at 7:30pm on the 1st and 3rd Mondays of each month at the Perry Village Hall. The following exceptions apply for Labor Day, New Year’s Day, Martin Luther King Jr. Day, and Presidents Day:

- a. First September meeting will be Tuesday, September 5, 2023
- b. First January meeting will be Tuesday, January 2, 2024
- c. Second January meeting will be Tuesday, January 16, 2024
- d. Second February meeting will be Tuesday, February 20, 2024; and

RESOLVED, special workshops may be called as required and allowed by Village Law; and

RESOLVED, that the minutes of the Board meeting shall be made available to the public after approval by the board at the next regular meeting and will be posted on the Village’s website within 7 business days after approval; and

RESOLVED; that the Village Clerk is hereby directed to post the Village Board meeting schedule on the official bulletin, on the Village website and to provide a copy of the schedule to the local media.

RESOLUTION APPROVING THE APPOINTED OF CERTAIN OFFICIALS

BE IT RESOLVED, that the Village of Perry Board of Trustees hereby approves the following appointments and committee assignments:

		Expires:
Deputy Mayor	Dariel A. Draper	3/31/2024
Tax Collector	Christina Slusser	3/31/2024
Treasurer/Chief Fiscal Officer	Samantha Marcy	3/31/2024
Deputy Treasurer	Christina Slusser	3/31/2024

Village Clerk	Christina Slusser	3/31/2024
Deputy Village Clerk	Amanda Bouchard	3/31/2024
Superintendent of Public Works	Steve Deaton	3/31/2024
Acting Village Justice	Tammy Kelsey	3/31/2024
Village Attorney	David DiMatteo	3/31/2024
Registrar of Vital Statistics	Christina Slusser	3/31/2024
Deputy Registrar of Vital Statistics	Amanda Bouchard	3/31/2024
Records Management Officer	Christina Slusser	3/31/2024
Fair Housing Officer	Rick Hauser	3/31/2024
Section 3 Coordinator	Samantha Marcy	3/31/2024
Silver Lake Association Liaison	Rick Hauser	3/31/2024
Silver Lake Watershed Commission Representative	Jacque Billings	3/31/2024
Letchworth Cable Access Rep.	Ernie Lawrence	3/31/2024
Perry Main Street Association	Rick Hauser	3/31/2024
Letchworth Gateway Villages Rep	Rick Hauser	3/31/2024
Tree Board Representative	Ernie Lawrence	3/31/2024
BIL Committee – Trustee	Arlene Lapiana	3/31/2024
BIL Committee – Member at Large	Eleanor Jacobs	3/31/2024
BIL Committee – Member at Large	Vacant	
Planning Board Member	Christa McIntyre	3/31/2028

Planning Board Alternate	Dana Grover	3/31/2024
Planning Board Alternate	Terri Humberstone	3/31/2024
Zoning Board of Appeals Member	Joe Rebisz	3/31/2028
Zoning Board of Appeals Alternate	George Smith	3/31/2024
Zoning Board of Appeals Alternate	Vacant	3/31/2024

Committee Assignments:

Budget	Hauser, Billings, Draper, Lapiana, Lawrence
Public Safety (Police & Fire)	Draper, Lawrence
Public Works (DPW, Water & Sewer)	Billings, Draper
Recreation & Resources (Parks & Rec, SLWC)	Billings, Lawrence
Office (Oper., Employee Relations, Ins. Tech)	Hauser, Lapiana
Planning (Plan/Zoning, Grant & Dev., Revit.)	Lapiana, Hauser
Police-Community Collaborative Review Committee	D. Draper, E. Lawrence, J. Billings, M. Grover, G. Gentile, B. Doyle, S. Plantz, D. McLaughlin, T. McGinnis, J. Wheeler, E. Bryant, R. Lowery, D, O’Geen, N. Effman

RESOLUTION SETTING THE VOUCHER AUDITING SCHEDULE FOR 2023-2024

BE IT RESOLVED, that the Voucher Auditing Schedule is as follows:

April 2023	Lapiana
May	Lawrence
June	Billings
July	Draper
August	Lapiana
September	Lawrence
October	Billings
November	Draper

December	Lapiana
January 2024	Lawrence
February	Billings
March	Draper
April 2024	Lapiana

RESOLUTION DESIGNATING HOLIDAYS FROM APRIL 2023 TO MARCH 2024

BE IT RESOLVED, during the April 2023 – March 2024 year, the following holidays will be observed, and all Village Offices will be closed:

- Memorial Day, Monday, May 29, 2023
- Independence Day, Tuesday, July 4, 2023
- Labor Day, Monday, September 4, 2023
- Columbus Day, Monday, October 9, 2023
- Veterans’ Day, observed on Friday, November 10, 2023
- Thanksgiving Day, Thursday, November 23, 2023
- Day After Thanksgiving, Friday, November 24, 2023
- Christmas Day, Monday, December 25, 2023
- New Year’s Day, Monday, January 1, 2024
- Martin Luther King Day, Monday, January 15, 2024
- President’s Day, Monday, February 12, 2024
- Employees Birthday or observed on the closest scheduled workday; and

BE IT FINALLY RESOLVED, the Village Clerk is hereby directed to post the Village Board Holiday Schedule and Closings on the official bulletin and on the Village’s website and to provide a copy of the schedule to the local media.

RESOLUTION DESIGNATING OF OFFICE DEPOSITORY

BE IT RESOLVED, Manufacturers and Traders Trust Company be named the official depository for the General Fund, Water/Sewer Funds, Community Development, Silverlake Watershed Commission and Capital Monies; Perry Office of the Bank of Castile be the official depository for the Trust and Agency, Payroll and Capital Monies. The Treasurer is authorized to invest Village Monies pursuant to the Village Investment policy adopted on December 7, 1992.

RESOLUTION DESIGNATING THE OFFICIAL NEWSPAPER FOR PUBLICATIONS

BE IT RESOLVED, that the Perry Herald is hereby designated as the Official Village of Perry newspaper for publication of legal notices and the Village Clerk shall provide a copy of this resolution to the Perry Herald.

RESOLUTION AUTHORIZING PAYMENT OF BILLS FOLLOWING VILLAGE BOARD AUDIT

BE IT RESOLVED, the Perry Village Board hereby authorizes the Mayor, Village Administrator/Treasurer, or Village Clerk/Deputy Treasurer to make payments of all bills after audit & approval by the majority of the Village Board.

RESOLUTION AUTHORIZING PAYMENT OF BILLS PRIOR TO AUDIT

BE IT RESOLVED, the Perry Village Board hereby authorizes the Mayor, Village Administrator/Treasurer, or Village Clerk/Deputy Treasurer to make payments of all bills without prior audit for public utility services such as gas, electric, water, sewer, fuel oil, telephone services as well as for postage, payment of bills to avoid late charges, medical payments, and payroll.

RESOLUTION AUTHORIZING COUNTERSIGNING CHECKS

BE IT RESOLVED, the Village will require two signatures for disbursement of funds by check from Village bank accounts with one signature from an elected official and one appointed official. The Treasurer's signature is required on all investments including savings and CD's as per the investment policy. The designated officials authorized to be signers for the bank accounts are Mayor Frederic Hauser, Deputy Mayor Dariel A. Draper, Treasurer Samantha Marcy, and Village Clerk Christina Slusser.

RESOLUTION ACKNOWLEDGING YEARLY REVIEW OF CERTAIN VILLAGE POLICIES AND PROCEDURES

BE IT RESOLVED, the Village of Perry Board of Trustees will review all Village Policies and the Comprehensive Plan on an annual basis.

RESOLUTION APPOINTING HANDICAP PARKING PERMIT ISSUING AGENT

BE IT RESOLVED, pursuant to Vehicle and Traffic Law, §1203-a (1), the Village of Perry Board of Trustees does hereby designate the Village Clerk and Deputy Village Clerk as the Village of Perry handicap parking permit issuing agents and the Village Clerk shall post this designation and information on how to obtain a handicap parking permit on the Village's website.

RESOLUTION REQUIRING DEPARTMENT HEAD PRESENTATIONS

BE IT RESOLVED, the Village of Perry Board of Trustees requires all department heads to give presentations to the Village Board at a minimum of two times per year in addition to yearly budget presentations.

RESOLUTION APPROVING REIMBURSEMENT RATE FOR TRAVEL

BE IT RESOLVED, that the Village of Perry Board of Trustees approves the reimbursement of the federal IRS rate per mile for travel related to municipal business when using private transportation for Village Officials and employees.

RESOLUTION AUTHORIZING TRAININGS AND CONFERENCES FOR OFFICIALS AND EMPLOYEES

BE IT RESOLVED, the Village of Perry Board of Trustees hereby authorizes municipal officials and employees to attend schools, conferences, association meetings and seminars that would benefit the municipality provided funds are available in the current fiscal year budget.

RESOLUTION ACKNOWLEDGING POLICY OF GRANT APPLICATIONS ON BEHALF OF THE VILLAGE OF PERRY

BE IT RESOLVED, that it is the policy of the Village of Perry Board of Trustees that any Grant Application or any form of financial assistance or obligation that is intended to be made on the Village of Perry's behalf, must be submitted to the board in writing prior to the Village Board granting its approval and the Village's approval must be received prior to any grant application being made. This includes any public area the Village has jurisdiction over and any program or policy that is within the purview of the Village, per municipal law.

Mayor Hauser made a motion to approve the above organizational resolutions which was seconded by Trustee Lapiana and carried with all voting aye.

RESOLUTION ACKNOWLEDGING AND APPROVING PERRY FIRE DEPARTMENT NOMINATIONS AND ELECTIONS

WHEREAS, the Perry Fire Department Chief has provided the Village with a list of nominations for review for the Fire Department Elections on April 4, 2023; and

Chief – Dave Laraby and Paul Hinsken

1st Assistant Chief – David Spink

2nd Assistant Chief – Dakota Spink

Sr. Captain – Mason Hinsken

Jr. Captain – Dylan Hinsken

Lieutenant – Robert Brundage

NOW THEREFORE BE IT RESOLVED, that the Village Board of Trustees hereby acknowledges and approves the nominations for the Perry Fire Department Elections to be held on April 4, 2023.

The Fire Department manages their nomination and election process. Trustee Lapiana made a motion to approve the resolution acknowledging and approving the Perry Fire Department nominations and elections which was seconded by Trustee Lawrence and carried with all voting aye.

RESOLUTION TO HOLD JOINT MEETING TO CONSIDER FORMATION OF JOINT FIRE DISTRICT

WHEREAS, the Board of Trustees of the Village of Perry having duly convened this date for the purpose of considering the formation of a joint fire district pursuant to the provisions of section 189-a of the Town Law and section 22-2210 of the Village Law; and

WHEREAS, such joint district may include all parcels of land within the incorporated limits of the Village of Castile, and all parcels of land in the Town of Castile excluding the Village of Perry and excluding those portions of the Town of Castile provided fire protection by contract by the Perry Fire Department; and

WHEREAS, such joint district also may include all parcels of land within the incorporated limits of the Village of Perry, which is located in part in both the Towns of Castile and Perry, and may include those portions of the Town of Castile provided fire protection by contract by Perry Fire Department, pending the involvement and approval of the Village of Perry and Town of Perry; and

WHEREAS, such joint district also may include all parcels of land within the incorporated limits of the Village of Silver Springs in the Town of Gainesville, and all parcels of land in the Town of Gainesville excluding the Village of Gainesville and excluding all portions of the Town of Gainesville provided fire protection by contract by the Gainesville Fire Department, Inc; and

WHEREAS, at least the majority of the members of the Board of Trustees of the Village of Perry deems it in the public interest to hold a joint meeting with the Town of Perry Town Board, the Village of Castile Village Board, the Town of Castile Town Board, the Village of Silver Springs Village Board, and the Town of Gainesville Town Board to consider the question of the formation of a joint fire district for the Villages of Silver Springs, Castile and Perry, and the Towns of Castile, Gainesville and Perry; and

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, that the Board of Trustees of the Village of Perry, the Town Board of the Town of Perry, the Village Board of the Village of Castile, the Town Board of the Town of Castile, the Village Board of the Village of Silver Springs, and the Town Board of the Town of Gainesville will hold a joint meeting on the 26th day of April, 2023 at the Village Municipal Dining Hall in Silver Springs, NY at 6:00 p.m., to consider the formation of said joint fire district, and for such other and further action on the part of said Boards with relation thereto as may be authorized and prescribed by law; and

BE IT FURTHER RESOLVED AND ORDERED, that the Village Clerk shall cause a notice, specifying the time and place of the joint meeting, to be posted on the Village sign-board and website.

A joint fire district allows costs, equipment, and participation to be shared. The Board acknowledges that some municipalities have lower membership numbers. This resolution allows conversations on a joint district to continue. The Board confirmed that the Perry Fire Department supports exploring this option. Each Board is requested to have a quorum present at the joint meeting on April 26th. Trustee Lapiana made a motion to approve the resolution to

hold a joint meeting to consider the formation of a joint fire district which was seconded by Trustee Lawrence and carried unanimously.

RESOLUTION APPROVING VILLAGE OF PERRY FUND BALANCE POLICY

WHEREAS, the Village Administrator has drafted a Fund Balance Policy for the Board of Trustees consideration; and

WHEREAS, the maintenance of a fund balance is essential to the financial integrity of the Village of Perry; and

WHEREAS, the Office Committee has reviewed the draft Fund Balance Policy and recommends the adoption of said policy; and

BE IT FURTHER RESOLVED, that the Village of Perry Board of Trustees hereby approves and adopts the Village of Perry Fund Balance Policy.

The Village has a healthy fund balance and strong fiscal score, but it is necessary to put parameters on the fund balance. Motion was made by Trustee Lawrence to approve the Village of Perry's Fund Balance Policy which was seconded by Trustee Lapiana and carried unanimously.

RESOLUTION APPROVING THE WYOMING COUNTY YMCA SUMMER RECREATION PROGRAM PROPOSAL

WHEREAS, the Parks Committee is recommending partnering with the Wyoming County YMCA for the summer recreation program; and

BE IT RESOLVED, that the Village of Perry Board of Trustees hereby approves the service proposal from the Wyoming County YMCA for the Village of Perry Summer Recreation Program and approves the one-time payment of \$2,500 for the 2023 program; and

BE IT FURTHER RESOLVED, that the Village of Perry Board of Trustees hereby authorizes the Mayor to execute the proposal.

The contract includes a 1-time payment which was budgeted for. The program will be conducted at the Village Park where park staff provides maintenance to the park, but the YMCA conducts the program. Trustee Lawrence made a motion to approve the resolution approving the Wyoming County YMCA proposal which was seconded by Trustee Lapiana and carried.

RESOLUTION SUPPORTING PERRY MAIN STREET ASSOCIATION'S GENESEE VALLEY TRAIL TOWN GRANT APPLICATION

WHEREAS, the Perry Main Street Association has submitted a grant application to the Genesee Valley Trail Town for enhancements to the Public Beach and the Silver Lake Trail; and

WHEREAS, if awarded, the Village of Perry would take ownership of the infrastructure, assist with in-kind support through labor and insurance contributions, and provide ongoing maintenance; and

NOW THEREFORE BE IT RESOLVED, that the Village Board of Trustees hereby supports the Perry Main Street Association Grant Application and authorizes the Mayor to submit a letter of support.

This opportunity comes via the membership in LGV (Letchworth Gateway Villages) which involves a partnership with PTNY (Parks and Trails New York). A grant of up to \$15,000 is offered to trail town communities (consisting of 10 communities). A grant was received last year for trail improvements. Motion was made by Trustee Lapiana to approve the resolution supporting PMSA's GVTT (Genesee Valley Trail Town) grant application which was seconded by Trustee Lawrence and carried with all voting aye.

VILLAGE BOARD OF THE VILLAGE OF PERRY RESOLUTION DECLARING THE FRESH START LOAN OF GIUSEPPE GENTILE TO BE IN DEFAULT AND DIRECTING LOAN TO BE CALLED DUE

Adopted: April 3, 2023

WHEREAS, the Village Board of the Village of Perry met at a regular board meeting at the Village Hall located at 46 North Main Street on the 3rd day of April 2023, commencing at 7:30 p.m., at which time and place the following members were:

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

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 April 27, 2020 the Village of Perry adopted a Small Business Support Loan Program under the name, Fresh Start 2020; and

WHEREAS, Fresh Start 2020 allows for the Village of Perry to offer zero-interest loans to assist local small businesses in weathering the economic impacts of the COVID-19 pandemic, and provides funds for reopening businesses after the COVID-19 sanctions were lifted; and

WHEREAS, the Fresh Start 2020 Loan Program allowed for the minimum value for loans under this program to be \$500 and were not to exceed \$4,800 per business; and

WHEREAS, it is understood that the Village granted a 2020 Fresh Start Loan to Giuseppe Gentile originally amounting in \$4,800.00, with an interest rate of 0% and monthly payment of \$100.00 beginning November 30, 2020 and is scheduled to end November 1, 2024; and

WHEREAS, the Village record reflects the amount of the loan due and owing to be \$3,200.00; and

WHEREAS, the Village Board recognizes the remaining balance of the loan to be three thousand two hundred dollars (\$3,200.00), of which has been assessed a 9% interest rate (\$288.00) due to delinquency, as referenced in the executed Promissory Note; and

WHEREAS, the Village Board recognizes the remaining balance of the loan with the 9% interest rate upon the loan to be three thousand four hundred eighty eight dollars (\$3,488.00); and

WHEREAS, the Village records reflect frequent delinquency of payment towards this 2020 Fresh Start Loan; and

WHEREAS, the Village Board now wishes to call upon the services of Village Attorney David M. DiMatteo, Esq., to call due the Fresh Start Loan 2020 under the names of Giuseppe Gentile or Quinem Corporation (dba The Biblio-Tech Café), with all assessed late fees and interest charges totaling to the amount of \$3,488.00; and

NOW ON MOTION OF Mayor Hauser which has been duly seconded by Trustee Lapiana, be it

RESOLVED, that the Village Board of the Village of Perry hereby declares the 2020 Fresh Start Loan under the names of Giuseppe Gentile or Quinem Corporation (dba The Biblio-Tech Café), to be in default, and assesses all late fees and interest charges on the loan balance to find a total balance due of the borrowers to be \$3,488.00, and is authorized to direct David M. DiMatteo, Esq., Attorney for the Village of Perry, to call the loan due by means of letter to the borrowers, directing the total balance be paid in full within 60 calendar days of the date of the letter.

Ayes: 3

Nays: 0

Quorum Present: X Yes No

Dated: April 4, 2023

The above resolution is an amendment to a previous motion. This resolution adjusts the amount and interest rate of a Fresh Start Loan in default and calls the amount due.

CLERK/DEPUTY TREASURER REPORT

FY 2022-2023

Abstract # 21

Vouchers # 1691 - 1754

General Fund	\$ 37,817.95
Special Grant Fund	\$ -
Water Fund	\$ 5,971.79
Sewer Fund	\$ 14,272.46
Capital Projects Fund	\$ 27,961.46
Trust & Agency	\$ 2,212.22
Silver Lake Watershed Commission	\$ 37.99
Total	\$ 88,273.87

Vouchers were audited by Trustee Lapiana. Trustee Lawrence made a motion to approve payment of abstract #21 in the amount of \$88,273.87 which was seconded by Trustee Lapiana and carried with all voting aye.

DEPARTMENT/COMMITTEE REPORTS

Village Clerk, Christina Slusser, and Mayor Hauser updated the Board on a conversation that took place at the Office Committee regarding the possible creation of a Social Media Policy. The clerk and committee wish to get facts out on Facebook without the time-consuming monitoring of comments. The Village has the option to turn comments off on the Facebook page, but that must be the policy for all posts if adopted. If Facebook was used as a “bulletin board” it would be a way to offer information to the public more regularly. Citizens would still be able to share posts and comment on their own pages or reach out to the Village via Messenger. The Village has spoken with NYCOM to learn about what other municipalities do and learned that it is not an uncommon approach to turn off comments. Another aspect of a Social Media Policy for consideration is how individual employees represent themselves on

Facebook. The Office Committee will plan to move ahead with language for a policy to bring back to the Board.

Trustee Lawrence will represent the Board on Saturday at the Fire Department banquet.

8:00 PM PUBLIC HEARING – 2023-2024 TENTATIVE BUDGET

At 8:00 pm, the public hearing was opened to offer a time for public comment before the Board takes action on the previously presented tentative budget. With no comments, the hearing was left open.

No comments were made regarding the public hearing. Motion was made by Mayor Hauser at 8:20 pm to close the public hearing which was seconded by Trustee Lapiana and carried with all voting aye. The Board is content with the budget and will expect to adopt it at the next meeting.

With no further business, motion to adjourn was made at 8:21 pm by Mayor Hauser, seconded by Trustee Lapiana, and carried.

Respectfully submitted,
Christina Slusser, Village Clerk