

**VILLAGE OF PERRY
VILLAGE BOARD MEETING MINUTES
MAY 15, 2023**

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 15th day of May 2023.

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 comments.

PRESENTATIONS & BOARD ACTIONS

MINUTES

Motion to approve the minutes from the regular board meeting on May 1, 2023 was made by Trustee Lawrence, seconded by Trustee Lapiana, and carried with all voting aye.

RESOLUTION APPROVING PAYMENTS FOR WASTEWATER TREATMENT PLANT PROJECT

WHEREAS, the Village Clerk has received pay app #8 from the HVAC contractor, John W. Danforth Company, for the wastewater treatment plant project in the amount of \$12,825.00; and

WHEREAS, the Village Clerk has received pay app #17 from the electrical contractor, M.W. Controls Service, Inc. for the wastewater treatment plant project in the amount of \$27,356.70; 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:

John W. Danforth Company	\$12,825.00
M.W. Controls Service, Inc.	\$27,356.70

RESOLUTION APPOINTING CLERK OF THE JUSTICE, DAVID BROWN

WHEREAS, there is a vacancy for a Clerk of the Justice; and

WHEREAS, Administrator Marcy, Justice Wolcott, Justice Kelsey, and Trustee Lapiana interviewed Mr. David Brown and are requesting the hiring of Mr. Brown as a Clerk of the Justice; and

WHEREAS, Justice Wolcott is requesting the starting rate for Mr. Brown to be \$19.00 per hour for an average of 25 hours per week; and

NOW, THEREFORE BE IT RESOLVED, the Village of Perry Board of Trustees hereby approves the hiring of Mr. David Brown to fill the position of Clerk of the Justice with a starting hourly rate of \$19.00 effective May 16, 2023.

RESOLUTION CREATING VILLAGE HISTORIAN POSITION

WHEREAS, per New York State Law Section 57.07 a local historian shall be appointed for each village by the Mayor; and

WHEREAS, the position of Village Historian will need to be created by the Board of Trustees through Wyoming County Civil Services; and

BE IT RESOLVED, the Village of Perry Board of Trustees hereby authorizes the Village Administrator to submit the necessary paperwork to Wyoming County Civil Service office; and

BE IT RESOLVED, that the Village of Perry Board of Trustees hereby approves the creation of a Village Historian position.

RESOLUTION APPROVING REQUEST FROM THE SILVER LAKE FIREWORKS FUND

WHEREAS, the Village of Perry received a request from the Silver Lake Fireworks Fund in the amount of \$250.00; and

WHEREAS, the Village has supported the Silver Lake Fireworks Fund in past years; and

WHEREAS, the Fireworks display will be on Monday, July 3rd at 10PM; and

BE IT RESOLVED, that the Village of Perry Board of Trustees hereby approves the request from the Silver Lake Fireworks Fund in an amount of \$250.00.

RESOLUTION APPROVING SHAKE ON THE LAKE, INC. RESERVATION REQUEST

WHEREAS, the Parks Committee has reviewed the request from Shake on the Lake, Inc.; and

WHEREAS, Shake on the Lake, Inc. is requesting to reserve the Public Beach from Friday, July 28th through Saturday July 29th for their summer performance; and

WHEREAS, the Parks Committee is suggesting waiving the fee for the Public Beach; and

NOW, THEREFORE BE IT RESOLVED, the Village of Perry Board hereby accepts the Shake on the Lake, Inc. reservation request; and

BE IT FURTHER RESOLVED, the Village of Perry Board approves waiving the fee for the Shake on the Lake, Inc.

**RESOLUTION AGREEING TO HOST THE ARTS COUNCIL FOR WYOMING COUNTY'S
LETCWORTH ARTS & CRAFTS SHOW & SALE AT THE PERRY VILLAGE PARK**

WHEREAS, the Village of Perry Board of Trustees were approached by the Arts Council for Wyoming County (ACWC) to consider hosting the annual Arts and Crafts Festival at the Perry Village Park from October 7, 2023 – October 9, 2023; and

WHEREAS, the Village of Perry Administrator is currently working with the ACWC to update the agreement for review between the Village of Perry and the ACWC for said event; and

BE IT RESOLVED, that the Village of Perry Board of Trustees hereby agrees to host the ACWC's Letchworth Arts & Crafts Show & Sale at the Perry Village Park from October 7, 2023 – October 9, 2023.

RESOLUTION WAIVING VACANT BUILDING FEES FOR 22 HANDLEY STREET

WHEREAS, it was observed that the property at 22 Handley Street was vacant, and the Village of Perry Board of Trustees passed Local Law 3-2021 entitled "Vacant Building Registry;" and

WHEREAS, several vacant building notification letters including a request to complete an application for the plans of the vacant building were sent to OGS Business Services between July and October of 2022 with no response; and

WHEREAS, after receiving no response, an invoice for \$500.00 was sent to OGS Business Services for the Vacant Property Registry according to 465-22 of the Zoning Code of the Village of Perry; and

WHEREAS, email correspondence was received from The New York State Business Services Center stating the Village's invoice has been denied by the agency stating it has no jurisdiction to bill based on an attached statement titled "Jurisdictional Authority of Property Owned by the New York State Office for People With Developmental Disabilities (OPWDD); and

WHEREAS, the correspondence was reviewed by the Zoning Committee and Village Attorney who recommended waiving the vacant building invoice; and

NOW, THEREFORE BE IT RESOLVED, the Village of Perry Board of Trustees hereby waives invoice V5-2022 issued to OGS Business Services in the amount of \$500.00 for 22 Handley Street.

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 \$624.00 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 \$624.00 per month from June 1, 2023 until May 31, 2024 and authorizes the Village Administrator to sign the contract.

RESOLUTION APPROVING THE 2022 ANNUAL DRINKING WATER QUALITY REPORT

WHEREAS, to comply with New York State regulations, the Village of Perry is required to issue an annual drinking water quality report of the Village's public water supply; and

WHEREAS, Chief Water/Sewer Treatment Plant Operator, Jeff Drain, has provided the 2022 Annual Drinking Water Quality Report; and

BE IT RESOLVED, that the Village of Perry Board of Trustees hereby approves the 2022 Annual Drinking Water Quality Report.

RESOLUTION ACCEPTING INDEPENDENT AUDITOR'S REPORT FOR THE FISCAL YEAR ENDING MAY 31, 2022

WHEREAS, the Village of Perry Board of Trustees has hired Allied Financial Partners to conduct an audit for the fiscal year ending May 31, 2022; and

WHEREAS, Allied Financial Partners has provided the Independent Auditor's Report and Financial Statements for the Village of Perry Board of Trustees review; and

NOW, THEREFORE BE IT RESOLVED, the Board of Trustees of the Village of Perry hereby accepts Allied Financial Partners review of the Village of Perry's financial statements for the fiscal year ending May 31, 2022.

Trustee Lapiana made a motion to adopt resolutions B-K as outlined on the agenda: Resolutions Approving Payment for the Wastewater Treatment Plant Project, Appointing Clerk of the Justice David Brown, Creating the Village Historian Position, Request from Silver Lake Fireworks Fund, Shake on the Lake Reservation Request, Agreeing to Host the ACWC Letchworth Arts & Crafts Show & Sale, Waiving Vacant Building Fees, Contract from Warren's Commercial Cleaning, Annual Drinking Water Report, and the Audit Report for Fiscal Year ending May 31, 2022. The motion was seconded by Trustee Draper and carried unanimously.

RESOLUTION ACCEPTING RALPH C. WILSON, JR. LEGACY FUND GRANT FOR THE SILVER LAKE TRAIL ELEVATED BOARDWALK

WHEREAS, the Village of Perry applied for funding through the Ralph C. Wilson Jr. Legacy Fund for Design and Access, administered by the Community Foundation for Greater Buffalo, for the Silver Lake Trail Elevated Boardwalk; and

WHEREAS, the Village of Perry has received notification of the grant award in an amount of \$42,500; and

NOW, THEREFORE BE IT RESOLVED, that the Perry Village Board of Trustees hereby accepts the grant award of \$42,500.00.

RESOLUTION CLOSING NEW YORK MAIN STREET TECHNICAL ASSISTANCE GRANT AND SILVER LAKE CREEK FOOTBRIDGE CAPITAL PROJECT

WHEREAS, on June 21, 2021, the Village of Perry Board of Trustees created the New York Main Street Technical Assistance (NYMS-TA) Grant and Silver Lake Creek Footbridge Capital Project (HC) and established the project budget funded through the NYMS-TA grant, Ralph C. Wilson Jr. Foundation, and the Village of Perry's General Fund Unallocated Fund Balance; and

WHEREAS, the NYMS-TA Grant and Silver Lake Creek Footbridge Capital Project had expenses totaling \$133,419.36 and there is a remaining balance of \$20,110.64; and

WHEREAS, all work has been completed on this phase of the NYMS-TA Grant and Silver Lake Creek Footbridge Capital Project and the Village Administrator is requesting closing the capital project; and

WHEREAS, the remaining balance of \$20,110.64 from the Ralph C. Wilson Jr. Foundation will be utilized in the next section of the Silver Lake Trail Project; and

WHEREAS, the Village Administrator is recommending allocating the remaining \$20,110.64 to the Silver Lake Trail Creekside Planning Capital Project; and

BE IT RESOLVED, that the Village of Perry Board of Trustees hereby closes the NYMS-TA Grant and Silver Lake Creek Footbridge Capital Project (HC) and directs the Village Administrator to allocate the balance of \$20,110.64 to the Silver Lake Trail Creekside Planning Capital Project (HD).

RESOLUTION RENAMING SILVER LAKE TRAIL CREEKSIDE PLANNING CAPITAL PROJECT (HD) TO SILVER LAKE TRAIL ELEVATED BOARDWALK AND CREATING PROJECT BUDGET

WHEREAS, on June 6, 2022, the Village of Perry Board of Trustees created the Silver Lake Trail Creekside Planning Capital Project (HD) and established the project budget funded through the Ralph C. Wilson Jr. Foundation; and

WHEREAS, the Silver Lake Trail Creekside Planning funding has been approved towards funding the Boardwalk project; and

WHEREAS, the remaining \$20,110.64 from the NYMS-TA and Silver Creek Footbridge has been allocated to the Silver Lake Trail Creekside Planning Capital Project; and

WHEREAS, the Village of Perry has been awarded a third Ralph C. Wilson Jr Foundation grant in the amount of \$42,500 towards the Boardwalk project; and

WHEREAS, the Village Administrator is recommending changing the HD capital project name to Silver Lake Trail Elevated Boardwalk and is proposing a budget for the project as follows:

REVENUE:

HD2770	Ralph C. Wilson Jr Foundation	\$ 92,500.00
HD5031	Interfund Transfer	<u>\$ 20,110.64</u>
		\$ 112,610.64

EXPENDITURES:

HD7997.2	SLT Elevated Boardwalk	<u>\$ 112,610.64</u>
		\$ 112,610.64

TOTAL PROJECT BUDGET **\$ 112,610.64**
; and

BE IT RESOLVED, that the Village of Perry Board of Trustees hereby renames the HD Capital Project to Silver Lake Trail Elevated Boardwalk and authorizes the project budget.

RESOLUTION CLOSING VILLAGE HALL ADA IMPROVEMENTS CAPITAL PROJECT

WHEREAS, on June 21, 2021, the Village of Perry Board of Trustees created the Village Hall ADA Improvements Capital Project in the CD Fund and established the project budget funded through a CDBG grant and monies from the General Fund Unallocated Fund Balance; and

WHEREAS, the Village Hall ADA Improvements Capital Project had expenses totaling \$686,674.04 and there is a surplus of \$5,765.19 in the CD Fund; and

WHEREAS, all work has been completed on this phase of the Village Hall ADA Improvements Project and the Village Administrator is requesting closing the capital project and returning the balance of \$5,765.19 to the General Fund; and

BE IT RESOLVED, that the Village of Perry Board of Trustees hereby closes the Village Hall ADA Improvements Capital Project and directs the Village Administrator to return the balance of \$5,765.19 to the General Fund.

Trustee Lapiana made a motion to adopt resolutions L-O as outlined on the agenda: Accepting Ralph C. Wilson Grant, Closing out NYMS Grant and Silver Lake Creek Footbridge Project, Renaming Silver Lake Trail Creekside Planning to Silver Lake Trail Elevated Boardwalk, and Closing out the Village Hall Project. Trustee Lawrence seconded the motion and it was carried unanimously.

RESOLUTION AUTHORIZING BUDGET TRANSFERS AND BUDGET AMENDMENT TO THE 2022-2023 VILLAGE BUDGET

WHEREAS, the Village Administrator is proposing the following Budget Transfers to correct overspent accounts for the 2022-2023 fiscal year:

General Fund:

Increase:	A1410.4 (Clerk - Contractual)	\$6.31	
Decrease:	A1410.41 (Clerk – Contractual Grants)		\$6.31
Increase:	A1420.4 (Law - Contractual)	\$700.00	
Increase:	A1910.4 (Unallocated Insurance)	\$1,620.00	

Increase:	A5680.4 (Electric Charge Station)	\$690.00	
Increase:	A8010.43 (Zoning – Attorney Fees)	\$2,750.00	
Decrease:	A1440.4 (Engineer - Contractual)		\$5,760.00
Increase:	A1620.41 (Building – Village Hall Network)	\$1,568.92	
Increase:	A1620.42 (Buildings - Utilities)	\$554.36	
Decrease:	A1620.21 (Buildings – Village Hall Renov.)		\$2,123.28
Increase:	A3120.12 (Police – Part-Time)	\$3,042.04	
Decrease:	A3120.1 (Police – Full-Time)		\$3,042.04
Increase:	A5132.42 (Garage – Utilities)	\$603.44	
Decrease:	A5132.4 (Garage - Contractual)		\$603.44
Water Fund:			
Increase:	F8310.4 (Water Admin – Contractual)	\$2,535.99	
Increase:	F8330.4 (Water Purification – Contractual)	\$8,272.37	
Decrease:	F1440.4 (Engineer – Contractual)		\$2,287.28
Decrease:	F1420.4 (Attorney – Contractual)		\$1,594.31
Decrease:	F8340.4 (Water Transmission – Contractual)		\$6,926.77
Increase:	F8320.41 (Source of Supply – Utilities)	\$2,331.09	
Decrease:	F8320.4 (Source of Supply – Contractual)		\$2,331.09; and

Sewer Fund:

Increase:	G8130.4 (Sewage Treatment - Contractual)	\$18,346.52	
Decrease:	G8130.2 (Sewage Treatment - Equipment)		\$18,346.52; and

WHEREAS, the Village Administrator is proposing the following Budget Amendment to allocate money to repairs to a pump station that insurance recoveries were received for the 2022-2023 fiscal year:

Increase Revenue:	G2680 (Insurance Recoveries)	\$17,995.00	
Increase Expense:	G8130.2 (Sewage Treatment-Equipment)		\$17,995.00

BE IT RESOLVED, that the Village of Perry Board of Trustees hereby authorizes the Village Administrator to make the above budget transfers and amendment for the 2022-2023 fiscal year; and

BE IT RESOLVED, that the Village Clerk shall provide a copy of this resolution to the Village Administrator.

Motion was made by Trustee Lapiana to adopt the resolution authorizing budget transfers and an amendment to the 2022-2023 Village Budget which was seconded by Trustee Draper and carried with all voting aye.

CLERK/DEPUTY TREASURER REPORT

FY 2022-2023

Abstract #24

Vouchers #1920 - 2037

General Fund	\$ 124,534.35
Special Grant Fund	\$ -
Water Fund	\$ 18,423.96
Sewer Fund	\$ 108,245.01
Capital Projects Fund	\$ 42,034.20
Trust & Agency	\$ 4,060.66
Silver Lake Watershed Commission	\$ 1,995.40
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Total	\$ 299,293.58

Vouchers were audited by Trustee Lawrence. Trustee Draper made a motion to approve the clerk report and payments in the amount of \$299,293.58 which was seconded by Trustee Lapiana and carried with all voting aye.

DEPARTMENT REPORTS

Reports were reviewed for the following departments with no action needed: DPW/Parks, WTP/WWTP, and Police.

COMMITTEE REPORTS

Clean Sweep attendance was down this year. It was noted to take a different approach in advertising the event next year. Pioneer employees, Girl Scouts, Boy Scouts, and students were not in attendance this year.

The dock has been installed at the Public Beach. The attachment for the kayak launch still needs to be installed for the season.

The Police Committee discussed the speed limit sign on Lake Street as brought up by Village resident Mr. Boss. With the road being a county road, the resident should be directed to approach the county with the concerns. The Police committee is also exploring the purchase of an electric bike with funds from the current fiscal year.

The Parks Committee discussed the grant opening of the Silver Lake Trail but is unsure of the sign completion status.

A group had a meeting and walkabout for the DRI on Friday. The first LPC and public meeting is scheduled for next Thursday, the 25th at 6:00pm at the Masonic Temple.

With no further regular business, Mayor Hauser made a motion to enter executive session at 7:56 pm to discuss the employment history of a particular individual. The motion was seconded by Trustee Draper and carried.

At 8:20 pm, Trustee Draper made a motion to exit executive session which was seconded by Trustee Lapiana and carried.

Immediately following, Trustee Draper made a motion to adjourn the meeting which was seconded by Trustee Lapiana and carried.

Respectfully submitted,
Christina Slusser, Village Clerk