

VILLAGE OF PERRY
VILLAGE BOARD MEETING MINUTES
APRIL 1, 2024

The Annual Organizational 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 1st day of April 2024.

PRESENT:	Rick Hauser	Mayor
	Arlene Lapiana	Trustee
	Joel Bouchard	Trustee
ALSO PRESENT:	Samantha Marcy	Administrator
	Christina Slusser	Village Clerk
GUESTS:	Lorraine Sturm	Perry Herald
ABSENT:	Dariel Draper	Trustee
	Ernie Lawrence	Trustee, sadly missed

Mayor Hauser called the annual organizational meeting to order at 7:30 pm and led in the Pledge of Allegiance. Mayor Hauser took a minute to speak about Trustee Lawrence who served exactly 3 years on the board and was a part of many committees and projects during that time. Trustee Lawrence is sadly missed by the Board of Trustees and staff.

PUBLIC COMMENT

No comments. A Public Hearing is scheduled at 8:00pm on the 2024-2025 Tentative Budget.

MINUTES

Motion to approve the minutes from the regular board meeting on March 18, 2024 was made by Trustee Lapiana, seconded by Trustee Bouchard, and carried with all voting aye.

Village of Perry Board of Trustees Organizational Meeting and Resolutions – April 1, 2024

RESOLUTION SETTING THE VILLAGE BOARD MEETING SCHEDULE

BE IT RESOLVED, that the Village of Perry Board of Trustees meetings will, throughout April 1, 2024 until March 31, 2025, 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, Martin Luther King Jr. Day, and Presidents Day:

- a. First September meeting will be Tuesday, September 3, 2024
- b. Second January meeting will be Tuesday, January 21, 2025
- c. Second February meeting will be Tuesday, February 18, 2025; 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 APPOINTMENT 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	3/31/2025
Tax Collector	Christina Slusser	3/31/2025
Treasurer/Chief Fiscal Officer	Samantha Marcy	3/31/2025
Deputy Treasurer	Christina Slusser	3/31/2025
Village Clerk	Christina Slusser	3/31/2025
Deputy Village Clerk	Amanda Bouchard	3/31/2025
Superintendent of Public Works	Steve Deaton	3/31/2025
Acting Village Justice	Tammy Kelsey	3/31/2025
Village Attorney	David DiMatteo	3/31/2025
Registrar of Vital Statistics	Christina Slusser	3/31/2025
Deputy Registrar of Vital Statistics	Amanda Bouchard	3/31/2025
Records Management Officer	Christina Slusser	3/31/2025
Fair Housing Officer	Rick Hauser	3/31/2025
Section 3 Coordinator	Samantha Marcy	3/31/2025
Historian	Suzie Carlson	3/31/2025
Silver Lake Association Liaison	Rick Hauser	3/31/2025

Silver Lake Watershed Commission Representative		3/31/2025
Letchworth Community Access Rep.		3/31/2025
Perry Main Street Association	Samantha Marcy	3/31/2025
Letchworth Gateway Villages Rep	Rick Hauser	3/31/2025
Tree Board Representatives	Joel Bouchard and Steve Deaton	3/31/2027
BIL Committee – Trustee	Arlene Lapiana	3/31/2025
BIL Committee – Member at Large	Eleanor Jacobs	3/31/2025
BIL Committee – Member at Large	Vacant	
Planning Board Alternate	Dana Grover	3/31/2025
Planning Board Alternate	Terri Humberstone	3/31/2025
Zoning Board of Appeals Member	Zach Kowasz	3/31/2029
Zoning Board of Appeals Alternate	George Smith	3/31/2025
Zoning Board of Appeals Alternate	Vacant	

Committee Assignments:

Budget	Hauser, Draper, Lapiana, Bouchard
Public Safety (Police & Fire)	Draper, Lapiana
Public Works (DPW, Water & Sewer)	Draper, Hauser
Recreation & Resources (Parks & Rec, SLWC)	Bouchard, Hauser

Office (Oper., Employee Relations, Ins. Tech)	Lapiana, Draper
Planning (Plan/Zoning, Grant & Dev., Revit.)	Lapiana, Hauser
Police-Community Collaborative Review Committee	D. Draper, 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 2024-2025

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

April 2024	Lapiana
May	Draper
June	Bouchard
July	Lapiana
August	Draper
September	Bouchard
October	Lapiana
November	Draper
December	Bouchard
January 2025	Lapiana
February	Draper
March	Bouchard
April 2025	Lapiana

RESOLUTION DESIGNATING HOLIDAYS FROM APRIL 2024 TO MARCH 2025

BE IT RESOLVED, during the April 2024 – March 2025 year, the following holidays will be observed, and all Village Offices will be closed:

- Memorial Day, Monday, May 27, 2024
- Independence Day, Thursday, July 4, 2024
- Labor Day, Monday, September 2, 2024
- Columbus Day, Monday, October 14, 2024
- Veterans’ Day, Monday, November 11, 2024
- Thanksgiving Day, Thursday, November 28, 2024
- Day After Thanksgiving, Friday, November 29, 2024
- Christmas Day, Wednesday, December 25, 2024
- New Year’s Day, Wednesday, January 1, 2025
- Martin Luther King Day, Monday, January 20, 2025
- President’s Day, Monday, February 17, 2025
- 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.

Trustee Lapiana made a motion to approve the organizational resolutions which was seconded by Trustee Bouchard 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 2, 2024; and

Chief – David Spink

1st Assistant Chief – Mason Hinsken

2nd Assistant Chief – David Laraby

Sr. Captain – Dylan Hinsken

Jr. Captain – Robert Brundage

1st Lieutenant – Dakota Spink, Jim Clark, Chris Jurek, Richard Gayhart, Nicole Stratton

2nd Lieutenant – Dakota Spink, Jim Clark, Chris Jurek, Richard Gayhart, Nicole Stratton

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 2, 2024.

Fire Department nominations were reviewed and approved by the Fire Committee. Motion to adopt the resolution acknowledging and approving the nominations was made by Trustee Lapiana, seconded by Trustee Bouchard, and carried with all voting aye.

RESOLUTION ACCEPTING RESIGNATION OF POLICE OFFICER, SPENCER KRAMELL

WHEREAS, Mr. Spencer Kramell has tendered his resignation from the position of Police Officer effective April 7, 2024; and

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

Trustee Lapiana made a motion to adopt the resolution accepting the resignation of Spencer Kramell which was seconded by Trustee Bouchard and carried with all voting aye.

RESOLUTION APPOINTING PART-TIME CROSSING GUARD, JAMES BODENSTEINER

WHEREAS, there is a vacancy for a Crossing Guard and the Chief of Police is requesting the appointment of Mr. James Bodensteiner; and

BE IT RESOLVED, that the Perry Village Board of Trustees does hereby appoint Mr. James Bodensteiner as a Crossing Guard at a rate of \$30.38 per hour effective April 2, 2024.

Trustee Lapiana made a motion to approve the resolution appointing part-time crossing guard James Bodensteiner which was seconded by Trustee Bouchard and carried unanimously.

RESOLUTION APPROVING ANNUAL SOFTWARE SUPPORT CONTRACT AND QUICKPAY SOFTWARE CONTRACT WITH WILLIAMSON LAW BOOK COMPANY

WHEREAS, the Village of Perry uses Williamson Law Book Company for our Water and Sewer Billing Software and QuickPay Software; and

WHEREAS, both agreements are annual from April 1, 2024 until March 31, 2025; and

WHEREAS, the annual cost of the Water/Sewer Billing Software is \$1,588.00; and

WHEREAS, the annual cost of the Water/Sewer Email Billing with Water QuickPay Software is \$797.00; and

NOW, THEREFORE BE IT RESOLVED, that the Perry Village Board of Trustees does hereby approve the annual water and sewer billing software contract in the amount of \$1,588.00 and the QuickPay software contract in the amount of \$797.00 from April 1, 2024 until March 31, 2025.

Motion was made by Trustee Lapiana and seconded by Trustee Bouchard to adopt the resolution approving annual software contracts with Williamson Law Book. This motion was carried unanimously.

RESOLUTION APPROVING CULTURAL SERVICES AGREEMENT WITH THE ARTS COUNCIL FOR WYOMING COUNTY FOR PERRY COMMUNITY BAND

WHEREAS, the Village of Perry is the legal representative for the Perry Community Band; and

WHEREAS, the Arts Council for Wyoming County has provided grant funds to the Perry Community Band in an amount of \$2,000.00; and

BE IT RESOLVED, that the Village of Perry Board of Trustees hereby approves the Cultural Services Agreement with the Arts Council for Wyoming County and authorizes the Mayor to sign the agreement.

Motion to adopt the resolution approving the agreement with the Arts Council for the Perry Community Band was made by Trustee Lapiana, seconded by Trustee Bouchard, and carried unanimously.

RESOLUTION APPROVING REQUEST FROM THE PERRY MAIN STREET ASSOCIATION

WHEREAS, the Village has received a request from the Perry Main Street Association for funding towards the 2024 Events Brochure in an amount of \$900; and

BE IT RESOLVED, the Village of Perry Board approves the donation request for \$900 and directs the Village Clerk to submit a voucher for payment.

Mayor Hauser made a motion to approve the resolution approving the \$900 donation request from PMSA which was seconded by Trustee Lapiana and carried with all voting aye.

RESOLUTION APPROVING REQUEST FROM THE PERRY CHALK ART FESTIVAL

WHEREAS, the Village has received a request from the Perry Chalk Art Festival Committee for their festival including a donation of \$1,800, a one-day insurance waiver for non-food vendors, permission to close portions of certain streets, and assistance from a member of the DPW on the day of the event; and

WHEREAS, the Police Committee has reviewed the request and is recommending requiring the presence of two police officers during the event to control traffic and ensure safety; and

WHEREAS, the Perry Chalk Art Festival will be required to obtain insurance certificates from food vendors located on Village property, list the Village of Perry as an additional insured, and to provide a copy of the certificate to the Village Office prior to the event; and

NOW, THEREFORE BE IT RESOLVED, the Village of Perry Board hereby approves a donation of \$1,600 and the additional requests outlined in the letter from the Perry Chalk Art Festival Committee and will require the presence of two police officers; and

BE IT RESOLVED, the Village of Perry Board hereby approves the donation of eight staff hours with the remainder to be billed to the Perry Chalk Art Festival; and

BE IT RESOLVED, the Village of Perry Board approves a donation of \$1,600 and directs the Village Clerk to submit a voucher for payment.

Motion to adopt the resolution for a \$1,600 donation to the Chalk Art Festival was made by Trustee Lapiana, seconded by Trustee Bouchard, and carried with all voting aye.

RESOLUTION APPROVING WAIVER OF SEWER CHARGES FOR 62 WATER STREET

WHEREAS, the Village of Perry received a request from the owner of 62 Water Street to waive the sewer charges due to a burst pipe that caused 47,000 gallons of water to flood the basement of a vacant house; and

WHEREAS, the Water Department confirmed that the water passed through a drain that leads outside and did not pass through the Village's sewer system; and

WHEREAS, the Public Works Committee has reviewed the request and is recommending approval; and

NOW, THEREFORE BE IT RESOLVED, the Village of Perry Board of Trustees hereby approves the waiver of sewer charges totaling \$394.80 for 62 Water Street and authorizes the Village Clerk or designee to adjust the account.

Trustee Lapiana made a motion to adopt the resolution approving a waiver of sewer charges for 62 Water Street which was seconded by Trustee Bouchard and carried with all voting aye.

RESOLUTION APPROVING APPLICATION FOR BASE RATE WAIVER FOR VACANT UNITS

WHEREAS, the Village of Perry Board of Trustees adopted the Policy of Waiving Base Rate Charges for Vacant Units on February 5, 2024; and

WHEREAS, an application has been received for the property located at 57 Gardeau Street and the inspection has been completed by the Water Department; and

WHEREAS, the Public Works Committee has reviewed the application and is recommending approval; and

NOW, THEREFORE BE IT RESOLVED, the Village of Perry Board of Trustees hereby approves the waiver for 57 Gardeau Street per the Policy of Waiving Base Rate Charges for Vacant Units.

Motion was made by Trustee Lapiana and seconded by Trustee Bouchard to adopt the resolution approving the application for base rate waiver which was carried unanimously.

RESOLUTION APPROVING REDUCTION IN MOWING CHARGE FOR 28-30 PARK AVENUE

WHEREAS, the Village of Perry received a request from the owner of 28-30 Park Avenue (Tax parcel # 100.8-4-38) to waive the lawn mowing charges incurred by the prior owner; and

WHEREAS, the property was purchased at the Wyoming County Tax Auction and the owner was unaware that there was an outstanding mowing charge totaling \$675.00; and

WHEREAS, the Public Works Committee has reviewed the request and is recommending a reduction of 50% as the property owner has shown substantial improvements to their properties and has maintained the property in good condition; and

NOW, THEREFORE BE IT RESOLVED, the Village of Perry Board of Trustees hereby approves the reduction in the lawn mowing charge to \$337.50 for tax parcel # 100.8-4-38 and authorizes the Village Clerk or designee to update the amount due.

Mayor Hauser made a motion to adopt the resolution approving a reduction in mowing charges for 28-30 Park Ave. which was seconded by Trustee Bouchard and carried unanimously.

Mayor Hauser mentioned consideration for a property seeking a waiver of late fees for water and sewer charges. There was reference in previous minutes to waiving fees for water and sewer customers in good standing who have not had late fees in 5 years, but no official policy was located. This particular property owner has not owned the property for at least 5 years.

RESOLUTION AMENDING VILLAGE OF PERRY 2023-2024 BUDGET

WHEREAS, the Village of Perry Board of Trustees passed a resolution on March 4, 2024 authorizing the use of \$40,000.00 from the Capital Equipment Reserve for the purchase of a dump truck; and

WHEREAS, the Village of Perry Board of Trustees has authorized the use of ARPA funds for the purchase of a dump truck in an amount not to exceed \$40,000.00; and

WHEREAS, the actual amount needed from ARPA funds totals \$19,535.00; and

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

INCREASE REVENUE: FEDERAL AID, OTHER (A4089)	\$19,535.00
INCREASE REVENUE: INTERFUND TRANSFER (A5031)	\$40,000.00
INCREASE EXPENSE: STREET MAINT. EQUIP (A5110.2)	\$59,535.00

BE IT RESOLVED, that the Village of Perry Board of Trustees hereby amends the 2023-2024 budget to the general fund budget of \$59,535.00.

Motion was made by Trustee Lapiana to adopt the resolution amending the 2023-2024 budget which was seconded by Trustee Bouchard and carried with all voting aye.

RESOLUTION ACCEPTING GRANT FUNDING FROM THE COMMUNITY FOUNDATION FOR GREATER BUFFALO FOR THE SILVER LAKE TRAIL PLANNING

WHEREAS, the Village of Perry applied for funding through the Community Foundation for Greater Buffalo-Ralph C. Wilson Jr. Legacy Fund for Design and Access for the Main Street Trailhead/Peace Park along the Silver Lake Trail; and

WHEREAS, the Village of Perry has received notification of the grant award in the amount of \$25,000; and

NOW, THEREFORE BE IT RESOLVED, that the Perry Village Board of Trustees hereby accepts the \$25,000 grant award; and

BE IT FURTHER RESOLVED, that the Perry Village Board of Trustees hereby authorizes the Mayor and the Village Administrator to execute the agreement and further documentation related to the grant.

Motion was made by Trustee Lapiana to adopt the resolution accepting grant funding from the Community Foundation for Greater Buffalo which was seconded by Trustee Bouchard and carried unanimously.

PUBLIC HEARING AT 8:00PM ON THE 2024-2025 TENTATIVE BUDGET

At 8:00 pm, Mayor Hauser opened the public hearing on the 2024-2025 tentative budget. No changes have been made to the tentative budget since the last meeting. The hearing was later closed at 8:13 pm. Adoption of the budget is planned at the next meeting.

CLERK/DEPUTY TREASURER REPORT

FY 2023-2024

Abstract # 21

Vouchers # 1600 - 1662

General Fund	\$ 39,119.74
Special Grant Fund	\$ -
Water Fund	\$ 21,130.63
Sewer Fund	\$ 17,383.57
Capital Projects Fund	\$ 1,485.00
Trust & Agency	\$ 2,492.33
Silver Lake Watershed Commission	\$ 37.99
<hr/>	
Total	\$ 81,649.26

Vouchers were audited by Trustee Lapiana. Motion was made by Trustee Bouchard to approve payment of abstract #21, vouchers 1600-1662, in the amount of \$81,649.26 which was seconded by Trustee Lapiana and carried with all voting aye.

The clerk also provided the board with a summary of the relevy process and will be seeking approval to relevy unpaid water, sewer, lawn mowing, etc. charges at the next meeting. The Village Hall will be closing at 1:00 on Monday, April 8th for the eclipse which will be advertised.

COMMITTEE REPORTS

Trustee Lapiana spoke to Jim Brick requesting \$10,000 from the Town of Perry towards the tennis courts. Trustee Lapiana and another representative from the village will plan to attend the town board meeting on Wednesday.

Mayor Hauser informed that a policy for hometown hero banners as well as for mobile food vendors are in the works. Amortization of non-conforming properties is getting close to a final local law draft.

EXECUTIVE SESSION

Mayor Hauser made a motion to enter executive session at 8:26 pm to discuss collective negotiations pursuant to article fourteen of the civil service law which was seconded by Trustee Lapiana and carried.

At 9:13 pm, Mayor Hauser made a motion to exit the executive session which was seconded by Trustee Lapiana and carried with all voting aye.

Immediately following, at 9:13 pm, Trustee Lapiana made a motion to adjourn the meeting which was seconded by Trustee Bouchard and carried.

Respectfully submitted
Christina Slusser, Village Clerk