

**VILLAGE OF PERRY
VILLAGE BOARD MEETING MINUTES
SEPTEMBER 3, 2024**

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 3rd day of September 2024.

PRESENT:	Rick Hauser	Mayor
	Arlene Lapiana	Trustee
	Richard Muolo	Trustee
ALSO PRESENT:	Christina Slusser	Village Clerk
ABSENT:	Joel Bouchard	Trustee
	Samantha Marcy	Administrator

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

PUBLIC COMMENT

No comments.

MINUTES

Trustee Lapiana made a motion to approve the minutes from August 19, 2024 which was seconded by Trustee Muolo and carried with all voting aye.

RESOLUTION APPOINTING TREE BOARD MEMBER, SANDY LAWRENCE

WHEREAS, Tree Board Chairperson Dan Zerbe is requesting the appointment of Sandy Lawrence to the Tree Board; and

BE IT RESOLVED, the Village of Perry Board of Trustees hereby appoints Sandy Lawrence to the Tree Board to the term ending March 31, 2027.

Motion was made by Trustee Lapiana appointing Tree Board member Sandy Lawrence which was seconded by Trustee Muolo and carried with all voting aye.

RESOLUTION APPROVING SUBMISSION BY THE PERRY TREE BOARD FOR THE TREE CITY USA REWARD GRANT

WHEREAS, the Perry Tree Board has applied for the 2024 NYS Urban Forestry Council Tree City USA Reward Grant for up to \$1,000.00 to plant new trees on Tempest Street; and

BE IT RESOLVED, that the Village of Perry Board of Trustees hereby approves the submission of the 2024 Tree City USA Reward Grant application and authorizes the Administrator to sign the application.

Motion to adopt the resolution approving submission by the Perry Tree Board for the Tree City USA grant was made by Trustee Lapiana, seconded by Trustee Muolo, and carried with all voting aye.

RESOLUTION AUTHORIZING BUDGET AMENDMENTS TO THE 2024-2025 VILLAGE OF PERRY BUDGET

WHEREAS, the Police Department has received an insurance payment for a totaled police vehicle; and

WHEREAS, the Village Administrator is proposing the following budget amendments to reflect the payment and allow for replacement:

Budget Amendment:

INCREASE REVENUE: A2680 (Insurance Recoveries)	\$ 28,891.00	
INCREASE EXPENSE: A3120.2 (Police Equipment)		\$ 28,891.00

WHEREAS, the final BAN payment on the 2022 Hybrid Police Vehicle has been paid and the Village Administrator is proposing the following budget amendments to reflect the correct account codes for payment:

Budget Amendment:

INCREASE EXPENSE: A9730.6 (BAN, Principal)	\$ 14,730.80	
INCREASE EXPENSE: A9730.7 (BAN, Interest)	\$ 805.69	
DECREASE EXPENSE: A3120.2 (Police Equipment)		\$ 15,536.49

BE IT RESOLVED, that the Village of Perry Board of Trustees hereby approves the budget amendments and hereby authorizes the Village Administrator to make the budget amendment to the 2024-2025 Village of Perry budget.

Trustee Lapiana made a motion to approve the resolution authorizing budget amendments to the 2024-2025 Village of Perry budget which was seconded by Trustee Muolo and carried with all voting aye.

**RESOLUTION TO SET A PUBLIC HEARING
TO DISCUSS THREE PROPOSED LOCAL LAWS
REGARDING THE VILLAGE OF PERRY ZONING CODE**

Adopted: September 3, 2024

WHEREAS, the Village Board of the Village of Perry met at a regular board meeting at the Village Offices of the Village of Perry, State of New York, on the 3rd day of September 2024, commencing at 7:30 p.m., at which time and place the following members were:

Present: Mayor Rick Hauser
Trustee Arlene Lapiana
Trustee Richard Muolo

Absent: Trustee Joel Bouchard

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, the Village Board of the Village of Perry, New York (the “Board”) desires to amend the Zoning Code of the Village of Perry (the “Code”) in order to bring the same into compliance with the Village Comprehensive Plan and the long term planning goals of the Village of Perry (the “Village”); and

WHEREAS, the Board is considering the adoption of three local laws to meet the aforesaid desires, to wit:

- i. A PROPOSED LOCAL LAW ENTITLED “AMENDING CHAPTER 490 (‘ZONING’) AND ‘ATTACHMENT 2, VILLAGE OF PERRY USE TABLE’ IN THE VILLAGE OF PERRY ZONING CODE SO AS TO ADD A DEFINITION AND USES FOR ‘PET GROOMING’ AND BRING THE USE TABLE INTO COMPLIANCE WITH THE VILLAGE COMPREHENSIVE PLAN AND THE LONG TERM PLANNING GOALS OF THE VILLAGE”;
- ii. A PROPOSED LOCAL LAW ENTITLED “AMENDING CHAPTER 490 (‘ZONING’) AND ‘ATTACHMENT 3, VILLAGE OF PERRY ZONING MAP’ IN THE VILLAGE OF PERRY ZONING CODE SO AS TO REZONE CERTAIN PARCELS AND BRING THE VILLAGE ZONING MAP INTO COMPLIANCE WITH THE VILLAGE COMPREHENSIVE PLAN AND THE LONG TERM PLANNING GOALS OF THE VILLAGE OF PERRY”
- iii. A PROPOSED LOCAL LAW ENTITLED “AMENDING CHAPTER 490 (“ZONING”) TO ADD § 490-15(K) ALLOWING FOR AMORTIZATION OF NONCONFORMING LOTS, STRUCTURES OR USES WITHIN THE C1DISTRICT”; and

WHEREAS, the amendments to the Code considered under these Local Laws have been reviewed by the Village Planning Board; and

WHEREAS, prior to the passing and adoption of aforesaid Local Laws, a Public Hearing must be ordered, the date and time of which, with description of the matter being considered, to be duly published and posted; and

WHEREAS, the Board is required to refer actions of the nature considered under the proposed Local Laws to the Wyoming County Planning Board pursuant to GML 239-I for comments; and

WHEREAS, the Board desires to refer such proposed Local Laws to the Wyoming County Planning Board prior to the Public Hearing with the hope of having received said comments from the Wyoming County Planning Board for discussion at the Public Hearing; and

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

ORDERED, that the Village Clerk publish a Notice of Public Hearing calling for said Public Hearing on the 16th day of September, 2024 at 8:00 pm, as well as the proposed Local Laws on the sign board of the Village of Perry not less than ten (10) days before the date of such public hearing; and be it

FURTHER ORDERED, that a copy of the Notice of Public Hearing and proposed Local Laws be made available in the Village Clerk's Office and on the Village website during regular office hours; and be it

FURTHER ORDERED, that the proposed Local Laws be referred to the Wyoming County Planning Board for comment upon the adoption of this Resolution.

Ayes: 3

Nays: 0

Quorum Present: Yes No

As indicated in the resolution above, Mayor Hauser made a motion to set a public hearing on the 16th day of September for the three proposed local laws indicated. Trustee Lapiana seconded this motion and it was carried.

RESOLUTION ACCEPTING RESIGNATION OF VILLAGE BOARD MEMBER, DARIEL DRAPER

WHEREAS, Mr. Dariel Draper has tendered his resignation from the position of Village Board Member effective August 30, 2024; and

WHEREAS, Mr. Dariel Draper has served on the Village Board since April 2011; and

NOW, THEREFORE BE IT RESOLVED, the Village of Perry Board hereby accepts the resignation of Mr. Draper, thanks him for his 13+ years of service and contributions to the Village of Perry, and wishes him well.

Mayor Hauser made a motion to adopt the resolution accepting the resignation of Dariel Draper which was seconded by Trustee Lapiana and carried with all voting aye.

APPOINTMENTS TO OPEN COMMITTEE SEATS DUE TO DARIEL DRAPER’S RESIGNATION

Mayor Hauser made a motion to appoint Trustee Bouchard to the Public Safety Committee and Trustee Muolo to the Public Works Committee. This motion was seconded by Trustee Lapiana and carried unanimously.

CLERK/DEPUTY TREASURER REPORT

VILLAGE OF PERRY

Abstract # 007

08/30/2024
09:56:10

Summary by Fund

Code	Fund	Prepays	Unpays	Totals
A	GENERAL FUND	1,515.68	75,691.28	77,206.96
F	WATER FUND	259.12	7,759.99	8,019.11
G	SEWER FUND	82.88	7,300.91	7,383.79
HE	CDBG STORMWATER IMPROVEMENTS P		172.50	172.50
JA	SILVER LAKE WATERSHED COMMISSI	37.99	172.34	210.33
TA	TRUST & AGENCY		2,860.72	2,860.72
Total:		1,895.67	93,957.74	95,853.41

Vouchers #455-512 were audited by Trustee Lapiana

Trustee Muolo made a motion to approve payment of abstract #7, vouchers #455-512 for a total of \$95,853.41 which was seconded by Mayor Hauser and carried unanimously. An updated trial balance for tax collection was also provided.

DEPARTMENT REPORTS

Nothing to review.

COMMITTEE/TRUSTEE REPORTS

Trustee Lapiana reported that a new police car is getting detailed for the SRO. Fire Committee was cancelled.

Trustee Muolo reported that the Office Committee is looking at language updates to the handbook and a suggested change in usage for time off in 1 hour increments for sick time.

Mayor Hauser would like to reestablish conversations regarding the fire districts. The state continues to increase requirements for training making it more difficult to operate and could cut down on who can serve.

The Town of Perry is pursuing a solar project at the property adjacent to the Village's Sewer Treatment Plant. The town has engaged with Genie Solar and has preliminary plans for solar panels there. Genie Solar would like to access the town parcel through the Sewer Treatment Plant access road, but it would need to be rebuilt to allow access for heavy trucks, tree removal, and concrete pours. An easement would be needed to maintain access for a minimum of 20 years. There could be a payment for the easement, so the board should consider the benefit to the village.

Tim Cipolla has a proposal to place seasonal cabins off of Gardeau Rd, a large parcel behind the medical center along the creek on Gardeau. The Village of Perry is looking to get an easement for the trail through there. Cipolla could create a subdivision for this, but Mayor Hauser suggests expanding the existing campground law. The Planning Board has been asked to look into this and provide a recommendation to the Village Board.

There are no updates on the DRI status. The state is another 4-6 weeks behind to get contracts started. Per Mayor Hauser, the village can start with an RFP for surveyors for the trail and an RFP for grant administration for the small projects fund in preparation for property owners to apply for funding and try to get in a position to build next year.

With no further business and nothing for executive session, Trustee Lapiana made a motion to adjourn the meeting at 8:12 pm which was seconded by Trustee Muolo and carried.

Respectfully Submitted,
Christina Slusser, Village Clerk