

**VILLAGE OF PERRY**  
**VILLAGE BOARD MEETING MINUTES**  
**OCTOBER 7, 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 7<sup>th</sup> day of October 2024.

PRESENT:	Rick Hauser	Mayor
	Arlene Lapiana	Trustee
	Joel Bouchard	Trustee
	Richard Muolo	Trustee
ALSO PRESENT:	Samantha Marcy	Administrator
	Christina Slusser	Village Clerk
GUESTS:	Lorraine Sturm	Perry Herald
	Jenelle Lapiana	

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

**PUBLIC COMMENT**

No comments.

**MINUTES**

Motion to approve the minutes from September 3<sup>rd</sup>, September 16<sup>th</sup>, September 25<sup>th</sup>, and September 27<sup>th</sup>, 2024, was made by Trustee Lapiana, seconded by Trustee Muolo, and carried unanimously.

**RESOLUTION APPROVING MEMBERSHIP TO THE PERRY FIRE DEPARTMENT**

**WHEREAS**, the Perry Fire Department Chief has provided the Village with the consideration of three new members, Aiden Wolcott, Elmer Provorse, and Jeremy Krawczyk; and

**WHEREAS**, the new members have been interviewed by the Fire Department and voted favorably by the membership pending Village Board approval; and

**NOW THEREFORE BE IT RESOLVED**, that the Village Board of Trustees hereby approves the new members, Aiden Wolcott, Elmer Provorse, and Jeremy Krawczyk, to the Village of Perry Fire Department.

Trustee Lapiana made a motion to adopt the resolution approving membership to the Perry Fire Department for Aiden Wolcott, Elmer Provorse, and Jeremy Krawczyk which was seconded by Trustee Bouchard and carried with all voting aye.

**RESOLUTION UPDATING THE VOUCHER AUDITING SCHEDULE FOR 2024-2025**

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

October 2024	Muolo
November	Bouchard
December	Lapiana
January 2025	Muolo
February	Bouchard
March	Lapiana
April 2025	Muolo

Trustee Muolo made a motion to adopt the updated voucher auditing schedule which was seconded by Trustee Lapiana and carried with all voting aye.

**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, Trustee Arlene Lapiana, Treasurer Samantha Marcy, and Village Clerk Christina Slusser.

Trustee Bouchard made a motion to adopt the resolution authorizing countersigning checks which was seconded by Trustee Muolo and carried unanimously.

**RESOLUTION DECLARING VILLAGE EQUIPMENT AND VEHICLES AS SURPLUS**

**WHEREAS**, the Village of Perry maintains a fleet of equipment to support the efficient care and maintenance of Village assets; and

**WHEREAS**, through the natural wear and tear cycle, equipment reaches the close of its useful contribution to Village operations; and

**WHEREAS**, the Department of Public Works maintains a 2014 IH Dump/Plow Truck (#346) that has reached the conclusion of their useful life for department needs; and

**NOW, THEREFORE BE IT RESOLVED**, that the Perry Village Board of Trustees does hereby declare the items listed in this resolution as surplus equipment; and

**BE IT FURTHER RESOLVED**, that the Village Administrator is authorized to auction the equipment as is deemed appropriate.

Trustee Lapiana made a motion to adopt the resolution declaring village equipment and vehicles as surplus. This motion was seconded by Trustee Bouchard and carried unanimously.

**RESOLUTION APPROVING LETTER OF AGREEMENT WITH INDEPENDENT CONTRACTOR FOR LETCHWORTH GATEWAY VILLAGES, SARAH KEELER**

**WHEREAS**, Emily Ashworth, Director of Letchworth Gateway Villages (“LGV”), has requested to contract with Sarah Keeler for professional services; and

**WHEREAS**, the agreement will be effective July 1, 2024 – December 31, 2024 for a total not to exceed \$5,400.00; and

**BE IT RESOLVED**, the Village of Perry Board of Trustees hereby approves the Agreement with Sarah Keeler and authorizes the Mayor to execute the Letter of Agreement.

Mayor Hauser made motion to approve the Letchworth Gateway Villages agreement with Sarah Keeler which was seconded by Trustee Lapiana and carried with all voting aye.

**RESOLUTION APPROVING CONTRACT FOR FIRE PROTECTION SERVICES WITH THE TOWN OF CASTILE**

**WHEREAS**, the Village of Perry provides fire protection to the Town of Castile; and

**WHEREAS**, the Village of Perry and Town of Castile current Fire Protection Contract expires on December 31, 2024; and

**WHEREAS**, a three-year agreement with a \$500.00 increase each year of the contract has been provided; and

**BE IT RESOLVED**, the Perry Village Board of Trustees approves the Fire Protection Contract with the Town of Castile for a three-year term and authorizes the Mayor to execute the contract.

The fee for fire protection services is currently \$18,000 per year. This agreement includes a \$500.00 increase for three years. Trustee Lapiana made a motion to approve the contract for fire protection services with the Town of Castile which was seconded by Trustee Muolo and carried unanimously.

**RESOLUTION APPROVING THE SNOW & ICE CONTROL AGREEMENT WITH WYOMING COUNTY**

**WHEREAS**, the Village of Perry enters into a snow and ice control agreement with Wyoming County for the control of snow and ice on county highways; and

**WHEREAS**, Wyoming County has submitted a three year agreement with a \$100.00 per centerline mile increase for each year of the contract; and

**NOW, THEREFORE BE IT RESOLVED**, the Village of Perry Board hereby approves the Snow and Ice Control Agreement with Wyoming County for contract years 2025-2026, 2026-2027, and 2027-2028; and

**BE IT FURTHER RESOLVED**, the Village of Perry Board authorizes the Mayor to execute the agreement.

Trustee Lapiana made a motion to approve the Snow and Ice agreement with Wyoming County. This motion was seconded by Trustee Muolo and carried with all voting aye.

### **RESOLUTION AMENDING POLICY OF WAIVING BASE RATE CHARGES FOR VACANT UNITS**

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

**WHEREAS**, the Public Works Committee is recommending an amendment to the Policy of Waiving Base Rates Charges for Vacant Units; and

**BE IT RESOLVED**, that the Perry Village Board of Trustees hereby amends the Policy of Waiving Base Rate Charges for Vacant Units.

This resolution adds the following language as item number 6 under Procedure & Guidelines of the Policy of Waiving Base Rate Charges for Vacant Units.

**“If the property owner is unable to reasonably install separate meters for each unit, the property owner can provide a certified letter from the Wyoming County Code Enforcement Officer that there is no occupancy allowed in the specified units that the waiver is being requested for. The property owner is still required to fill out the application, pay the application fee, and have a yearly inspection completed. The property owner is required to notify the Village of Perry when the unit receives a Certificate of Occupancy.”**

Mayor Hauser made a motion to adopt the resolution amending the Policy of Waiving Base Rate Charges for Vacant Units which was seconded by Trustee Bouchard and carried with all voting aye.

### **RESOLUTION AUTHORIZING ESTIMATED WATER/SEWER BILL AND ACCOUNT TO BE CONSIDERED IN GOOD STANDING**

**WHEREAS**, an issue with the water meter was discovered at 1 N. Main St. and 5 N. Main St. (tax parcels #100.7-10-21 and #100.7-10-22) and since then has been corrected; and

**WHEREAS**, water and sewer usage is owed to the Village of Perry from 2018 and the usage has been estimated based on average consumption; and

**WHEREAS**, the total estimated amount due for water consumption is \$2,070.85 and sewer usage is \$3,587.70; and

**BE IT RESOLVED**, that the Village of Perry Board of Trustees hereby authorizes the Village Clerk to send the bill to the property owner in the amount of \$5,658.55; and

**BE IT RESOLVED**, since the meter issue has been corrected and upon payment of the bill, the account will be considered in good standing.

The property owner is aware and agrees with the estimated charges. Motion was made by Trustee Lapiana to adopt the resolution authorizing the estimated water/sewer bill which was seconded by Trustee Muolo and carried with all voting aye.

#### **RESOLUTION ADOPTING THE PRO-HOUSING COMMUNITIES PLEDGE**

**WHEREAS**, the Village of Perry (hereinafter “local government”) believes that the lack of housing for New York residents of all ages and income levels negatively impacts the future of New York State’s economic growth and community well-being; and

**WHEREAS**, the housing crisis has negative effects at regional and local levels, we believe that every community must do their part to contribute to housing growth and benefit from the positive impacts a healthy housing market brings to communities; and

**WHEREAS**, we believe that supporting housing production of all kinds in our community will bring multiple benefits, including increasing housing access and choices for current and future residents, providing integrated accessible housing options that meet the needs of people with sensory and mobility disabilities, bringing economic opportunities and vitality to our communities, and allowing workers at all levels to improve their quality of life through living closer to their employment opportunities; and

**WHEREAS**, we believe that evidence showing that infill development that reduces sprawl and supports walkable communities has significant environmental and public health benefits; and

**WHEREAS**, we believe that affirmatively furthering fair housing and reducing segregation is not only required by law, but is essential for keeping our community strong and vibrant; and

**NOW, THEREFORE, IT IS HEREBY RESOLVED** that the Village of Perry, in order to take positive steps to alleviate the housing crisis, adopts the Pro-Housing Communities pledge, which will have us endeavor to take the following important steps:

1. Streamlining permitting for multifamily housing, affordable housing, accessible housing, accessory dwelling units, and supportive housing.
2. Adopting policies that affirmatively further fair housing.
3. Incorporating regional housing needs into planning decisions.
4. Increasing development capacity for residential uses.
5. Enacting policies that encourage a broad range of housing development, including multifamily housing, affordable housing, accessible housing, accessory dwelling units, and supportive housing.

Trustee Muolo made a motion to adopt the Pro-Housing Communities Pledge which was seconded by Trustee Lapiana and carried unanimously.

**RESOLUTION AUTHORIZING BUDGET TRANSFERS AND AMENDMENTS TO THE 2024-2025 VILLAGE BUDGET**

**WHEREAS**, the Village Administrator is proposing the following Budget Transfers to correct overspent accounts for the 2024-2025 fiscal year:

**General Fund:**

Increase:	A1010.41 (Board of Trustees – Labor Relations)	\$3,270.96	
Decrease:	A1325.4 (Treasurer – Contractual)		\$3,270.96
Increase:	A8540.4 (Drainage – Contractual)	\$726.70	
Decrease:	A5110.4 (Street Maintenance - Contractual)		\$726.70

**WHEREAS**, the Village Administrator is proposing the following Budget Amendment to appropriately show the balance of CHIPS money spent for paving for the 2024-2025 fiscal year:

Increase Revenue:	A3501 (Consolidated Highway Aid)	\$22,105.50	
Increase Expense:	A5112.2 (Perm Streets Improvements)		\$22,105.50

**WHEREAS**, the Village Administrator is proposing the following Budget Amendment to appropriately show interfund transfers for the tennis court project for the 2024-2025 fiscal year:

Debit:	A4089 (Federal Aid – ARPA)	\$13,350.00	
Credit:	A9901.9 (Transfers)		\$13,350.00
Debit:	A878 (Capital Reserves)	\$15,000.00	
Credit:	A9901.9 (Interfund Transfer)		\$15,000.00

**WHEREAS**, the Village Administrator is proposing the following Budget Amendment to move money from unallocated fund balance to the general fund for the purposes of purchasing a used street sweeper for the 2024-2025 fiscal year:

Debit:	A599 (Unallocated Fund Balance)	\$40,000.00	
Credit:	A5110.2 (Street Maintenance – Equipment)		\$40,000.00

**BE IT RESOLVED**, that the Village of Perry Board of Trustees hereby authorizes the Village Administrator to make the above budget transfers and amendments for the 2024-2025 fiscal year; and

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

**RESOLUTION AUTHORIZING USE OF AMERICAN RESCUE PLAN ACT FUNDS**

**WHEREAS**, the Village of Perry was awarded \$357,742.50, in American Rescue Plan Act (ARPA) funds; and

**WHEREAS**, at the September 25, 2024, Village Board meeting, the Board of Trustees discussed utilizing the remaining ARPA funds towards sidewalks and paving in an amount not to exceed \$88,666.62 and towards the Silver Lake Trail Boardwalk project in an amount not to exceed \$75,000.00; and

**NOW, THEREFORE BE IT RESOLVED**, that the Perry Village Board of Trustees hereby authorizes the use of ARPA funds towards sidewalks and paving in amount not to exceed \$88,666.62 and the Silver Lake Trail Boardwalk project in an amount not to exceed \$75,000.00.

**VILLAGE OF PERRY VILLAGE BOARD  
RESOLUTION SETTING A PUBLIC HEARING AND AUTHORIZING THE EXPENDITURE OF  
\$20,000.00 FROM THE REPAIR RESERVE FUND  
SUBJECT TO PERMISSIVE REFERENDUM**

The Village Board of the Village of Perry met at a Village Board meeting at the Village Offices in the Village of Perry, New York on the 7th day of October 2024, commencing at 7:30 p.m. at which time and place the following members were:

Present:	Mayor	Rick Hauser
	Trustee	Arlene Lapiana
	Trustee	Joel Bouchard
	Trustee	Richard Muolo

**WHEREAS**, all Village Board Members, having due notice of said meeting, and that pursuant to Section 94 of the Public Officers Law (Public Meetings 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 of Perry, pursuant to Section 6-c of the General Municipal Law, duly established a Repair Reserve Fund on the 4<sup>th</sup> day of May 2009 to pay the cost of certain repairs of capital improvement or equipment deemed necessary by the Village Board; and

**WHEREAS**, the Village Board of the Village of Perry has determined that it is necessary and in the best interests of said Village to repair the body of truck #292, a 2006 Dump Truck; and

**WHEREAS**, the available balance of the Repair Reserve Fund as of September 30, 2024 is \$94,688.97; and

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

**NOW, THEREFORE BE IT RESOLVED**, that the Village Board of the Village of Perry has determined that it is in the best interest of said Village to repair the body of dump truck #292; and be it further

**RESOLVED**, that the Village Board of the Village of Perry will hold a public hearing on the proposed action on the 21<sup>st</sup> day of October, 2024 at 7:45p.m., at which time all interested parties and citizens for or against the proposed action will be heard; and

**RESOLVED**, that the Village Board of the Village of Perry authorizes the Mayor of the Village of Perry to, contingent upon the passage of the permissive referendum period required under law without petition for a permissive referendum, to expend up to \$20,000.00 from the Repair Reserve fund for the repair of the body of dump truck #292; and be it further

**RESOLVED**, that the Village Clerk hereby is directed to publish an abstract of this resolution concisely stating the purpose and effect thereof in the Village's Official newspaper within ten (10) days after the date of the adoption; and be it further

**RESOLVED**, that said resolution shall not take effect until thirty (30) days after its adoption or until approved by the affirmative vote of a majority of the qualified electors of the Village of Perry.

Aye: 4

Nay: 0

Quorum Present:  X  Yes      No

**RESOLUTION AUTHORIZING TRANSFER FROM THE VILLAGE OF PERRY GENERAL FUND TO RESERVE FUNDS**



**BE IT RESOLVED**, that the Village of Perry Board of Trustees hereby authorizes the transfer of \$4,323.00 from A7110.2 in the 2024-2025 Village of Perry General Fund Operating Budget to the Main Street Trailhead/Peace Park Capital Project Fund.

The above financial resolution were approved with one motion. Mayor Hauser made a motion to adopt the bundled financial resolutions from budget transfers through Main Street Trailhead which was seconded by Trustee Lapiana and carried with all voting aye.

**VILLAGE OF PERRY**

**REVISED**

**Abstract # 009  
Summary by Fund**

10/07/2024  
13:25:48

<b>Code</b>	<b>Fund</b>	<b>Prepays</b>	<b>Unpays</b>	<b>Totals</b>
A	GENERAL FUND	909.17	50,880.74	51,789.91
F	WATER FUND	259.16	18,726.39	18,985.55
G	SEWER FUND	1,965.51	3,572.41	5,537.92
H	CAPITAL PROJECTS FUND		43,511.50	43,511.50
HF	WATER TREATMENT PLANT PROJECT		517.50	517.50
HS	CAPITAL PROJECT - SEWER IMPROV		621.00	621.00
JA	SILVER LAKE WATERSHED COMMISSI	37.99	17.95	55.94
TA	TRUST & AGENCY		3,565.68	3,565.68
<b>Total:</b>		<b>3,171.83</b>	<b>121,413.17</b>	<b>124,585.00</b>

The clerk report was revised from the agenda packet due to last minute additions. Vouchers were audited by Trustee Muolo. Motion to approve payment of abstract #9, vouchers #596-691 for a total of \$124,585 was made by Trustee Lapiana, seconded by Trustee Bouchard and carried with all voting aye. An updated trial balance from the tax collection program was provided. Late tax notices were mailed out on 9/5/2024; 179 bills to 124 property owners.

**TRUSTEE REPORTS**

Trustee Bouchard met with the Park Committee to discuss trail improvements, trail steward duties, dock lighting, and peace garden sculptures.

Trustee Muolo has not had any meeting since the last board meeting, but reports the patching of Covington Street.

Trustee Lapiana had a meeting with the Town of Perry ambulance. There were 109 calls in the month of June and small asks from the ambulance crew. The lifespan of the Tesla is winding down. The department will look into a replacement when needed.

Mayor Hauser met with Charlotte Brett, the head consultant with Land Ethic, regarding the LWRP, a program the county is facilitating. They intend to propose to the state that the village boundary for the LWRP be the entire village rather than a distance from the lake since a creek runs through the village. Work is being done with the Design and Access Grant, a funding source through Ralph Wilson, by getting some quotes. There is still no update on the DRI.

Mayor Hauser made the appointment of Robin Kwiecien to fill the vacant seat on the Village Board that was occupied by Deputy Mayor Draper. Robin Kwiecien has lived in Perry for 44 years and has served many community service roles. Trustee Muolo made a motion to endorse Mayor Hauser's appointment which was seconded by Trustee Lapiana and carried.

With nothing for executive session, at 8:16 pm motion to adjourn was made by Trustee Lapiana, seconded by Trustee Bouchard, and carried.

Respectfully submitted,  
Christina Slusser, Village Clerk