



## ***Village of Perry Board of Trustees***

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Village Board Meeting • Agenda • Monday, May 2, 2022 • 7:30 PM

Village Board Room • 46 N Main Street, Perry, NY 14530

1. Open Meeting and Pledge of Allegiance
2. Public Comment
  - a. Public Hearing at 8:00pm on the Proposed Sewer Use Law & Increases in Quarterly Base Rates and Usage Rate per 1,000 Gallons
3. Presentations & Board Actions
  - a. Approval of Minutes – April 18, 2022
  - b. Resolution Approving the 2021 Annual Drinking Water Quality Report
  - c. Resolution Approving School Resource Officer Agreement Between the Village of Perry and the Perry Central School District
  - d. Resolution Approving Event Requests and Police Support
  - e. Resolution Appointing Seasonal Laborer, Jase Stone
  - f. Resolution Accepting WIIA Grant Award for the Water Treatment Plant Improvements Project No. 18898
  - g. Resolution Authorizing Budget Amendment and Transfer to the 2021-2022 Village Budget
  - h. Resolution to Adopt the Proposed Sewer Use Law & Increases in Quarterly Base Rates and Usage Rate per 1,000 Gallons
  - i. Resolution Approving Payment #8 for Village Hall Project
4. Clerk/Deputy Treasurer's Report
5. Department Reports
6. Trustee Reports
7. Executive Session, as requested

**VILLAGE OF PERRY  
VILLAGE BOARD MEETING MINUTES  
APRIL 18, 2022**

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 18<sup>th</sup> day of April 2022.

|               |                   |               |
|---------------|-------------------|---------------|
| PRESENT:      | Rick Hauser       | Mayor         |
|               | Jacquie Billings  | Trustee       |
|               | Arlene Lapiana    | Trustee       |
|               | Ernie Lawrence    | Trustee       |
| ALSO PRESENT: | Samantha Pierce   | Administrator |
|               | Christina Slusser | Village Clerk |
| GUESTS:       | Lorraine Sturm    | Perry Herald  |
| ABSENT:       | Daniel Draper     | Trustee       |

Mayor Hauser called the meeting to order at 7:30 pm and led in the pledge to the flag.

**PRESENTATIONS & BOARD ACTIONS**

**MINUTES**

Motion to approve the minutes from the regular board meeting on April 4, 2022 was made by Trustee Billings, seconded by Trustee Lapiana, and carried with all voting aye.

**VILLAGE OF PERRY RESOLUTION TO SCHEDULE A PUBLIC HEARING  
REGARDING INCREASES IN QUARTERLY BASE RATES AND USAGE RATE PER 1,000 GALLONS**

Adopted: April 18, 2022

The Village Board of the Village of Perry met at a regular board meeting at the Village Hall of the Village of Perry, on the 18<sup>th</sup> day of April 2022, commencing at 7:30 p.m. and the following members were:

|          |         |                  |
|----------|---------|------------------|
| Present: | Mayor   | Rick Hauser      |
|          | Trustee | Jacquie Billings |
|          | Trustee | Arlene Lapiana   |
|          | Trustee | Ernie Lawrence   |
| Absent:  | Trustee | Daniel Draper    |

**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**, for public health and safety benefit, the Village of Perry is planning to undergo significant wastewater treatment plant upgrades with an estimated cost of \$13,200,000.00; and

**WHEREAS**, relative to the significant wastewater treatment plant upgrades, the Village Board of the Village of Perry wishes to increase their current quarterly base rate of \$60.00 (for Village residents) by \$4.50 effective June 1<sup>st</sup> of 2022 and \$4.50 effective June 1<sup>st</sup> of 2023; and

**WHEREAS**, relative to the significant wastewater treatment plant upgrades, the Village Board of the Village of Perry wishes to increase their current usage rate per 1,000 gallons of \$7.30 (for Village residents) by \$0.55 effective June 1<sup>st</sup> of 2022 and \$0.55 effective June 1<sup>st</sup> of 2023; and

**WHEREAS**, the Village of Perry wishes to increase the current quarterly base rate for Out of District Users of \$75.00 by \$5.75 effective June 1<sup>st</sup> of 2022 and \$5.50 effective June 1<sup>st</sup> of 2023; and

**WHEREAS**, the Village of Perry wishes to increase the current usage rate per 1,000 gallons for Out of District Users of \$9.00 by \$0.80 effective June 1<sup>st</sup> of 2022 and \$0.70 effective June 1<sup>st</sup> of 2023; and

**WHEREAS**, the proposed quarterly base rates and usage rate per 1,000 gallons for both Village residents and out of district users are as follows:

Proposed Rates for Village Residents

| <u>Year</u>  | <u>Quarterly Base Rate</u> | <u>Usage Rate per 1,000 gallons</u> |
|--------------|----------------------------|-------------------------------------|
| June 1, 2022 | \$64.50                    | \$7.85                              |
| June 1, 2023 | \$69.00                    | \$8.40                              |

Proposed Rates for Out of District Users

| <u>Year</u>  | <u>Quarterly Base Rate</u> | <u>Usage Rate per 1,000 gallons</u> |
|--------------|----------------------------|-------------------------------------|
| June 1, 2022 | \$80.75                    | \$9.80                              |
| June 1, 2023 | \$86.25                    | \$10.50                             |

**WHEREAS**, the Village Board of the Village of Perry believes it to be in the best interest of the Village of Perry to hold a public hearing to consider the proposed quarterly base rate and usage rate per 1,000 gallons increases and usage.

**NOW ON MOTION OF** Trustee Billings which has been duly seconded by Trustee Lapiana, now therefore, be it

**RESOLVED**, that Village Board of the Village of Perry will hold a public hearing on the proposed quarterly base rate and usage rate per 1,000 gallons increases on the 2<sup>nd</sup> day of May, 2022 at 8:00 p.m., at which time all interested parties and citizens for or against the proposed local law will be heard.

#### **RESOLUTION ADOPTING THE 2022-2023 FISCAL YEAR VILLAGE OF PERRY OPERATING BUDGET**

**WHEREAS**, the Village of Perry Board of Trustees held a public hearing on April 4, 2022 at 8:00pm on the tentative budget including the Village's general, water and sewer funds, and elected officials salaries; and

**WHEREAS**, the 2022-2023 fiscal year budget with a total amount of \$4,569,576 is not tax cap compliant with no increase to the tax rate from the 2021-2022 fiscal year; and

**WHEREAS**, the Village of Perry Board of Trustees held a public hearing on March 7, 2022 at 8:00pm on the local law to override the tax cap and adopted the resolution; and

**BE IT RESOLVED**, that the Tentative budget is hereby adopted and approved by the Village of Perry Board of Trustees and is hereby established as the annual budget for the Village of Perry for the 2022-2023 fiscal year; and

**BE IT FURTHER RESOLVED**, that the Village Administrator and Village Clerk shall prepare and certify the 2022-2023 budget as provided by law, and duplicate copies of the 2022-2023 adopted budget shall be given to the Mayor, the Village Board, Village Department Heads and submitted to the New York State Office of the Comptroller.

Trustee Lapiana made a motion to adopt the 2022-2023 fiscal year Village of Perry operating budget which was seconded by Trustee Lawrence and carried with all voting aye.

#### **RESOLUTION APPROVING PAYMENTS FOR WASTEWATER TREATMENT PLANT PROJECT**

**WHEREAS**, the Village Clerk has received pay app #11 from the general contractor, Crane-Hogan Structural Systems, Inc., for the waste water treatment plant project in the amount of \$465,328.92; and

**WHEREAS**, the Village Clerk has received pay app #6 from the electrical contractor, M.W. Controls Service, Inc. for the waste water treatment plant project in the amount of \$9,070.72 and

**WHEREAS**, the Village Clerk has received pay app #4 from the HVAC contractor, John W. Danforth Company for the waste water treatment plant project in the amount of \$8,512.00; 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:

|                                      |              |
|--------------------------------------|--------------|
| Crane-Hogan Structural Systems, Inc. | \$465,328.92 |
| M.W. Controls Service, Inc.          | \$9,070.72   |
| John W. Danforth Company             | \$8,512.00   |

Motion to adopt the resolution approving the above payment for the Wastewater Treatment Plant project was made by Trustee Billings, seconded by Trustee Lapiana, and carried unanimously.

#### **RESOLUTION APPROVING PAYMENT #9 FOR VILLAGE HALL PROJECT**

**WHEREAS**, the Village Administrator has received pay app #9 from the contractor for the Village Hall Project; and

**WHEREAS**, pay app #9 was received from the Picone Construction Corporation in the amount of \$29,464.73; and

**BE IT RESOLVED**, that the Perry Village Board of Trustees hereby approves the following payment for Pay App #9 and directs the Village Clerk to submit a voucher for payment:

|                                 |                  |
|---------------------------------|------------------|
| Picone Construction Corporation | \$29,464.73; and |
|---------------------------------|------------------|

**BE IT RESOLVED**, that the Perry Village Board of Trustees hereby authorizes the Mayor to execute the payment certification.

Motion to adopt the resolution approving payment #9 for the Village Hall project was made by Trustee Lapiana, seconded by Trustee Billings, and carried unanimously.

#### **RESOLUTION APPROVING THE WYOMING COUNTY YMCA SUMMER RECREATION PROGRAM PROPOSAL**

**WHEREAS**, the Parks Committee has reviewed the YMCA proposal for the summer recreation program and have noted no significant changes from the prior year; and

**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 \$5,500 for the 2022 program; and

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

Trustee Lawrence made a motion to approve the proposal for the YMCA summer recreation program which was seconded by Trustee Lapiana and carried with all voting aye.

#### **RESOLUTION AUTHORIZING BUDGET TRANSFERS TO THE 2021-2022 VILLAGE BUDGET**

**WHEREAS**, the Village Administrator is proposing the following Budget Transfers to correct overspent accounts and planned expenditures for the 2021-2022 fiscal year:

|           |                                              |            |
|-----------|----------------------------------------------|------------|
| Increase: | G8130.2 (Sewage Treatment Plant-Equipment)   | \$5,000.00 |
| Decrease: | G8130.4 (Sewage Treatment Plant-Contractual) |            |
|           | \$5,000.00                                   |            |

**BE IT RESOLVED**, that the Village of Perry Board of Trustees hereby authorizes the Village Administrator to make the above budget transfers for the 2021-2022 fiscal year; and

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

Trustee Billings made a motion authorizing the above budget transfers which was seconded by Trustee Lapiana and carried with all voting aye.

#### **RESOLUTION AUTHORIZING DENTAL AND VISION INSURANCE PLANS FOR THE 2022-2023 RENEWAL CYCLE**

**WHEREAS**, the Village of Perry currently offers employees with dental and vision insurance through CSEA Employee Benefit Fund; and

**WHEREAS**, the Village Administrator is recommending to continue with the current plans: Equinox Dental Plan and Platinum 12 Vision Plan at the current employee contribution rates per the employee handbook and union agreements; and

**NOW, THEREFORE BE IT RESOLVED**, that the Perry Village Board of Trustees hereby approves the recommendation to continue offering the Equinox Dental Plan and Platinum 12 Vision Plan for the 2022-2023 renewal year; and

**BE IT FURTHER RESOLVED**, the Perry Village Board directs the Village Administrator to execute any and all documents relative to the dental and vision insurance services for the upcoming plan year.

Trustee Lapiana made a motion to authorize the dental and vision insurance plans for the 2022-2023 renewal cycle. Trustee Lawrence seconded the motion and it was approved unanimously.

**RESOLUTION APPROVING PROPOSAL FROM WILSON ENVIRONMENTAL TECHNOLOGIES, INC. FOR ENVIRONMENTAL SERVICES IN RELATION TO THE FOOTBRIDGE/BOARDWALK PROJECT**

**WHEREAS**, a wetland delineation and endangered species habitat assessment are required as part of the NYMS grant that is funding a portion of the Silver Lake Footbridge/Boardwalk Project; and

**WHEREAS**, the Village received two quotes for environmental services in relation to the Silver Lake Footbridge/Boardwalk Project; and

**WHEREAS**, Wilson Environmental Technologies, Inc. provided the lowest quote at \$1,950.00 with additional services if needed for a nationwide permit at a flat fee of \$500.00 and hourly rates of \$175.00 and \$100.00 per hour; and

**NOW, THEREFORE BE IT RESOLVED**, that the Perry Village Board of Trustees hereby approves the proposal from Wilson Environmental Technologies, Inc. in an amount of \$1,950.00 and the additional costs if needed; and

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

Trustee Lawrence made a motion to approve the proposal from Wilson Environmental Technologies which was seconded by Trustee Lapiana and carried with all voting aye.

**RESOLUTION APPROVING EXTENSION REQUEST FROM KABOOM! INC., FOR THE SERPENT MOUND CONSTRUCTION**

**WHEREAS**, KaBoom!, Inc., is requesting an extension for the Play Everywhere Challenge Grant to install a serpent mound at the Perry Public Beach; and

**WHEREAS**, the Parks Committee has reviewed the request and is recommending the extension; and

**NOW, THEREFORE BE IT RESOLVED**, that the Perry Village Board of Trustees hereby approves the extension request from KaBoom! Inc., until December 31, 2022, to complete the Serpent Mound at the Perry Public Beach; and

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

Motion was made by Trustee Lapiana and seconded by Trustee Lawrence to approve the request for an extension for the serpent mound construction. This motion was 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 pre-construction planning for the Silver Lake Trail Creekside wooded walk segment; and

**WHEREAS**, the Village of Perry has received notification of the grant award in the amount of \$50,000; and

**NOW, THEREFORE BE IT RESOLVED**, that the Perry Village Board of Trustees hereby accepts the \$50,000 grant award for the pre-construction planning; 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.

Trustee Billings made a motion to approve the resolution accepting grant funding from the Community Foundation for Greater Buffalo. This motion was seconded by Trustee Lapiana and carried unanimously.

**RESOLUTION AUTHORIZING CONSTRUCTION OF A GAGA BALL PIT AT THE PERRY VILLAGE PARK**

**WHEREAS**, the Village of Perry was approached from Eagle Scout, Mr. Joshua Smith, to construct a gaga ball pit at the Perry Village Park; and

**WHEREAS**, Mr. Smith met with the Village Administrator and DPW Superintendent to discuss the project and location; and

**WHEREAS**, constructing a gaga ball pit is in the Village of Perry's Park Master Plan and the Village Administrator and DPW Superintendent are recommending approving the request; and

**WHEREAS**, stone dust for the base and brackets would be purchased by the Village of Perry in a cost not to exceed \$1,000.00 and the Eagle Scout would be responsible for labor and lumber costs; and

**NOW, THEREFORE BE IT RESOLVED**, that the Perry Village Board of Trustees hereby authorizes the construction of a gaga ball pit at the Perry Village Park; and

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

Trustee Lapiana made a motion approving the resolution authorizing construction of a gaga ball pit at the Village Park. This motion was seconded by Trustee Lawrence and carried with all voting aye.

**RESOLUTION APPROVING PROPOSAL FROM LITTLEHIVE, LLC FOR SILVER LAKE TRAIL SIGNAGE DESIGN AND AUTHORIZING BUDGET TRANSFER**

**WHEREAS**, the Village of Perry needs design consultation services for branding and signage along the Silver Lake Trail; and

**WHEREAS**, litteHive, LLC has provided a proposal estimated at 75 hours to complete the work at a rate of \$100 per hour; and

**WHEREAS**, the Village Administrator is proposing the following Budget Transfer to cover the cost of the design for the 2021-2022 fiscal year:

|           |                                          |            |            |
|-----------|------------------------------------------|------------|------------|
| Increase: | A7180.4 (Spec. Recreation - Contractual) | \$7,500.00 |            |
| Decrease: | A1440.4 (Engineer-Contractual)           |            | \$7,500.00 |

**BE IT RESOLVED**, that the Perry Village Board of Trustees hereby approves the proposal from littleHive, LLC, in an amount not to exceed \$7,500.00; and

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

**BE IT FURTHER RESOLVED**, that the Village of Perry Board of Trustees hereby authorizes the Village Administrator to make the above budget transfers for the 2021-2022 fiscal year.

Trustee Lawrence made a motion approving the proposal from littleHive, LLC for Silver Lake Trail signage design and authorizing budget transfer. This motion was seconded by Trustee Billings and carried with all voting aye.

#### **RESOLUTION ACCEPTING PERRY ROTARY GRANT FUNDING FOR KAYAK LAUNCH**

**WHEREAS**, the Perry Rotary Club will be providing the Village of Perry with a \$4,500 donation towards a kayak launch at the Perry Village Beach; and

**WHEREAS**, the Village of Perry agrees to purchase, install, maintain and insure the kayak launch; and

**WHEREAS**, the estimated cost of the kayak launch is \$3,500; and

**BE IT RESOLVED**, that the Village Board of Trustees accepts Perry Rotary Grant Funding in the amount of \$4,500 for a kayak launch at the Perry Village Beach; and

**BE IT FURTHER RESOLVED**, that the Village Board of Trustees hereby authorizes the Village Administrator to sign the letter taking ownership and purchasing the kayak launch on behalf of the Village of Perry.

Trustee Billings made a motion approving the resolution accepting Perry Rotary grant funding for the kayak launch. This motion was seconded by Trustee Lawrence and carried with all voting aye.

#### **CLERK/DEPUTY TREASURER REPORT**

FY 2021-2022

Abstract # 22

Vouchers # 1658 - 1762

|                                  |               |
|----------------------------------|---------------|
| General Fund                     | \$ 42,675.87  |
| Special Grant Fund               | \$ 400.00     |
| Water Fund                       | \$ 34,593.61  |
| Sewer Fund                       | \$ 15,068.73  |
| Capital Projects Fund            | \$ 482,911.64 |
| Trust & Agency                   | \$ 909.94     |
| Silver Lake Watershed Commission | \$ 55.23      |
| Total                            | \$ 576,615.02 |

Vouchers were audited by Trustee Lapiana. Trustee Billings made a motion to approve payment of abstract #22 in the amount of \$576,615.02 which was seconded by Trustee Lawrence and carried with all voting aye. Updated financial reports and NYCLASS balances as of March 31, 2022 were also provided.

#### **DEPARTMENT REPORTS**

Department reports for the Police Department, DPW/Parks, and the Water Treatment Plant/Wastewater Treatment Plant were reviewed with no action needed.

#### **TRUSTEE REPORTS**

Mayor Hauser made a motion to support writing a letter from the Village of Perry to the County Traffic Safety Committee to request a review be considered of the speed limit on Walker Road for safety issues related to the construction of the Silver Lake Trail which was seconded by Trustee Lapiana and carried with all voting aye.

Trustee Lawrence made a motion to proclaim April 29, 2022, as Arbor Day and authorize the Mayor to execute the Arbor Day proclamation which was second by Trustee Billings and carried with all voting aye. Arbor Day will be celebrated in the Village on Saturday, June 4, 2022.

#### **EXECUTIVE SESSION**

Mayor Hauser made a motion to enter into executive session for the purpose of discussing the employment history of a particular individual. This motion was seconded by Trustee Lapiana and carried. Motion to exit executive session was made by Mayor Hauser, seconded by Trustee Lawrence, and carried at 9:07 pm.

Motion to adjourn the meeting was made by Mayor Hauser at 9:08 pm which was seconded by Trustee Lapiana and carried.

Respectfully submitted,  
Christina Slusser, Village Clerk



**RESOLUTION APPROVING THE 2021 ANNUAL DRINKING WATER QUALITY REPORT**

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

**WHEREAS**, Chief Water/Sewer Treatment Plant Operator, Jeff Drain, has provided the 2021 Annual Drinking Water Quality Report; and

**BE IT RESOLVED**, that the Village of Perry Board of Trustees hereby approves the 2021 Annual Drinking Water Quality Report.

# **Annual Drinking Water Quality Report for 2021**

## **Village of Perry**

6900 Standpipe Rd., Perry, NY 14530

Public Water Supply ID #NY6000613

Town of Perry – Perry Center District - ID #NY6000614

### **INFORMATION FOR NON-ENGLISH-SPEAKING RESIDENTS**

#### Spanish

Este informe contiene informacion muy importante sobre su agua beber. Traduzcalo o hable con alguien que lo entienda bien.

### **INTRODUCTION**

To comply with State regulations, Village of Perry, will be annually issuing a report describing the quality of your drinking water. The purpose of this report is to raise your understanding of the drinking water and awareness of the need to protect our drinking water sources. Last year, we conducted tests for over 80 contaminants. This report provides an overview of last year's water quality. Included are details about where your water comes from, what it contains, and how it compares to State standards.

If you have any questions about this report or concerning your drinking water, please contact, **Jeff Drain, Chief Water/Sewer Treatment Plant Operator, or Steve Deaton, DPW Superintendent, at (585) 237-2216**. If you wish to learn more, please attend any of our regularly scheduled village board meetings.

### **WHERE DOES OUR WATER COME FROM?**

In general, the sources of drinking water (both tap water and bottled water) include rivers, lakes, streams, ponds, reservoirs, springs, and wells. As water travels over the surface of the land or through the ground, it dissolves naturally occurring minerals and, in some cases, radioactive material, and can pick up substances resulting from the presence of the animals or from human activities. Contaminants that may be present in the source water include: microbial contaminants; inorganic contaminants; pesticides and herbicides; organic chemical contaminants; and radioactive contaminants. In order to ensure that tap water is safe to drink, the State Health Department's and the FDA's regulations establish limits for contaminants in bottled water, which must provide the same protection for the public health.

Perry has one surface source of water, which is Silver Lake. Silver Lake is about two miles long, one half mile wide and is about forty feet deep, in the deepest part. During 2021 our system did not experience any restrictions of our water source. Polyaluminum Chloride (a coagulant) is added to the raw water and is mixed in a flocculation chamber and most of the particles are trapped in the upflow clarifier, then the water flows through three sand GAC filters for final filtration, then chlorine and fluoride are added.

Orthophosphate is added at the water treatment plant to prevent corrosion in the distribution system.

### **INFORMATION ON FLUORIDE ADDITION**

Our system is one of the many drinking water systems in New York State that provides drinking water with a controlled, low level of fluoride for consumer dental health protection. According to the United States Centers for Disease Control, fluoride is very effective in preventing cavities when present in drinking water at a properly controlled level. To ensure that the fluoride supplement in your water provides optimal dental protection, the Village of Perry monitors fluoride levels daily to make sure fluoride is maintained at a target level of 0.8 mg/l. During 2021 monitoring showed that fluoride levels in your water were within 0.1mg/l of our target level 76% of the time. None of the monitoring results showed fluoride at levels that approach the 2.2 mg/l MCL for fluoride.

### **FACTS AND FIGURES**

#### **Village of Perry**

Our water system serves 3,673 people through 1,666 service connections. The total water production in 2021 was 133,934,540 gallons of water with an average of 366,943 gallons a day. The amount billed to customers was 103,159,000 which includes services to Perry Center Water District, Gardeau Water District, Silver Lake Institute, and the north end of Letchworth State Park. Letchworth State Park purchased 7,303,000 gallons of water from the Village of Perry. Current water rates are \$4.15/per 1,000 gallons, with a \$34.00 service charge per quarter. The Town of Castile total water usage in 2021 from the Village of Perry was 12,035,000 gallons of water.

#### **Perry Center Water District**

The Perry Center Water District serves about 150 people through 76 service connections. They purchased from the Village of Perry 6,110,000 gallons of water. Current water rates are \$45.00 per service connection and \$5.60 per 1,000 gallons.

This leaves 30,775,540 gallons or 22% of the total amount not billed for, of that approximately 21,149,755 gallons were used for backwashing, filling the jetter and street sweeper, flushing fire hydrants, daily blow off waste, water salesmen, lab sinks, and clear well leak which leaves 7% of the total unaccounted for. This water was used for the Village Hall, Village Park, and to leakage and inaccurate water meters.

### **ARE THERE CONTAMINANTS IN OUR DRINKING WATER?**

As the State regulations require, we routinely test your drinking water for numerous contaminants. These contaminants include total coliform, turbidity, inorganic compounds, nitrate, nitrite, lead and copper, volatile organic compounds, total trihalomethanes, and synthetic organic compounds. The table presented below depicts

which compounds were detected in your drinking water. The state allows us to test for some contaminants less than once per year because the concentrations of these contaminants do not change frequently.

It should be noted that all drinking water, including bottled drinking water, might be reasonably expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that water poses a health risk. More information about contaminants and potential health effects can be obtained by calling the E P A's Safe Drinking Water Hotline (800-426-4791) or Wyoming County Health Department at 786-8894.

### **DEFINITIONS AND KEY TERMS**

**Turbidity:** The measure of the cloudiness of the water. We test it because it is a good indicator of the effectiveness of our filtration system.

**Maximum Contaminant Level (MCL):** The highest level of a contaminant that is allowed in drinking water. MCLs are set as close to the MCLGs as feasible.

**Maximum Contaminant Level Goal MCLG:** The level of a contaminant in drinking water below which there is no known or expected risk to health.

**Action Level (AL):** The concentration of a contaminant, which, if exceeded, triggered treatment or other requirements, which a water system must follow.

**Treatment Technique (TT):** A required process intended to reduce the level of a contaminant in drinking water.

**Non-Detects (ND):** Laboratory analysis indicates that the constituent is not present.

**Nephelometric Turbidity Units (NTU):** A measure of the clarity of water. Turbidity in excess of 5 NTUs is just noticeable to the average person.

**Milligrams per liter (mg/l):** Corresponds to one part of liquid in one million parts of liquid (parts per million – ppm).

**Micrograms per liter (ug/l):** Corresponds to one part of liquid in one billion parts of liquid (parts per billion – ppb).

**Picocuries per liter (pCi/L):** A measure of the radioactivity of water.

**Cryptosporidium:** Is microbial pathogen found in surface water and ground water under the influence of surface water and water, although filtration removes cryptosporidium. Ingestion of cryptosporidium may cause cryptosporidiosis a gastrointestinal infection. Symptoms of infections include nausea, diarrhea, and abdominal cramps. Immuno-compromised people are at greater risk. We encourage immuno-compromised individuals to consult their health care provider regarding appropriate precautions. Cryptosporidium must be ingested to cause disease, and it is spread through other means than just water.

**Giardia:** Is a microbial pathogen present in varying concentrations in many surface water and groundwater under the influence of surface water. Giardia is removed/ inactivated through a combination of filtration and disinfection or by disinfection. Ingestion of giardia may cause giardiasis; this is an intestinal illness. Symptoms are mild to severe diarrhea, or in some instance no symptoms at all. Fever is rarely present. Giardiasis can be treated with anti-parasitic medication. The Giardia parasite is passed in the feces of an infected person or animal and may contaminate water or food. Person to person transmission may also occur in day care centers or other settings where hand washing practices are poor.

**Trihalomethanes:** Is the reaction of chlorine with organic materials in water. Some people who drink water containing trihalomethanes in excess of the MCL over many years may experience problems with liver, kidneys, or central nervous system and may have an increased risk of getting cancer.

**Haloacetic Acids (5) (HAA5):** Means the sum of concentrations in milligrams per liter of five specific haloacetic acid compounds, rounded to two significant figures after addition. The five halo acetic acids that comprise the HAA5 are monochloroacetic acids, dichloroacetic acids, trichloroacetic acids, monobromoacetic acids and dibromoacetic acids.

### **WHAT DOES THIS INFORMATION MEAN?**

We have learned through our testing that some contaminants have been detected in the Town of Perry water system. It should be noted that the MCL for Trihalomethanes have been exceeded on one of the samples. Based on annual averages the Village of Perry and the Town of Perry were in compliance with the State Department of Health regulations.

Water containing more than 20 mg/l of sodium should not be used for drinking by people on severely restricted sodium diets. Water containing more than 270 mg/l of sodium should not be used for drinking by people on moderately restricted sodium diets.

We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not your drinking water meets health standards.

If present, elevated levels of lead can cause serious health problems, especially for pregnant women, infants, and young children. It is possible that lead levels at your home may be higher than at other homes in the community as a result of materials used in your home's plumbing. Our system is responsible for providing high quality drinking water but cannot control the variety of materials used in plumbing components. When your water has been sitting for several hours, you can minimize the potential for lead exposure by flushing your tap for 30 seconds to 2 minutes before using water for drinking or cooking. If you are concerned about lead in your water, you may wish to have your water tested. Information on lead in drinking water, testing methods, and steps you can take to minimize exposure is available from the Safe Drinking Water Hotline (1-800-426-4791) or at <http://www.epa.gov/safewater/lead>.

### **DO I NEED TO TAKE SPECIAL PRECAUTIONS?**

Although our drinking water met or exceeded state and federal regulations, some people may be more vulnerable to disease causing microorganisms or pathogens in drinking water than the general population. Immuno-compromised persons such as persons with cancer undergoing chemotherapy, persons who have undergone organ transplants, people with HIV/ AIDS or other immune system disorders, some elderly, and infants can be particularly at risk from infections. These people should seek advice from their health care provider about their drinking water. EPA/CDC guidelines on appropriate means to lessen the risk of infection by Cryptosporidium, Giardia and other microbial pathogens

are available from the Safe Drinking Water Hotline at (800-426-4791) or the Wyoming County Health Department at (585) 786-8894

### **SOURCE WATER ASSESSMENT SUMMARY**

The NYS DOH has completed a source water assessment for this system, based on available information. Possible and actual threats to this drinking water source were evaluated. The state source water assessment includes a susceptibility rating based on the risk posed by each potential source of contamination and how easily contaminants can move. **The susceptibility rating is an estimate of the potential for contamination of the source water; it does not mean that the water delivered to consumers is, or will become, contaminated.** See section “Are there contaminants in our drinking water?” for a list of the contaminants that have been detected.

The source water assessment has rated this source as having a medium susceptibility to microbials, phosphorus, DBP precursors, pesticides, nitrates. The source received a low susceptibility to industrial solvents and other solvents. **While the source water assessment rates our well(s) as being susceptible to microbials, please note that our water is disinfected to ensure that that the finished water delivered into your home meets New York State’s drinking water standards for microbial contamination.** These ratings are due primarily to the close proximity of agricultural, residential, and commercial land uses in the assessment area.

The county and state health departments will use this information to direct future source water protection activities. These may include water quality monitoring, resource management, planning, and education programs. Continued vigilance in compliance with water quality protection and pollution prevention programs as well as continued monitoring and enforcement of watershed rules and regulations will help to continue to protect groundwater quality. For more information, contact us.

### **WHY SAVE WATER AND HOW TO AVOID WASTING IT?**

Although our area is very fortunate to have access to a water supply, which more than meets our demands, conservation efforts by both the village and the consumer are prudent in deterring increasing costs. As a consumer you can participate in this water conservation effort. The following are some ideas which can be directly applied to your individual homes:

- 1) Use water-saving, flow-restricting shower heads and low flow faucets (aerators)
- 2) Repair dripping faucets and toilets that seem to flush by themselves. Check your toilets for leaks by putting a few drops of food coloring in the tank, watch for a few minutes to see if the color shows up in the bowl.
- 3) Replace your toilet with a low flush model or place a brick in your tank to reduce the volume used on each flush.

- 4) Water your garden and lawn only when necessary. Remember that a layer of mulch in the flowerbeds and garden is not only aesthetically pleasing but will help retain moisture.
- 5) Water your lawn after 6:00 PM. This prevents water loss due to evaporation.
- 6) When washing your car do not let the hose run continuously.
- 7) When brushing your teeth, shaving, or shampooing, avoid running the water unnecessarily.

According to State regulations, the Village of Perry routinely monitors your drinking water for various contaminants, which are listed in laboratory reports. Anyone interested in obtaining copies of the laboratory reports may do so at the Village Clerk's Office, located at 46 North Main Street in Perry.

### **CLOSING**

Thank you for allowing us to continue to provide your family with quality drinking water this year. We ask that all our customers help us protect our water sources, which are the heart of our community and our way of life. Please call our office if you have any questions.

**TABLE OF DETECTED CONTAMINANTS – VILLAGE OF PERRY 2021**

| Contaminant                                    | Unit of Measurement         | Date of Sample | Level Detected low/high range Average mg/L       | Regulatory Limit (MCL, TT or AL) | MCLG | Violation Yes/no | Likely Source of Contamination                                                              |
|------------------------------------------------|-----------------------------|----------------|--------------------------------------------------|----------------------------------|------|------------------|---------------------------------------------------------------------------------------------|
| Fluoride                                       | Mg/l                        | Daily Average  | 0.36 mg/L – 0.96 mg/L<br>0.73 mg/L               | 2.2                              | N/A  | No               | Added to water to prevent tooth decay                                                       |
| Distribution System Turbidity                  | NTU                         | Daily Average  | 0.08 - 0.48<br>0.22                              | 5.0                              | N/A  | No               |                                                                                             |
| Turbidity-Entry point (highest recorded event) | NTU                         | 2/28/2021      | 0.08                                             | TT = < 1.0 NTU                   | N/A  | No               | Soil runoff                                                                                 |
| Sodium                                         | Mg/l                        | 12/07/2021     | 25.5                                             | See “What Does information mean” | No   | No               | Naturally occurring; Road salt; water softeners; Animal waste                               |
| Chloride                                       | Mg/l                        | 12/07/2021     | 43.8                                             | 250                              | No   | No               | Naturally occurring or indicative of road salt contamination                                |
| Sulfate                                        | Mg/l                        | 12/07/2021     | 13.8                                             | 250                              | No   | No               | Naturally occurring                                                                         |
| TOC                                            | Mg/l                        | Monthly        | 2.3 - 3.2<br>2.8                                 | NA                               | N/A  | NA               | Naturally present in environment                                                            |
| RA 226 & 228                                   | pci/L                       | 12/11/2019     | 2.37 pci/L                                       | 5 pci/L                          | N/A  | No               | Erosion and natural deposits                                                                |
| Turbidity – Entry point                        | NTU                         |                | 100% of < 0.3 NTU                                | TT = 95% of samples              | N/A  | No               | Soil runoff                                                                                 |
| *Lead & Copper                                 | 90 <sup>th</sup> percentile |                |                                                  |                                  |      |                  |                                                                                             |
| *Copper                                        | Mg/l                        | 08/27/2019     | 0.031                                            | 1.3                              | N/A  | No               | Home plumbing corrosion, natural erosion                                                    |
|                                                |                             |                |                                                  |                                  |      |                  |                                                                                             |
| Chlorine Residual-Entry Point                  | Mg/l                        | Continuous     | 0.82 mg/L – 2.35 mg/L<br>Avg 1.59 mg/L           | 4                                | N/A  | No               | Water additive used to control microbes                                                     |
| Total Trihalomethanes (TTHM)                   | Ug/l                        | Quarterly      | 46.9 ug/L – 114.0 ug/L<br>Highest avg. 75.6 ug/L | 80 ug/l                          | N/A  | No               | By-product of water chlorination                                                            |
| Haloacetic Acids (HAA5)                        | Ug/l                        | Quarterly      | 24.0 ug/L – 40.2 ug/L<br>Highest avg. 35.7 ug/L  | 60 ug/l                          | N/A  | No               | By-product of water chlorination                                                            |
| Nitrate                                        | Mg/l                        | 12/07/2021     | 0.675                                            | 10                               | 10   | No               | Runoff from fertilizer use; leaching from septic tanks, sewage; erosion of natural deposits |
| Barium                                         | Mg/L                        | 12/07/2021     | 0.016                                            | 2                                | 2    | No               | Erosion of natural deposits                                                                 |
| Nickel                                         | Mg/L                        | 12/07/2021     | 0.001                                            | N/A                              | N/A  | No               | Occurs naturally in the environment at low levels                                           |

\* The level presented represents the 90<sup>th</sup> percentile of the 22 sites tested. A percentile is a value on a scale of 100 that indicates the percent of a distribution that is equal to or below it. The 90<sup>th</sup> percentile is equal to or greater than 90% of the lead and copper values detected at your water system.

The range of values for lead are: ND and for copper is 0.0029 - 0.125 Mg/L. No samples were above the action levels.

\*Turbidity is a measure of the cloudiness of the water. We monitor it because it is a good indicator of the effectiveness of our filtration system. Our highest single turbidity measurement for the year occurred on 6/29/2021 (0.15 NTU). State regulations require that turbidity must always be less than or equal to 1.0 NTU. The regulations require that 95% of the turbidity samples collected have measurements below 0.3 NTU. One hundred percent of samples taken in 2021 were below < 0.3 NTU.

**TABLE OF DETECTED CONTAMINANTS – TOWN OF PERRY 2021**

| <b>Contaminant</b> | <b>Unit of Measurement</b> | <b>Date of Sample</b> | <b>Level Detected<br/>low/high range<br/>Average</b> | <b>Regulatory Limit<br/>(MCL, TT or AL)</b> | <b>MCLG</b> | <b>Violation<br/>Yes/no</b> | <b>Likely Source of Contamination</b>   |
|--------------------|----------------------------|-----------------------|------------------------------------------------------|---------------------------------------------|-------------|-----------------------------|-----------------------------------------|
|                    |                            |                       |                                                      |                                             |             |                             |                                         |
| Trihalomethanes    | Ug/L                       | Quarterly             | 56.8 ug/L – 113.0 ug/L<br>Highest Avg 79.1 ug/L      | 80 ug/L                                     | N/A         | No                          | By-product of water chlorination        |
| Haloacetic Acid    | Ug/L                       | Quarterly             | 29.9 – 35.8 ug/L<br>Highest Avg. 37.2 ug/L           | 60 ug/L                                     | N/A         | No                          | By-product of water chlorination        |
| Chlorine Residual  | Mg/L                       | Continuous            | 0.27 mg/L – 2.0 mg/L<br>Avg. .92 mg/L                | 4                                           | N/A         | No                          | Water additive used to control microbes |

The Town of Perry exceeded the MCL for THM on 1 test samples. The system is not currently in violation.



**RESOLUTION APPROVING SCHOOL RESOURCE OFFICER AGREEMENT BETWEEN THE VILLAGE OF PERRY  
AND THE PERRY CENTRAL SCHOOL DISTRICT**

**WHEREAS**, the Village of Perry's current School Resource Officer Agreement has expired, and the Village of Perry and Perry Central School District have been in discussions regarding a two-year agreement for the 2022-2023 and 2023-2024 school years; and

**WHEREAS**, the Public Safety Police Committee reviewed the draft agreement; and

**WHEREAS**, the Perry Central School District approved the agreement on April 18, 2022; and

**NOW THEREFORE BE IT RESOLVED**, that the Village Board of Trustees hereby approves the School Resource Office Agreement with the Perry Central School District for the 2022-2023 and 2023-2024 school years and authorizes the Mayor and Chief of Police to execute the agreement.

**SCHOOL RESOURCE OFFICER (SRO) AGREEMENT  
BETWEEN  
THE VILLAGE OF PERRY AND THE PERRY CENTRAL SCHOOL  
FOR THE 2022-2023 AND 2023-2024 SCHOOL YEAR**

**THIS AGREEMENT**, made and entered into this \_\_\_\_ day of \_\_\_\_\_ 2022, between the **VILLAGE OF PERRY**, a municipal corporation with offices at 46 North Main Street, Perry, New York, hereinafter referred to as “Village” and the **PERRY CENTRAL SCHOOL DISTRICT**, a Public School District in New York State with offices located at 33 Watkins Avenue, Perry, New York, hereinafter referred to as “School District”, and the **VILLAGE OF PERRY POLICE DEPARTMENT**, hereinafter referred to as “Police Department”.

**WITNESSETH:**

**WHEREAS**, the School District is desirous of entering into an agreement with the Village to provide an Officer of the Village of Perry Police Department as an on-site School Resource Officer, hereinafter “SRO”; and

**WHEREAS**, the Village is desirous of entering into said agreement with the School District to provide such services to the School District; and

**NOW, THEREFORE**, in consideration of the recitals and covenants herein set forth, the parties hereby agree as follows:

**ARTICLE I. SERVICES TO BE PROVIDED**

An officer of the Police Department shall serve in the capacity of a SRO providing educational programs and student security and safety. The SRO is a law enforcement officer and shall be designated and remain under the control, through the chain of command, of the Village of Perry Chief of Police. The SRO shall be an employee of the Village for all purposes, including wages and benefits, whether statutory or non-statutory – and shall not be considered an employee of the District or entitled to any wages or benefits from the District.

The District may request that the assigned SRO, on the basis of performance, be replaced by an alternate officer. The Village will not unreasonably deny such request.

**ARTICLE II. TERMS OF THE AGREEMENT**

1. The term of the Agreement is for the 2022-2023 and 2023-2024 school calendar years.
2. The SRO’s work hours per week will be scheduled in accordance with the direction of the Superintendent of the School District and upon approval of the Police Chief of the Police Department. During the school calendar year of September 1 through June 30, the SRO shall work the equivalent of eight (8) hours per day for 181 School days.

3. In accordance with the Fair Labor Standards Act, the SRO will be paid time and one-half his/her regular rate of pay for all hours worked in excess of forty (40) hours in a workweek. All overtime hours must be authorized and approved by the School District and will be billed by the Village to the School District in accordance with paragraph II(5), below.
4. Time sheets will be submitted biweekly to the School District for authorization and then to the Village of Perry Police Chief or designee by 10 a.m. on Monday according to the Village of Perry's biweekly payroll schedule.
5. The Village will voucher the School District biweekly after payroll has been processed.
6. Any day that the School is open, the SRO may be on duty, including days when the student body is not present, such as a Superintendent's Day.

### **ARTICLE III. CONSIDERATION**

1. In accordance with the CSEA Agreement with the Perry Police Unit #9253 Wyoming County Local 861, the SRO's regular rate of pay for full-time officers will be \$ 48.04 per hour (including fringe benefits) for 2022-2023 school year and any hours in excess of forty (40) hours in any given workweek will be at a rate of \$ 69.67 per hour. The SRO's regular rate of pay for part-time officers will be \$29.02 per hour (including fringe benefits) for 2022-2023 school year and any hours in excess of forty (40) hours in any given workweek will be at a rate of \$43.36 per hour. The Village reserves the right to assign an available officer whether full time or part time.
2. In accordance with the CSEA Agreement with the Perry Police Unit #9253 Wyoming County Local 861, the SRO's regular rate of pay for full-time officers will be \$51.76 per hour (including fringe benefits) for 2023-2024 school year and any hours in excess of forty (40) hours in any given workweek will be at a rate of \$75.37 per hour. The SRO's regular rate of pay for part-time officers will be \$29.87 per hour (including fringe benefits) for 2023-2024 school year and any hours in excess of forty (40) hours in any given workweek will be at a rate of \$44.64 per hour. The Village reserves the right to assign an available officer whether full time or part time.

### **ARTICLE IV. INDEMNITY AND SAVE HARMLESS AGREEMENT**

1. The School District agrees to indemnify and save the Village, its officers, agents and employees harmless from any third-party liability imposed upon the Village, its officers, agents and/or employees arising from the negligence, active or passive, of the School District. In the event that the Village is named as a party in a suit due to the actions of the School District, the School District agrees to indemnify the Village for all assessed damages brought and awarded by such suit including reasonable attorney fees.

2. The Village agrees to indemnify and save the School District, its officers, agents and employees harmless from any third-party liability imposed upon the School District, its officers, agents and/or employees arising from the negligence, active or passive, of the Village, including the SRO. In the event that the School District is named as a party in a suit due to the actions of the Village, the Village agrees to indemnify the School District for all assessed damages brought and awarded by such suit including reasonable attorney fees.

## **ARTICLE V. NOTICES**

Any and all notices and payments required hereunder shall be addressed as follows, or to such other address as may hereafter be designated in writing by either party hereto:

To Village: Mayor, 46 North Main Street, Perry, New York 14530

To Police: Chief of Police, 46 North Main Street, Perry, New York 14530

To School: Superintendent, 33 Watkins Avenue, Perry, New York 14530

## **ARTICLE VI. WAIVER**

No waiver of any breach of any condition of the Agreement shall be binding unless in writing and signed by the party waiving said breach. No such waiver shall in any way affect any other term or condition of this agreement or constitute a cause of excuse for repetition of such or any other breach unless the waiver shall include the same.

## **ARTICLE VII. TERMINATION**

Either party may terminate this Agreement upon seven (7) days written notice to the other party, without cause.

## **ARTICLE VIII. APPLICABLE LAW**

The agreement shall be construed in accordance with the laws of the State of New York.

## **ARTICLE IX. DISPUTES**

The parties agree to attempt to resolve any dispute, claim or controversy arising out of or relating to this Agreement by in the first instance, through good faith discussion and/or negotiation. In the event that a resolution cannot be reached, the parties agree they will engage in non-binding mediation, which shall be conducted under the then mediation procedures of the American Arbitration Association or any other procedure upon which the parties may agree.

The parties further acknowledge and agree that mediation proceedings are settlement negotiations, and that, to the extent allowed by applicable law, all offers, promises,

conduct and statements, whether oral or written, made in the course of the mediation by any of the parties or their agents shall be confidential and inadmissible in any arbitration or other legal proceeding involving the parties; provided, however, that evidence which is otherwise admissible or discoverable shall not be rendered inadmissible or non-discoverable as a result of its use in the mediation.

The provisions of this Article may be enforced by any Court of competent jurisdiction, and the party seeking enforcement shall be entitled to an award of all costs, fees and expenses, including reasonable attorneys' fees, to be paid by the party against whom enforcement is ordered.

#### **ARTICLE X. NO ASSIGNMENT**

**This Agreement and all of the covenants hereof shall inure to the benefit of and be binding on the Village, the Police Department and the School District, and their partners, successors, assigns, and legal representatives. No party to this Agreement shall have the right to assign, transfer, or sublet its interests or obligations hereunder without the written consent of all other parties.**

#### **ARTICLE XI. COMPLIANCE WITH APPLICABLE LAWS**

**The District, the Village, and the Police Department and their respective agents or employees shall strictly comply with all Federal, State, and local laws, rules, and regulations applicable to the performance of this Agreement. Furthermore, every provision of law required to be inserted in this Agreement shall be deemed so inserted, and this Agreement shall be read and enforced as if such provisions were so inserted.**

#### **ARTICLE XII. ENTIRE AGREEMENT**

This agreement constitutes the entire agreement among the parties hereto regarding the subject matter hereof and supersedes all prior agreements (written or oral) which may have regulated in any way to the subject matter hereof. This agreement shall not be modified unless in writing and signed by all of the parties hereto in the same manner as this agreement is executed.

#### **ARTICLE XIII. AUTHORITY FOR EXECUTION**

Each party represents, warrants and covenants to the other that each party has obtained all requisite consents necessary to enter into this Agreement and to consummate the transactions contemplated hereby and that the undersigned has been duly authorized to execute and deliver any and all documents necessary to effectuate the terms and conditions hereof with copy of a certified resolution attached hereto as proof a same.

**IN WITNESS WHEREOF**, the parties have duly executed and delivered this agreement the day and year first above written.

**VILLAGE OF PERRY**

By: \_\_\_\_\_  
Frederic Hauser, Mayor

**PERRY CENTRAL SCHOOL  
DISTRICT**

By: \_\_\_\_\_  
Daryl McLaughlin, Superintendent

**VILLAGE OF PERRY POLICE  
DEPARTMENT**

By: \_\_\_\_\_  
Michael Grover, Chief of Police

**STATE OF NEW YORK    :**  
**COUNTY OF WYOMING    : ss.:**

On the \_\_\_\_\_ day of \_\_\_\_\_ in the year 2021 before me, the undersigned, a Notary Public in and for said State, personally appeared **FREDERIC HAUSER**, Mayor, of the Village of Perry, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual or the person upon whose behalf of which the individual acted, executed the instrument.

\_\_\_\_\_  
Notary Public  
Wyoming County, New York  
My Commission Expires: \_\_\_\_-\_\_\_\_-\_\_\_\_

**STATE OF NEW YORK    :**  
**COUNTY OF WYOMING    : ss.:**

On the \_\_\_\_\_ day of \_\_\_\_\_ in the year 2021 before me, the undersigned, a Notary Public in and for said State, personally appeared **DARYL MCLAUGHLIN**, Superintendent of the Perry Central School District, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual or the person upon whose behalf of which the individual acted, executed the instrument.

\_\_\_\_\_  
Notary Public  
Wyoming County, New York  
My Commission Expires: \_\_\_\_-\_\_\_\_-\_\_\_\_

**STATE OF NEW YORK    :**  
**COUNTY OF WYOMING    : ss.:**

On the \_\_\_\_\_ day of \_\_\_\_\_ in the year 2021 before me, the undersigned, a Notary Public in and for said State, personally appeared **MICHAEL GROVER**, Chief of Police of the Village of Perry Police Department, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual or the person upon whose behalf of which the individual acted, executed the instrument.

\_\_\_\_\_  
Notary Public  
Wyoming County, New York  
My Commission Expires: \_\_\_\_-\_\_\_\_-\_\_\_\_



### **RESOLUTION APPROVING EVENT REQUESTS AND POLICE SUPPORT**

**WHEREAS**, the Parks Committee and Police Committee have reviewed three event requests and request for police support; and

**WHEREAS**, the Parks Committee is recommending approving all three event request and donating eight hours of police support to each event; and

**BE IT RESOLVED**, that the Village of Perry Board of Trustees hereby approves the event request for the Silver Serpent on June 4, 2022 and June 5, 2022 and will provide up to eight hours of police support; and

**BE IT RESOLVED**, that the Village of Perry Board of Trustees hereby approves the event request for the Tour de Perry on July 9, 2022 and will provide up to eight hours of police support; and

**BE IT RESOLVED**, that the Village of Perry Board of Trustees hereby approves the event request for the Serpents Shadow Multisport Festival on September 24, 2022 and will provide up to eight hours of police support.

# VILLAGE-ORGANIZATION EVENT AGREEMENT FORM

Perry New York

*This form is intended to create consistent guidelines and gather sufficient information about proposed events requiring coordination from the Village of Perry. It is the intent of the Village Board that taxpayer subsidy - in the form of staff time, overtime, equipment, materials, maintenance and clean-up - of any event on village property should have a measurable public benefit and that the services the village can provide without charge should be commensurate with that public benefit.*

*For existing events, previous applications may be referenced. Please fill out "Facilities Reservation Request" form.*

## **PART I: EVENT AND ORGANIZER TYPE**

1. Name of event: Silver Serpent Multisport Festival 6-4 & 6-5

2. Name of organization (if different) sponsoring and/or running the event:

Wolfpack Multisport

3. Names of officers/organizers, including responsibilities & contact information.

Bert Gallman 585-737-3650  
bert@wolfpackmultisport.com

RECEIVED

NOV 15 2021

Village of Perry  
Perry, New York

3. The lead organization is a/n:

- ☐ registered not-for-profit, or 501(c)3  
☐ ad-hoc or "community" group (existing solely to organize the event, or not)  
☒ business  
☐ other \_\_\_\_\_

4. Revenue Type (check one)

Indicate which of the three revenue categories your event most closely resembles:

- ☐ Revenue Free
- o **participants are not charged.** Necessary funds are raised through sponsorships, grants, and donations. Nobody received money for their efforts. No volunteers stand to directly benefit financially (receive funds) from the event.
    - o Example: A Festival for local general benefit that does not charge anyone to participate.
- ☐ Revenue Neutral
- o **some or all participants may be charged; but all funds go towards organizing the event or for a local, registered charitable cause.** No volunteers received money for their organizing efforts or stand to directly benefit financially.
    - o Examples: A summer theater charges admission, which goes towards the cost of paying performers and marketing the event; the event is for local cultural benefit. A walk-a-thon or tournament raises funds for a registered charitable cause.
- ☒ Revenue Positive
- o **some or all participants may be charged. A goal is that funds in excess of those required to run the event may be generated.** There may be profits, which may be distributed to organizers, officers, or businesses involved.
    - o Examples: A Tournament charges teams to participate, & fees are distributed to winning teams as well as to cover costs, or as a fundraiser for a non-charitable organization. A Circus charges admission.

5. The Cause. If funds raised through various means are going to support anything other than the event itself, please indicate the cause/charity/organization(s) that will receive funds:

We take proceeds and donate to Snackpack for Kids through  
Community Action.

## PART II: STATEMENT OF PURPOSE, PUBLIC BENEFIT, & RESPONSIBILITIES

Answer here, or attach

Why are you holding the event? What are the public benefits meriting taxpayer support? What are you requesting of the village?

Feel free to discuss with Recreation Director (cell #: 585 245 1057) to help identify roles/responsibilities.

To foster a healthy lifestyle and to help bring more business to the Village. We are in need of Police traffic support during race day on 6/5. We are also in need of some traffic signage to let drivers know athletes are on the road.

## PART III: HANDLING OF FUNDS. Answer here, or attach

What safeguards exist in the handling of funds from point of collection to final use? Please explain how funds are to be handled, where they are kept, and how they are distributed.

We keep all money in our ESL bank account and then distribute the donation after the event.

  
signature of authorized organization representative

Albert Cullman, CEO, 11-11-21  
printed name, title, and date

### Events:

- may be provided with public space and some village staff time if a public benefit is clearly enumerated and agreed to by the Village Board.
- will generally be responsible for overtime costs of village employees, and any services or supplies that the Village deems that it would rather supply directly than have the organization supply and coordinate.
- will also be responsible for direct cost and coordination of required appurtenances and equipment, preparation and clean-up.
- will generally be responsible for providing volunteers to perform all duties except those specifically enumerated by the village as part of a written agreement.
- will generally be required to file a deposit to be determined by the Board, commensurate with the magnitude of work that might be required by the Village if the organization does not adequately perform its duties

### Timeline: A timetable and deadlines for events requesting assistance.

- 120+ days prior to the event: Submit this form, along with Facilities Reservation Request Form.
- 90+ days prior to the event: The Recreation Director and/or the Recreation Committee, will review and either recommend approval, or recommend revisions or clarifications. A meeting may be needed to negotiate responsibilities for specific items.
- 75+ days prior to the event: Revised Forms submitted for review, recommendations, and approvals.
- 60+ days prior to the event: Any negotiations, fees, and Village services will be finalized and acted upon by the Board.
- 45+ days prior to the event: The organization will receive a written confirmation of final action.

\*\*\*All events should recognize that non-performance of obligations to the Village's satisfaction will put the event on probation. If similar problems occur the following year, the Village will withdraw its support and/or subsidy\*\*\*

# VILLAGE-ORGANIZATION EVENT AGREEMENT FORM

Perry New York

*This form is intended to create consistent guidelines and gather sufficient information about proposed events requiring coordination from the Village of Perry. It is the intent of the Village Board that taxpayer subsidy - in the form of staff time, overtime, equipment, materials, maintenance and clean-up - of any event on village property should have a measurable public benefit and that the services the village can provide without charge should be commensurate with that public benefit.*

*For existing events, previous applications may be referenced. Please fill out "Facilities Reservation Request" form.*

## **PART I: EVENT AND ORGANIZER TYPE**

1. Name of event: Tour de Perry 7/9/2022

2. Name of organization (if different) sponsoring and/or running the event:

Wolf pack Multisport

3. Names of officers/organizers, including responsibilities & contact information.

Bert Gallman 585-737-3650  
bert@wolfpackmultisport.com

RECEIVED

NOV 15 2021

Village of Perry  
Perry, New York

3. The lead organization is a/n:

- ☐ registered not-for-profit, or 501(c)3  
☐ ad-hoc or "community" group (existing solely to organize the event, or not)  
☒ business  
☐ other \_\_\_\_\_

4. Revenue Type (check one)

Indicate which of the three revenue categories your event most closely resembles:

- ☐ Revenue Free
- o **participants are not charged.** Necessary funds are raised through sponsorships, grants, and donations. Nobody received money for their efforts. No volunteers stand to directly benefit financially (receive funds) from the event.
    - o Example: A Festival for local general benefit that does not charge anyone to participate.
- ☐ Revenue Neutral
- o **some or all participants may be charged; but all funds go towards organizing the event or for a local, registered charitable cause.** No volunteers received money for their organizing efforts or stand to directly benefit financially.
    - o Examples: A summer theater charges admission, which goes towards the cost of paying performers and marketing the event; the event is for local cultural benefit. A walk-a-thon or tournament raises funds for a registered charitable cause.
- ☒ Revenue Positive
- o **some or all participants may be charged. A goal is that funds in excess of those required to run the event may be generated.** There may be profits, which may be distributed to organizers, officers, or businesses involved.
    - o Examples: A Tournament charges teams to participate, & fees are distributed to winning teams as well as to cover costs, or as a fundraiser for a non-charitable organization. A Circus charges admission.

5. The Cause. If funds raised through various means are going to support anything other than the event itself, please indicate the cause/charity/organization(s) that will receive funds:

We will work with the village to help make Perry more  
bike friendly.

## PART II: STATEMENT OF PURPOSE, PUBLIC BENEFIT, & RESPONSIBILITIES

Answer here, or attach

Why are you holding the event? What are the public benefits meriting taxpayer support? What are you requesting of the village?

Feel free to discuss with Recreation Director (cell #: 585 245 1057) to help identify roles/responsibilities.

To promote healthy living and to have a fun event that is tied to the Chalkfest. We would need Police traffic support to lead the bikers out of the Village in the morning. Will also need as bikers return back to the park.

## PART III: HANDLING OF FUNDS. Answer here, or attach

What safeguards exist in the handling of funds from point of collection to final use? Please explain how funds are to be handled, where they are kept, and how they are distributed.

All money is put into our ESL account and then distributed after the event.



signature of authorized organization representative

Albert Gellman, CEO, 11-11-21

printed name, title, and date

### Events:

- may be provided with public space and some village staff time if a public benefit is clearly enumerated and agreed to by the Village Board.
- will generally be responsible for overtime costs of village employees, and any services or supplies that the Village deems that it would rather supply directly than have the organization supply and coordinate.
- will also be responsible for direct cost and coordination of required appurtenances and equipment, preparation and clean-up.
- will generally be responsible for providing volunteers to perform all duties except those specifically enumerated by the village as part of a written agreement.
- will generally be required to file a deposit to be determined by the Board, commensurate with the magnitude of work that might be required by the Village if the organization does not adequately perform its duties

### Timeline: A timetable and deadlines for events requesting assistance.

- 120+ days prior to the event: Submit this form, along with Facilities Reservation Request Form.
- 90+ days prior to the event: The Recreation Director and/or the Recreation Committee, will review and either recommend approval, or recommend revisions or clarifications. A meeting may be needed to negotiate responsibilities for specific items.
- 75+ days prior to the event: Revised Forms submitted for review, recommendations, and approvals.
- 60+ days prior to the event: Any negotiations, fees, and Village services will be finalized and acted upon by the Board.
- 45+ days prior to the event: The organization will receive a written confirmation of final action.

\*\*\*All events should recognize that non-performance of obligations to the Village's satisfaction will put the event on probation. If similar problems occur the following year, the Village will withdraw its support and/or subsidy\*\*\*

# VILLAGE-ORGANIZATION EVENT AGREEMENT FORM

Perry New York

*This form is intended to create consistent guidelines and gather sufficient information about proposed events requiring coordination from the Village of Perry. It is the intent of the Village Board that taxpayer subsidy - in the form of staff time, overtime, equipment, materials, maintenance and clean-up - of any event on village property should have a measurable public benefit and that the services the village can provide without charge should be commensurate with that public benefit.*

*For existing events, previous applications may be referenced. Please fill out "Facilities Reservation Request" form.*

## **PART I: EVENT AND ORGANIZER TYPE**

1. Name of event: Serpents Shadow Multi-sport Festival 9/24/22

2. Name of organization (if different) sponsoring and/or running the event:

Wolfpack Multi-sport

3. Names of officers/organizers, including responsibilities & contact information.

Bert Gallman 585-737-3650  
bert@wolfpackmulti-sport.com

3. The lead organization is a/n:

- ☐ registered not-for-profit, or 501(c)3  
☐ ad-hoc or "community" group (existing solely to organize the event, or not)  
☒ business  
☐ other \_\_\_\_\_

RECEIVED

NOV 15 2021

Village of Perry  
Perry, New York

4. Revenue Type (check one)

Indicate which of the three revenue categories your event most closely resembles:

- ☐ Revenue Free
- o **participants are not charged.** Necessary funds are raised through sponsorships, grants, and donations. Nobody received money for their efforts. No volunteers stand to directly benefit financially (receive funds) from the event.
    - o Example: A Festival for local general benefit that does not charge anyone to participate.
- ☐ Revenue Neutral
- o **some or all participants may be charged; but all funds go towards organizing the event or for a local, registered charitable cause.** No volunteers received money for their organizing efforts or stand to directly benefit financially.
    - o Examples: A summer theater charges admission, which goes towards the cost of paying performers and marketing the event; the event is for local cultural benefit. A walk-a-thon or tournament raises funds for a registered charitable cause.
- ☒ Revenue Positive
- o **some or all participants may be charged. A goal is that funds in excess of those required to run the event may be generated.** There may be profits, which may be distributed to organizers, officers, or businesses involved.
    - o Examples: A Tournament charges teams to participate, & fees are distributed to winning teams as well as to cover costs, or as a fundraiser for a non-charitable organization. A Circus charges admission.

5. The Cause. If funds raised through various means are going to support anything other than the event itself, please indicate the cause/charity/organization(s) that will receive funds:

We donate to Peers Together of Wyoming County.

## PART II: STATEMENT OF PURPOSE, PUBLIC BENEFIT, & RESPONSIBILITIES

Answer here, or attach

Why are you holding the event? What are the public benefits meriting taxpayer support? What are you requesting of the village?

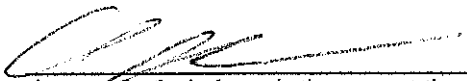
Feel free to discuss with Recreation Director (cell #: 585 245 1057) to help identify roles/responsibilities.

To promote a healthy lifestyle and to help bring more business to the Village throughout the year. We are in need of Police traffic support during the event and signage to let drivers know racers are on the road during the event.

## PART III: HANDLING OF FUNDS. Answer here, or attach

What safeguards exist in the handling of funds from point of collection to final use? Please explain how funds are to be handled, where they are kept, and how they are distributed.

All money is held in our ESL account until after the event.

  
signature of authorized organization representative

Albert Gallman, CEO, 11/11/21  
printed name, title, and date

### Events:

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- 45+ days prior to the event: The organization will receive a written confirmation of final action.

\*\*\*All events should recognize that non-performance of obligations to the Village's satisfaction will put the event on probation. If similar problems occur the following year, the Village will withdraw its support and/or subsidy\*\*\*



**RESOLUTION APPOINTING SEASONAL LABORER, JASE STONE**

**WHEREAS**, Mr. Jase Stone has been employed with the Village's Parks Department May 2021; and

**WHEREAS**, the Superintendent of Public Works is requesting the appointment of Mr. Stone for the 2022 season; and

**BE IT RESOLVED**, that the Perry Village Board of Trustees does hereby appoint Mr. Jase Stone as a Seasonal Laborer designated to the Parks Department at a rate of \$13.20 per hour effective May 3, 2022.



**RESOLUTION ACCEPTING WIIA GRANT AWARD FOR THE WATER TREATMENT PLANT IMPROVEMENTS  
PROJECT NO. 18898**

**WHEREAS**, the Village of Perry applied for funding through the Drinking Water State Revolving Fund for improvements to the water treatment plant facility; and

**WHEREAS**, the Village of Perry has received notification of the grant award in an amount not to exceed \$3,000,000.00; and

**NOW, THEREFORE BE IT RESOLVED**, that the Perry Village Board of Trustees hereby accepts the grant award not to exceed \$3,000,000.00 and authorizes the Mayor to execute the grant award.



# Environmental Facilities Corporation

KATHY HOCHUL  
Governor

MAUREEN A. COLEMAN  
President and CEO

April 25, 2022

The Honorable Rick Hauser  
Mayor  
Village of Perry  
46 N. Main Street  
Perry, NY 14530

Re: Village of Perry  
Drinking Water State Revolving Fund (DWSRF) Project No. 18898  
WTP Improvements

Dear Mayor Hauser:

On behalf of Governor Kathy Hochul, I am pleased to inform you that your community has been awarded a NYS Water Infrastructure Improvement (WIIA) grant for the above referenced project.

Your WIIA grant has been awarded in an amount not to exceed \$3,000,000, based on information provided in your application, including total estimated eligible project costs. The Environmental Facilities Corporation (EFC) will determine the actual amount of your grant when the project is complete and EFC confirms the final project costs. Your grant may be reduced if total project costs are less than anticipated or if your project receives grant from another source.

Please confirm your acceptance of the grant award and intent to proceed with this project by completing and signing the enclosed form and e-mailing it to [nyswatergrants@efc.ny.gov](mailto:nyswatergrants@efc.ny.gov) no later than **May 13, 2022**. Without your confirmation, we may bypass your project and award these grant funds to another community.

As means of advancing this project, members of our EFC team will contact you to guide you through the program requirements and related processes, and to answer any of your questions. Your grant award will expire on September 30, 2023.

We appreciate your interest in the WIIA program. We look forward to working with you on your water quality improvement project.

Sincerely,

Maureen A. Coleman  
President & CEO

Enclosure

cc.: Village of Perry, Samantha Pierce, Village Administrator/Treasurer  
MRB Group, Bill Davis, Director of Water Resources

## ACKNOWLEDGEMENT AND ACCEPTANCE OF WIIA GRANT AWARD

Please confirm your community's acceptance of the WIIA grant by signing below. Please e-mail the completed form to [nyswatergrants@efc.ny.gov](mailto:nyswatergrants@efc.ny.gov) no later than **May 13, 2022**.

### ACKNOWLEDGMENT BY Awardee:

Village of Perry

Drinking Water State Revolving Fund (DWSRF) Project No. 18898

WTP Improvements

The Awardee intends to proceed with this project and accepts the WIIA award.

|                      |                                          |
|----------------------|------------------------------------------|
| <input type="text"/> | (Signature of Authorized Representative) |
| <input type="text"/> | (Print Name)                             |
| <input type="text"/> | (Title)                                  |
|                      | <input type="text"/> (Date)              |

Submit Your Response



**RESOLUTION AUTHORIZING BUDGET AMENDMENT AND TRANSFER TO THE 2021-2022 VILLAGE BUDGET**

**WHEREAS**, the Village Administrator is proposing the following budget amendment to account for unexpected revenue for the police department; and

|                   |                                    |          |          |
|-------------------|------------------------------------|----------|----------|
| Increase Revenue: | A1589 – Public Safety Misc. Income | \$799.50 |          |
| Increase Expense: | A3120.4 – Police contractual       |          | \$799.50 |

**WHEREAS**, the Village Administrator is proposing the following budget transfer to account for grant funding spent on part-time staff hours for the police department; and

|           |                                |            |            |
|-----------|--------------------------------|------------|------------|
| Decrease: | A3315.4 – Stop DWI Contractual | \$6,000.00 |            |
| Increase: | A3120.12 – Police Part-Time    |            | \$6,000.00 |

**BE IT RESOLVED**, that the Village of Perry Board of Trustees hereby authorizes the Village Administrator to make the above budget amendment and transfer for the 2021-2022 fiscal year; and

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

**VILLAGE OF PERRY RESOLUTION TO ADOPT  
THE PROPOSED SEWER USE LAW & INCREASES  
IN QUARTERLY BASE RATES**

Adopted: May 2, 2022

The Village Board of the Village of Perry met at a regular board meeting at the Village Hall of the Village of Perry, on the 2<sup>nd</sup> day of May 2022, commencing at 7:30 p.m., and thereafter a public hearing directly followed, and the following members were:

|          |         |       |
|----------|---------|-------|
| Present: | Mayor   | _____ |
|          | Trustee | _____ |
|          | Trustee | _____ |
|          | Trustee | _____ |
|          | Trustee | _____ |
| Absent:  | _____   | _____ |

**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 is considering a law entitled, “Chapter 355 Sewer Use” to be added to the Village of Perry Code; and

**WHEREAS**, the Village Board of the Village of Perry has reviewed the proposed Sewer Use local law and has determined that this is a Type II action per the SEQR requirements, as this is an administrative action; and

**WHEREAS**, for public health and safety benefit, the Village of Perry is planning to undergo significant wastewater treatment plant upgrades with an estimated cost of \$13,200,000.00; and

**WHEREAS**, relative to the significant wastewater treatment plant upgrades, the Village Board of the Village of Perry wishes to increase their current quarterly base rate of \$60.00 (for Village residents) by \$4.50 effective June 1<sup>st</sup> of 2022 and \$4.50 effective June 1<sup>st</sup> of 2023; and

**WHEREAS**, relative to the significant wastewater treatment plant upgrades, the Village Board of the Village of Perry wishes to increase their current usage rate per 1,000 gallons of \$7.30 (for Village residents) by \$0.55 effective June 1<sup>st</sup> of 2022 and \$0.55 effective June 1<sup>st</sup> of 2023; and

**WHEREAS**, the Village of Perry wishes to increase the current quarterly base rate for Out of District Users of \$75.00 by \$5.75 effective June 1<sup>st</sup> of 2022 and \$5.50 effective June 1<sup>st</sup> of 2023; and

**WHEREAS**, the Village of Perry wishes to increase the current usage rate per 1,000 gallons for Out of District Users of \$9.00 by \$0.80 effective June 1<sup>st</sup> of 2022 and \$0.70 effective June 1<sup>st</sup> of 2023; and

**WHEREAS**, the proposed quarterly base rates and usage rate per 1,000 gallons for both Village residents and out of district users are as follows:

Proposed Rates for Village Residents

| <u>Year</u>  | <u>Quarterly Base Rate</u> | <u>Usage Rate per 1,000 gallons</u> |
|--------------|----------------------------|-------------------------------------|
| June 1, 2022 | \$64.50                    | \$7.85                              |
| June 1, 2023 | \$69.00                    | \$8.40                              |

Proposed Rates for Out of District Users

| <u>Year</u>  | <u>Quarterly Base Rate</u> | <u>Usage Rate per 1,000 gallons</u> |
|--------------|----------------------------|-------------------------------------|
| June 1, 2022 | \$80.75                    | \$9.80                              |
| June 1, 2023 | \$86.25                    | \$10.50                             |

**WHEREAS**, the Village Board of the Village of Perry did hold a public hearing on the 2<sup>nd</sup> day of May, 2022, to consider the adoption of proposed Sewer Use law and increases to quarterly base rates.

**WHEREAS**, the Village Board of the Village of Perry finds it to be in the best interest of the Village of Perry to adopt the Sewer Use law, and increase the quarterly base rates and usage rates.

**NOW ON MOTION OF** \_\_\_\_\_ which has been duly seconded by \_\_\_\_\_, now therefore, be it

**RESOLVED**, that Village Board of the Village of Perry hereby adopts the local law entitled, "Chapter 355 Sewer Use" in addition to the increases in quarterly base rates and usage rates, as depicted above.

Ayes: \_\_\_\_

Nays: \_\_\_\_

Quorum Present: ☐ Yes ☐ No

Dated: \_\_\_\_\_, 2022

\_\_\_\_\_  
Christina Slusser, Clerk  
Village of Perry

[SEAL]



**RESOLUTION APPROVING PAYMENT #8 FOR VILLAGE HALL PROJECT**

**WHEREAS**, the Village Administrator has received pay app #8 from the contractor for the Village Hall Project; and

**WHEREAS**, pay app #8 was received from the Picone Construction Corporation in the amount of \$24,371.77; and

**BE IT RESOLVED**, that the Perry Village Board of Trustees hereby approves the following payment for Pay App #8 and directs the Village Clerk to submit a voucher for payment:

Picone Construction Corporation

\$24,371.77; and

**BE IT RESOLVED**, that the Perry Village Board of Trustees hereby authorizes the Mayor to execute the payment certification.



FLYNN | BATTAGLIA

ARCHITECTURE  
PRESERVATION  
PLANNING  
BUILDING SCIENCE

March 8, 2022

Samantha Pierce, Village Administrator  
Village of Perry  
46 North Main Street  
Perry, NY 14530

Re: **Payment Application #8**  
**Perry Village Hall – ADA Improvements**  
46 North Main Street  
Perry, NY 14530

Dear Samantha:

Please find attached the Contractor's submission for **Payment Application #8** for the period from 2/1/2022 through 2/28/2022. I have reviewed the pencil copy of this application prior to this submission and find the amount to accurately reflect the items purchased and work completed by this date.

The work included in this application includes the cost of materials and labor related to the following items: carpentry work including for elevator lobby ceiling rafters, installation of metal studs and gypsum board, and on-site installation of the elevator. This payment application does not include work associated with any change orders, as these have all been previously billed.

Flynn Battaglia Architects therefore recommends a payment to Picone Construction Corporation of **\$24,371.77** (Twenty-four thousand three hundred seventy-one dollars and seventy-seven cents).

Should you have any questions or wish to discuss this matter further, please do not hesitate to call me.

Sincerely,

LaLuce Mitchell, RA  
Project Architect

Attachments:

Payment Application #8 – Certified  
Contractor's Letter of Lien Waiver for Payment Application #8  
Mayor's Certification Letter – Payment Application #8

# APPLICATION AND CERTIFICATE FOR PAYMENT

PAGE ONE OF FOUR PAGES

TO OWNER: Village of Perry  
46 North Main Street  
Perry, New York 14530

PROJECT: Perry Village Hall ADA Improvements  
46 North Main Street  
Perry, NY 14539

APPLICATION NO.: 08  
PERIOD TO: 02/28/22  
PROJECT NO.:

Distributed to:  
☐ OWNER  
☐ ARCHITECT  
☐ CONTRACTOR  
☐

FROM CONTRACTOR: Picone Construction Corporation  
10995 Main Street  
Clarence, NY 14031

VIA ARCHITECT: Flynn Battaglia Architects DPC  
617 Main Street  
Buffalo, New York 14203

CONTRACT DATE: 06/24/2021 ☐

CONTRACT FOR: General Construction

## CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract.  
Continuation Sheet is attached.

1. ORIGINAL CONTRACT SUM ..... \$ 413,800.00

2. Net Changes by Change Orders ..... \$ 111,733.68

3. CONTRACT SUM TO DATE (Line 1 +/- 2) ..... \$ 525,533.68

4. TOTAL COMPLETED & STORED TO DATE ..... \$ 461,843.18

5. RETAINAGE:

a. 5 % of Completed Work \$ 23,092.16

b. % of Stored Material \$

Total Retainage (Line 5a + 5b) ..... \$ 23,092.16

6. TOTAL EARNED LESS RETAINAGE ..... \$ 438,751.02  
(Line 4 less Line 5 Total)

7. LESS PREVIOUS CERTIFICATES FOR PAYMENT  
(Line 6 from prior Certificate) ..... \$ 414,379.25

8. CURRENT PAYMENT DUE ..... \$ 24,371.77

9. BALANCE TO FINISH, INCLUDING RETAINAGE  
(Line 3 less Line 6) \$ 86,782.66

| CHANGE ORDER SUMMARY                               | ADDITIONS    | DEDUCTIONS |
|----------------------------------------------------|--------------|------------|
| Total changes approved in previous months by Owner | \$111,733.08 | \$0.00     |
| Total Approved this Month                          | \$0.00       | \$0.00     |
| TOTALS                                             | \$111,733.08 | \$0.00     |
| NET CHANGES by Change Order                        | \$111,733.08 |            |

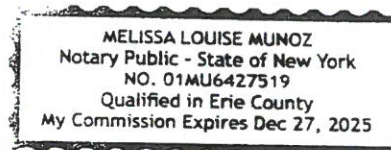
The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: PICONE CONSTRUCTION CORPORATION

By: Joe Picone Date: 3/4/2022

State of: New York  
County of: Erie  
Subscribed and sworn to before  
me this day of

Notary Public: [Signature]  
My Commission Expires: December 27, 2025



## ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED ..... \$ 24,371.77

(Attach explanation if amount certified differs from the amount applied for. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified.)

ARCHITECT: Lance Mitchell Date: 3/8/2022

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

## CONTINUATION SHEET

AIA Documents G702, APPLICATION AND CERTIFICATION FOR PAYMENT, containing Contractor's signed Certification is attached.

APPLICATION NO.: 08  
APPLICATION DATE: 02/28/22  
PERIOD TO: 02/28/22  
ARCHITECT'S PROJECT NO.:

In tabulations below, amounts are stated to the nearest dollar.

Use Column I on Contracts where variable retainage for line items may apply.

[illegible]

## CONTINUATION SHEET

PAGE 3 OF 4

AIA Documents G702, APPLICATION AND CERTIFICATION FOR PAYMENT, containing Contractor's signed Certification is attached.

APPLICATION NO.: 08  
APPLICATION DATE: 02/28/22  
PERIOD TO: 02/28/22  
ARCHITECT'S PROJECT NO.:

In tabulations below, amounts are stated to the nearest dollar.

Use Column I on Contracts where variable retainage for line items may apply.

[illegible]

## PROGRESS WAIVER OF LEAN AND CLAIM (Req#08 )

To: Village of Perry  
46 North Main Street  
Perry NY 14530  
(Owner)

From: Picone Construction Corp.  
10995 Main Street, Clarence, NY 14031  
(General Contractor)

Project: Village of Perry ADA Improvements  
46 North Main Street  
Perry NY 14530  
  
(The "Project")

The undersigned Contractor company (hereinafter "Contractor"), for and in consideration of the sum of \$ 24,371.77 being payment for the following work performed, services rendered and/or materials furnished as Contractor to the Owner on the project, to wit: General Contractor, under all contracts, orders and instructions, including extras, written and verbal, and for other goods and valuable consideration paid by the Owner, the receipt and sufficiency of which is hereby acknowledged, hereby covenants and warrants:

1. Contractor does hereby waive, release, and relinquish any and all claims, demands and rights of lien to the extent of the amount shown hereon and previously paid, for all work, labor, materials, machinery or other goods, equipment or services done, performed or furnished for the construction located at the project described above.
2. Contractor hereby agrees to indemnify and defend the Owner to hold them free and harmless from any and all losses, claims, damages, and expenses, including attorney's fees, arising directly or indirectly from any inaccuracy recited in the facts herein, from any failure to the Contractor to pay in full all sums due its laborers, Subcontractors, material, men, and suppliers on the project.

Total Contract: \$ 525,533.68

Balance Due on Total Contract after above payment: \$ 86,782.66

Subcontractor: Picone Construction

By: John Burkhardt

Signature: John Burkhardt  
Title: V.P & P.M.

Sworn to before me this fourth day of March 2022

Notary Public: [Signature]

My Commission Expires: December 27, 2025

MELISSA LOUISE MUNOZ  
Notary Public - State of New York  
NO. 01MU6427519  
Qualified in Erie County  
My Commission Expires Dec 27, 2025

## MAYOR'S LETTER OF PAYMENT CERTIFICATION

**Payment Application #:** 8  
**Application Date:** 2/28/2022

**Project:** Perry Village Hall – ADA Improvements  
46 North Main Street  
Perry, NY 14530

**Contractor:** Picone Construction Corp.  
10995 Main Street  
Clarence, NY 14031

**Amount Requested:** \$24,371.77

**Amount Approved:** \_\_\_\_\_

This letter certifies that I have reviewed the contractor's Payment Application #8 and approve payment of the above amount on behalf of the Village of Perry.

\_\_\_\_\_  
Rick Hauser, Mayor

\_\_\_\_\_  
Date

**Village of Perry**  
**Village Board Meeting**  
**5/2/2022**

Clerk/Deputy Treasurer Report

FY 2021-2022

Abstract #23

Vouchers #1763 - 1820

|                                  |              |
|----------------------------------|--------------|
| General Fund                     | \$ 26,950.07 |
| Special Grant Fund               | \$ -         |
| Water Fund                       | \$ 18,480.96 |
| Sewer Fund                       | \$ 3,247.96  |
| Capital Projects Fund            | \$ 33,646.79 |
| Trust & Agency                   | \$ 515.70    |
| Silver Lake Watershed Commission | \$ 37.99     |
| Total                            | \$ 82,879.47 |

- Vouchers were audited by Trustee Lawrence
- Amount Prepaid to Avoid Late Fees \$ 2,259.47
- Breakdown of Capital Projects:
  - Lead Service Line Replacement \$ 3,865.20
  - WWTP Project \$ 22,081.59
  - Resiliency Study \$ 7,700.00