



Village of Perry Board of Trustees

Village Board Meeting • Agenda • Monday, June 6, 2022 • 7:30 PM

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

1. Open Meeting and Pledge of Allegiance
2. Public Comment
3. Presentations & Board Actions
 - a. Approval of Minutes – May 16, 2022
 - b. Resolution Approving Payment #10 for Village Hall Project
 - c. Resolution Approving Facilities Reservation Request
 - d. Resolution Approving Annual Software Support Contracts with Williamson Law Book Company
 - e. Resolution Accepting Resignation of Planning Board Member, Bridget Givens
 - f. Resolution Creating Additional Part-Time Clerk of the Justice Position
 - g. Resolution Adopting the 2022 Fee Schedule
 - h. Resolution Agreeing to Host the Arts Council for Wyoming County's Letchworth Arts & Crafts Show & Sale at the Perry Village Park
 - i. Resolution Creating Project Budget for Silver Lake Trail Creekside Planning
4. Clerk/Deputy Treasurer's Report
5. Department Reports
6. Trustee Reports
7. Executive Sessions

**VILLAGE OF PERRY
VILLAGE BOARD MEETING MINUTES
MAY 16, 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 16th day of May 2022.

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

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

PRESENTATIONS & BOARD ACTIONS

MINUTES

Minutes were reviewed from May 2, 2022 where a few changes were suggested and made: spelling of Trustee Draper's first name; Under Trustee Reports – Trustee Billings, the Memorial Day Parade is to be held on May 30th (not May 31st); under Trustee Reports – Trustee Lawrence, "The candidate hired. . . director of media" production (not projection). With these changes in place, motion to approve the minutes from the regular board meeting on May 2, 2022 was made by Trustee Lawrence, seconded by Trustee Lapiana, and carried with all voting aye.

RESOLUTION APPROVING PAYMENT FOR WASTEWATER TREATMENT PLANT PROJECT

WHEREAS, the Village Clerk has received pay app #12 from the general contractor, Crane-Hogan Structural Systems, Inc., for the waste water treatment plant project in the amount of \$938,902.10; 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.

\$938,902.10

Motion to approve the resolution approving pay app #12 for the WWTP project was made by Trustee Billings, seconded by Trustee Draper, and carried with all voting aye.

RESOLUTION ESTABLISHING 2022-2023 EMPLOYEE WAGE RATES AND PAYMENT

The Village Board of Trustees hereby fix employee wages and frequency of payment as noted below:

Position	2022-2023 Rate	Wage Calculated	Frequency
Mayor	\$4,800.00	Annual Salary	Monthly
Deputy Mayor	\$250.00	Annual Stipend	Monthly
Board Members (4)	\$2,900.00	Annual Salary	Monthly
Village Justice (Elected)	\$15,235.00	Annual Salary	Biweekly
Village Justice (Appointed)	\$4,855.00	Annual Salary	Biweekly
Clerk of the Justice	\$15,840.00	Annual Salary	Biweekly
Village Administrator	\$79,050.00	Annual Salary	Biweekly
Village Clerk	\$50,000.00	Annual Salary	Biweekly
Deputy Clerk	\$17.61	Hourly	Biweekly
Clerk, PT	\$15.00	Hourly	Biweekly
Village Attorney	\$15,000.00	Annual Salary	Biweekly
Chief of Police	\$83,640.00	Annual Salary	Biweekly
Sergeant, FT (BR)	\$35.28	Hourly	Biweekly
Police Officer, FT (AH)	\$28.30	Hourly	Biweekly
Police Officer, FT (MC)	\$26.96	Hourly	Biweekly
Police Officer, FT (MM)	\$28.30	Hourly	Biweekly
Police Officer, PT	\$23.44	Hourly	Biweekly
Crossing Guards (VP, TP, JR)	\$30.38	Hourly	Biweekly
Superintendent of Public Works	\$73,440.00	Annual Salary	Biweekly
Working Foreman (MN, MB)	\$26.90	Hourly	Biweekly
MEO (AR, DJ, AL)	\$25.04	Hourly	Biweekly
Laborer (JV)	\$21.67	Hourly	Biweekly
Automotive Repair Worker (KZ)	\$25.37	Hourly	Biweekly
Laborer, Seasonal (DK)	\$20.40	Hourly	Biweekly
Laborer, Seasonal (SF)	\$17.34	Hourly	Biweekly
Laborer, Seasonal (JS)	\$13.20	Hourly	Biweekly
Zoning Officer (DR)	\$8,697.00	Annual Salary	Biweekly
Zoning Officer (BK)	\$16.32	Hourly	Biweekly
Chief WTP and WWTP Operator	\$61,200.00	Annual Salary	Biweekly
WTP Plant Operator (WS, MM)	\$25.04	Hourly	Biweekly
WWTP Plant Operator (JB, MK)	\$25.04	Hourly	Biweekly
Planning and Zoning Board Members	\$25.00		Per meeting

Trustee Draper made a motion to adopt the resolution establishing 2022-2023 employee wage rates which was seconded by Trustee Lawrence and carried with all voting aye.

RESOLUTION APPROVING ENGAGEMENT WITH VILLAGE ATTORNEY

WHEREAS, the Village of Perry's Attorney has provided an engagement agreement in an annual amount of \$15,000.00; and

WHEREAS, basic services include legal consultation, contract reviews, attendance at meetings of the Village Board as requested, and drafting of local laws; and

WHEREAS, additional services will be billed at a rate of \$250.00 per hour unless noted otherwise; and

NOW THEREFORE BE IT RESOLVED, that the Village Board of Trustees hereby approves the Village Attorney Agreement for an annual amount of \$15,000.00 and authorizes the Mayor to execute the agreement.

Trustee Draper made a motion to approve the engagement agreement from the Village Attorney David DiMatteo. Motion seconding the approval was made by Trustee Lapiana and carried unanimously.

RESOLUTION APPROVING PAYMENT TO LETCHWORTH CABLE ACCESS

WHEREAS, Letchworth Cable Access is undergoing changes to their structure and will be drafting a new agreement and payment terms for review by the Village of Perry and Town of Perry; and

WHEREAS, the Village of Perry in past years has paid at least half of the franchise fees received within a fiscal year to Letchworth Cable Access; and

WHEREAS, the Village of Perry has received \$45,477.73 in franchise revenue in the 2021-2022 fiscal year; and

WHEREAS, in the absence of an agreement, the Village Administrator is suggesting a contribution of \$19,000 to be paid to Letchworth Cable Access for the 2021-2022 fiscal year to meet their expected revenue from the Village of Perry; and

NOW THEREFORE BE IT RESOLVED, that the Village Board of Trustees hereby approves the payment of \$19,000 to Letchworth Cable Access and authorizes the Village Clerk to remit payment.

Motion approving a payment of \$19,000 to Letchworth Cable Access was made by Trustee Draper, seconded by Trustee Billings, and carried with all voting aye.

RESOLUTION APPROVING VILLAGE CLERK, CHRISTINA SLUSSER, AND VILLAGE TRUSTEE, ERNIE LAWRENCE, AS SIGNERS FOR THE LETCHWORTH CABLE ACCESS BANK ACCOUNT

WHEREAS, the Village Clerk, Christina Slusser, serves as the Secretary and Treasurer for Letchworth Cable Access; and

WHEREAS, Village Trustee, Ernie Lawrence, serves as the Village liaison and Interim Director for Letchworth Cable Access; and

WHEREAS, Letchworth Cable Access needs authorized signers on the bank account; and

BE IT RESOLVED, the Village Board approves Christina Slusser and Ernie Lawrence as signers for Letchworth Cable Access.

Trustee Billings made a motion to approve the resolution above for signers on the Letchworth Cable Access bank account. Trustee Draper seconded the motion and it was carried unanimously.

RESOLUTION AMENDING VILLAGE OF PERRY 2022-2023 BUDGET

WHEREAS, the Village of Perry is expecting to receive an increase in revenue to the 2022-2023 Village Budget due to charges in the amount of \$35,603.35 being applied to each individual property's tax bill; and

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

INCREASE REVENUE: OTHER TAX ITEMS (A1089)	\$35,603.35
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INCREASE EXPENSE: CONTINGENCY (A1990.4)	\$35,603.35
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BE IT RESOLVED, that the Village of Perry Board of Trustees hereby amends the 2022-2023 budget to reflect the expected increased revenue of \$35,603.35; and

BE IT RESOLVED, that the Village of Perry Board of Trustees hereby approves the budget amendment to increase the total budget by \$35,603.35 for a total of \$2,811,638.35 in the general fund and a total budget of \$4,605,179.35 for the 2022-2023 fiscal year.

The additional increase is to account for relevies to the 2022 Village Tax Bills. Motion to adopt the resolution amending the 2022-2023 village budget was made by Trustee Billings, seconded by Trustee Lapiana, and carried with all voting aye.

An additional resolution amending the budget, specifically the tax rates, may be necessary due to the equalization rate for the Town of Castile being 93% while the Town of Perry is 100%.

RESOLUTION APPROVING CONTRACT FROM WARREN'S COMMERCIAL CLEANING, INC. FOR CLEANING SERVICES FOR VILLAGE HALL

WHEREAS, the Village of Perry has received a Janitorial Services Contract from Warren's Commercial Cleaning, Inc. in an amount of \$594.00 per month; and

WHEREAS, the Village of Perry currently contracts with Warren's Commercial Cleaning, Inc. for janitorial services; and

BE IT RESOLVED, that the Village of Perry Board of Trustees hereby accepts Warren's Commercial Cleaning, Inc. proposal for cleaning services at Village Hall in an amount of \$594.00 per month from June 1, 2022 until May 31, 2023 and authorizes the Village Administrator to sign the contract.

This contract is up \$29 per month from last year's contract. An employee with Warren's comes in to clean the Village Hall one day per week. Motion to adopt the resolution approving the contract with Warren's Commercial Cleaning was made by Trustee Lapiana, seconded by Trustee Lawrence, and carried with all voting aye.

RESOLUTION AUTHORIZING CHANGE ORDER #6 AND BUDGET AMENDMENT FOR THE VILLAGE HALL CAPITAL PROJECT

WHEREAS, Flynn Battaglia has presented Change Order #6 regarding the Village Hall Capital Project in the amount of \$19,339.25 for the following items:

- CP#8-Sitework for drainage piping at the base of the rear stairs (previously approved) - \$617.10
- CP#12-Revised cost increase in the price of the linoleum flooring and increase in area for elevator lobbies - \$655.59
- CP#13-Installing of a new gypsum board ceiling and furring of one wall in the first-floor elevator lobby (previously approved) - \$844.67
- CP#14-Reroute of water line - \$727.71
- CP#15-Rework elevator lid - \$1,488.60
- CP#16-Fire alarm work - \$15,005.58

WHEREAS, the Village of Perry has approved additional change orders and testing that has been needed for the Village Hall capital project resulting in an increase of the Village's contribution; and

WHEREAS, the Village Administrator is proposing the following budget amendment for the Village Hall Capital Project to cover expenses to date and expected expenditures for the remainder of the project:

DEBIT:	A599 General Unassigned Fund Balance	\$ 16,036.13	
CREDIT:	A9901.9 Interfund Transfers		\$ 16,036.13
DEBIT:	A9950.9 Transfer to Capital Projects	\$ 16,036.13	
CREDIT:	A201 Savings		\$ 16,036.13
DEBIT:	CD201 Savings	\$ 16,036.13	
CREDIT:	CD5031 Interfund Transfers		\$ 16,036.13
DEBIT:	CD5031 Interfund Transfers	\$ 16,036.13	
CREDIT:	CD8666.22 Building Construction		\$ 16,036.13

BE IT RESOLVED, that the Village of Perry Board of Trustees hereby approves Change Order #6 in the amount of \$19,339.25 and authorizes the Mayor to execute the change order documents; and

BE IT FURTHER RESOLVED, that the Village of Perry Board of Trustees hereby authorizes the Village Administrator to make the budget amendments for the Village Hall capital project.

Motion to adopt the resolution authorizing change order #6 and budget amendments for the Village Hall Project was made by Trustee Billings, seconded by Trustee Draper, and carried with all voting aye. Trustee Billings added that the board should better understand what caused the change orders resulting in higher than expected project costs in an effort to be prepared for future projects. Mayor Hauser noted that a 20% contingency should be built in to all projects requiring bids.

CLERK REPORT

FY 2021-2022

Abstract #24

Vouchers #1821 - 1911

General Fund	\$ 37,334.56
Special Grant Fund	\$ -
Water Fund	\$ 37,686.28
Sewer Fund	\$ 89,110.85
Capital Projects Fund	\$ 940,170.61
Trust & Agency	\$ 232.88
Silver Lake Watershed Commission	\$ 1,687.00
Total	\$ 1,106,222.18

Trustee Lawrence audited vouchers. Trustee Billings made a motion to approve the clerk report and payments in the amount of \$1,106,222.18 which was seconded by Trustee Lapiana and carried with all voting aye.

DEPARTMENT REPORTS

The Board reviewed reports for DPW and Parks. The splash pad will be open by next Friday, May 27th for Memorial Day weekend. Comments were made on how nice the park looks. Park Ave. has also seen some improvements with an old fence being replaced.

Reports were reviewed for the Water and Wastewater Treatment Plants. A large project was recently completed at the Water Treatment Plant of replacing the weir boxes. The project went smoothly with the help of WTP employees who worked consistently to make sure there were no issues with the plant being down for 3 days without producing water.

The monthly report for the Police Department was also reviewed with no action needed.

WYOMING COUNTY WATER RESOURCE AGENCY MEETING – LWRP GRANT

Administrator Pierce spoke about the Wyoming County Water Resource Agency meeting tomorrow morning where the LWRP grant application will be discussed. The county was unsuccessful last year but plans to reapply this year in hopes of getting approved for a study which will put the county in a better position to apply for funds for dredging. The county planner and a grant writer will be involved and four municipalities will plan to split the cost of applying and the 25% match if awarded. The study could lead to opportunities for other things along the outlet. The Village of Perry would like to be involved in the selection process for the study if awarded.

TRUSTEE REPORTS

Trustee Billings informed the board that the Water Treatment Plant is currently being reviewed since being awarded the WIIA grant. Many factors are being considered to make sure the best

options for upgrades are chosen: work on the water tower could be a bid alternate; the village could be eligible for 0% interest; a rate study is being done by BPD; if considering a \$5 mil project, there could be no increase to the water rates; if a \$7 mil project, there would be a low increase but more upgrades could be done. The condition of the water tower also needs to be considered as it is anticipated that water quality will be affected in 3-5 years if no improvements are made. If water quality is affected it would put the village in a good position for a hardship, but if the median income goes up, the village will no longer qualify for 0% interest.

Clean Sweep is this Saturday, May 21st.

The village is currently looking for a road legal watering vehicle.

Docks for the public beach have been ordered.

Trustee Billings met with Eleanor Jacobs on needs to close out the Silver Lake Trail Project. Memorial Park needs some attention and Rotary has expressed an interest in helping.

Funds were raised for a kayak launch in the outlet but a further study needs to be completed before selecting a location – easy access and algae are a couple of things to consider.

Trustee Lawrence let the board know that the Silver Lake Trail sign committee is nearing conclusion of its meetings. The sign designs are completed. The committee just needs to figure out where and how many signs to place. Once this is done a quote will be taken to the DOT. Trustee Billings added that PMSA received grant funding in the amount of \$11,000 for signage and a bike repair kiosk. A more formal announcement will be made.

Letchworth Cable Access received its first order of equipment to get off to a fresh start. Trustee Lawrence is hopeful that the first program with the new equipment and new Director of Media Production will be of Clean Sweep, an expected 7-12 minute film of interviews and cooperation of individuals and organizations working together to make Perry a nicer place.

EXECUTIVE SESSION

At the conclusion of the regular agenda, Mayor Hauser made a motion to enter executive session at 8:25 pm to discuss proposed, pending, or current litigation and to discuss the employment history of a particular individual. This motion was seconded by Trustee Draper and carried with all voting aye.

ADDITIONAL MOTIONS

Regular session resumed at 9:18 pm. Mayor Hauser made a motion to approve distribution of merit pay for the fiscal year as discussed and agreed upon in executive session. The motion was seconded by Trustee Billings and carried unanimously.

Trustee Lawrence made a motion to reduce the police vehicle fleet from six vehicles to four. Trustee Draper seconded the motion and it was carried with all voting aye.

Trustee Lapiana made a motion to create a full-time police officer position. The motion was amended by Mayor Hauser, per the Board's discussion to work within the constraints of the budget, noting that the anticipated vehicle reduction will result in a savings of \$10,000 per year, reducing the summer rec program subsidy, reducing the Letchworth Cable Access contribution for 3 years to \$19,000 will save \$3-5,000 per year, reducing the future budget of Letchworth Gateway Villages contribution to \$5,000 to save \$3,000 in future years, and savings from retirement of the merit pay program saves \$3-5,000 allowing the Police Department to maintain their night shift and to allow for the creation of a full-time police officer position within the department. Trustee Lapiana seconded this motion by Mayor Hauser.

The department maintains a list of qualified people for a full-time position. Currently one officer has passed the test and is eligible to fill the position. Trustees Lawrence and Lapiana added that this officer is very effective and liked by the community.

Mayor Hauser offered the appointment of Officer Kramell effective June 1st of the new budget year at step one of the current union agreement. Trustee Lawrence made a motion to appoint Spencer Kramell as a full-time police officer for the Village of Perry. This motion was seconded by Trustee Lapiana and carried unanimously.

Trustee Lawrence added that he was very happy to have the opportunity to appoint this officer and is thankful for the work done recently by the Village Board and Administrator to listen to concerns and to work through budget constraints to reach a unanimous decision to appoint this individual without increasing the tax burden on citizens.

At 9:25, Trustee Draper made a motion to adjourn which was seconded by Trustee Lapiana and carried.

Respectfully submitted,
Christina Slusser, Village Clerk



RESOLUTION APPROVING PAYMENT #10 FOR VILLAGE HALL PROJECT

WHEREAS, the Village Administrator has received pay app #10 from the contractor for the Village Hall Project; and

WHEREAS, pay app #10 was received from the Picone Construction Corporation in the amount of \$26,742.66; and

BE IT RESOLVED, that the Perry Village Board of Trustees hereby approves the following payment for Pay App #10 and directs the Village Clerk to submit a voucher for payment:

Picone Construction Corporation

\$26,742.66; 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

May 31, 2022

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

Re: **Payment Application #10**
Perry Village Hall – ADA Improvements
46 North Main Street
Perry, NY 14530

Dear Samantha:

Please find attached the Contractor's submission for **Payment Application #10** for the period from 3/30/2022 through 4/30/2022. 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.

Flynn Battaglia Architects therefore recommends a payment to Picone Construction Corporation of **\$26,742.66** (Twenty six thousand, seven hundred and forty two dollars and sixty six cents.).

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

Sincerely,

Christopher Less, AIA
Project Manager

Attachments:

Payment Application #10 – Certified
Contractor's Letter of Lien Waiver for Payment Application #10
Mayor's Certification Letter – Payment Application #10

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.: 10
PERIOD TO: 04/30/2022
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 \$ 131,072.93

3. CONTRACT SUM TO DATE (Line 1 +/- 2) \$ 544,872.93

4. TOTAL COMPLETED & STORED TO DATE \$ 521,008.85

5. RETAINAGE:

a. 5 % of Completed Work \$ 26,050.44

b. % of Stored Material \$

Total Retainage (Line 5a + 5b) \$ 26,050.44

6. TOTAL EARNED LESS RETAINAGE \$ 494,958.41
(Line 4 less Line 5 Total)

7. LESS PREVIOUS CERTIFICATES FOR PAYMENT
(Line 6 from prior Certificate) \$ 468,215.75

8. CURRENT PAYMENT DUE \$ 26,742.66

9. BALANCE TO FINISH, INCLUDING RETAINAGE
(Line 3 less Line 6) \$ 49,914.52

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$111,733.68	\$0.00
Total Approved this Month	\$19,339.25	\$0.00
TOTALS	\$131,072.93	\$0.00
NET CHANGES by Change Order	\$131,072.93	

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: John Picone Date: 5/27/2022

State of: New York
County of: Erie
Subscribed and sworn to before
me this 27th day of May 2022

MICHAEL E. PANFIL
NOTARY PUBLIC, STATE OF NEW YORK
ERIE COUNTY
MY COMMISSION EXPIRES
APRIL 30, 2026

Notary Public: Michael E. Panfil
My Commission Expires:

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 \$ 26,742.66

(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: [Signature] Date: 5/31/2022

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

PAGE 2 OF 4

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

APPLICATION NO.: 10
APPLICATION DATE: 04/30/2022
PERIOD TO: 04/30/2022
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.: 10
APPLICATION DATE: 04/30/2022
PERIOD TO: 04/30/2022

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#10)

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 \$ 26,742.66 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: \$ 544,872.93

Balance Due on Total Contract after above payment: \$ 49,914.52

Subcontractor: Picone Construction

Sworn to before me this May 27, 2022

By: John Burkhardt

Notary Public: Michael E. Panfil

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

My Commission Expires April 30, 2026

MICHAEL E. PANFIL
NOTARY PUBLIC, STATE OF NEW YORK
ERIE COUNTY
MY COMMISSION EXPIRES
APRIL 30, 2026

MAYOR'S LETTER OF PAYMENT CERTIFICATION

Payment Application #: 10
Application Date: 5/31/2022

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: \$26,742.66

Amount Approved: _____

This letter certifies that I have reviewed the contractor's Payment Application #9 and approve payment of the above amount on behalf of the Village of Perry.

Rick Hauser, Mayor

Date



RESOLUTION APPROVING FACILITIES RESERVATION REQUEST

WHEREAS, the Parks Committee has reviewed a facility reservation request from the Ladies Auxiliary and request for DPW support for a softball tournament on July 15th through July 17th; and

WHEREAS, the charge will be \$125 per day for Diamond 1 with lights and \$75 per day for use of the other fields; and

WHEREAS, the Parks Committee is recommending approving the request and donating eight hours of DPW support to the event; and

BE IT RESOLVED, that the Village of Perry Board of Trustees hereby approves the request for DPW support and will provide up to eight hours with the remaining hours to be billed to the Ladies Auxiliary.

MAY 11 2022

VILLAGE OF PERRY, NEW YORK
FACILITIES RESERVATION REQUESTVillage of Perry
Perry, New YorkName of reserving organization Perry Fire Dept. Ladies AuxiliaryContact person: Jill AaronAddress: 25 Liberty St. PerryPhone number: 585-689-7332E-mail address: maaron1@rochester.rr.comDates activities will be held July 16-17 2022

(Attach a schedule if needed for multiple dates)

Hours of activity 8 AM - 9 p.m.

Estimated number of participants and guests _____

Brief description of program/activity taking place: _____

	Yes	No
Event is for-profit fundraiser	☒	☐
Event is a Tax Exempt 501c organization	☒	☐
Is using organization Insured	☐	☐
If yes - Name & provide certificate of Insurance <u>Hart's Ins.</u>		

Facilities Being Requested For Reservation

Ball Fields:	Diamond 1	☒ with lights	☐ without lights
	Diamond 2	☒	
	Diamond 3	☒	
	Diamond 3	☐	
	Park Avenue	☒	

Tennis Courts:	Main (block of 4)	☐
	Hauck (single)	☐

Other:

Hauck Basketball Court	☐
Silver Lake Public Beach	☐
Park Ave Park	☐
Village Park Skate Cabin	☐
Pavilion	☐

Hours requested:	<u>8am - 9p.m.</u>
North	☐
South	☐

Ball Field: Please circle ball diamond requests

Base Length	60 feet	<u>65 feet</u>	
Pitchers Mound	35 feet	<u>40 feet</u>	43 feet
First Base	Single base	<u>Double base</u>	<u>46 feet</u>

VENDOR INFORMATION

Will there be vendors on site? ☒ YES ☒ NO
Will there be vendors on site? ☐ YES ☐ NO
Is your organization vending on site? ☒ YES ☐ NO

Only non-profit vendors are eligible for approval

NOTE: All vending on site must be approved by the Village Board; vendors cannot be assessed fee and are responsible for conforming to Wyoming County Health Department regulations if applicable.

EXCERPTS FROM VILLAGE RULES AND REGULATIONS

1. THE VILLAGE PARKS AND THE SILVER LAKE BEACH ARE PUBLIC PROPERTY AND ALWAYS REMAIN OPEN FOR PUBLIC USE FROM 6:00 AM TO 11:00 PM.
2. ALL GARBAGE MUST BE BAGGED AND REMOVED BY THE USER (CARRY IN—CARRY OUT).
3. NO VEHICLES ARE ALLOWED ON THE GRASS (DRIVING TO PAVILIONS IS **NOT** ALLOWED).
4. LOUD MUSIC IS NOT ALLOWED.
5. NO GLASS CONTAINERS ALLOWED.
6. NO ATV's GOLF CARTS OR OTHER UNAUTHORIZED VEHICLES ALLOWED.
7. THE RULES & REGULATIONS APPLY TO ALL VILLAGE PROPERTIES.

(See attached Local Law – Park Rules & Regulations for complete list.)

The undersigned represents that he/she is authorized by Jill Aaron, the person or organization in whose name this reservation is being made, to contract for the use of the facilities of the Village of Perry, NY. He/she agrees to the terms of use defined in the local law (copy attached) and to supply all necessary forms to the Village of Perry, and has been fully informed of the rules and regulations pertaining to facility usage. The reserving person or organization hereby assumes all risks to persons participating in the activity for which this reservation is made, and to all property being reserved and under his/her/its direction, and holds the Village of Perry harmless there from.

Printed Name: Jill Aaron

Signature: Jill Aaron

Date: 5/11/22

* * * * *

Village Board Review: APPROVED DISAPPROVED Date: _____

Fee charged: ☐ Yes (if so, amount) \$ _____ ☐ No charge

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: Sea Serpent Tournament
2. Date of Event: July 16-17 2022
3. Name of organization (if different) sponsoring and/or running the event:
Perry Fire Dept. Ladies Auxiliary

4. Names of officers/organizers, including responsibilities & contact information.
Jill Aaron 689-7332 V. Pres.
Kelly Briggs 301-2656 Treasurer

5. The lead organization is a/n: (check one)
☒ registered not-for-profit, or 501(c)3
☐ ad-hoc or "community" group (existing solely to organize the event, or not)
☐ business
☐ other: _____

6. Revenue Type (check one)

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

- ☐ Revenue Free
▪ **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.
○ Example: A Festival for local general benefit that does not charge anyone to participate.
- ☐ Revenue Neutral
▪ **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.
○ 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
▪ **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.
○ 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.

7. 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:

Ladies Auxiliary

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.

The fields at Perry Park & Park Ave
2 workers

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.

Pay out winnings - dependent on
how many teams


signature of authorized organization representative

Jill Aaron V.P. 5/11/22
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



RESOLUTION APPROVING ANNUAL SOFTWARE SUPPORT CONTRACTS WITH WILLIAMSON LAW BOOK COMPANY

WHEREAS, the Village of Perry uses Williamson Law Book Company for their Municipal Accounting & Budget Preparation Software and Tax Collection Software; and

WHEREAS, both agreements are annual from June 1, 2022 until May 31, 2023; and

WHEREAS, the cost of the annual software for Municipal Accounting & Budget Preparation is \$1,535.00; and

WHEREAS, the cost of the annual software for Tax Collection is \$1,029.00; and

NOW, THEREFORE BE IT RESOLVED, that the Perry Village Board of Trustees does hereby approves the annual Municipal Accounting & Budget Preparation software contract in the amount of \$1,535.00 and the annual Tax Collection software contract in the amount of \$1,029.00 from June 1, 2022 until May 31, 2023.

Williamson Law Book Company

790 Canning Parkway

Victor, New York 14564

May 15, 2022

RECEIVED

MAY 19 2022

Village of Perry,
Perry, New York

Village of Perry
Accounts Payable
46 North Main Street
Perry, NY 14530

ANNUAL SOFTWARE SUPPORT CONTRACT

Enclosed is an invoice renewing your Software Support coverage for the following program(s)

Municipal Accounting & Budget Preparation Software

(6/1/22 through 5/31/23)

This agreement is between Williamson Law Book Company (WLB) and the Village of Perry (customer) and will provide annual software support and maintenance as described herein.

Williamson Law Book Company agrees to provide the customer with:

- Support to assist with the above-named software program(s). Support will be provided by internet, phone or fax during normal business hours.
- Notice of all program enhancements and their benefits.
- All state mandated changes at no extra charge.

The customer agrees to:

- Maintain hardware in proper working condition.
- Make continued efforts to work with and properly use WLB software.
- Train new personnel in the event of employee turnover. (Additional training may be purchased from WLB)

Charges for this Software Support shall be \$1,535.00 as specified on the enclosed invoice.

*****Please sign and return one copy of this contract with your payment*****

Thank you,



Williamson Law Book Company

Accepted for the Village of Perry

By: _____ Title: _____ Date: _____

Williamson Law Book Company

790 Canning Parkway

Victor, New York 14564

May 15, 2022

RECEIVED

MAY 19 2022

Village of Perry
Perry, New York

Village of Perry
Accounts Payable
46 North Main Street
Perry, NY 14530

ANNUAL SOFTWARE SUPPORT CONTRACT

Enclosed is an invoice renewing your Software Support coverage for the following program(s)

Tax Collection with TaxGlance Software

(6/1/22 through 5/31/23)

This agreement is between Williamson Law Book Company (WLB) and the Village of Perry (customer) and will provide annual software support and maintenance as described herein.

Williamson Law Book Company agrees to provide the customer with:

- Support to assist with the above-named software program(s). Support will be provided by internet, phone or fax during normal business hours.
- Notice of all program enhancements and their benefits.
- All state mandated changes at no extra charge.

The customer agrees to:

- Maintain hardware in proper working condition.
- Make continued efforts to work with and properly use WLB software.
- Train new personnel in the event of employee turnover. (Additional training may be purchased from WLB)

Charges for this Software Support shall be \$1,029.00 as specified on the enclosed invoice.

*****Please sign and return one copy of this contract with your payment*****

Thank you,



Williamson Law Book Company

Accepted for the Village of Perry

By: _____ Title: _____ Date: _____



RESOLUTION ACCEPTING RESIGNATION OF PLANNING BOARD MEMBER, BRIDGET GIVENS

WHEREAS, Ms. Bridget Givens has tendered her resignation from the Planning Board effective May 19, 2022; and

NOW, THEREFORE BE IT RESOLVED, the Village of Perry Board hereby accepts the resignation of Ms. Givens and wishes her well with future endeavors.



RESOLUTION CREATING ADDITIONAL PART-TIME CLERK OF THE JUSTICE POSITION

WHEREAS, Justice Miller has expressed the need for an additional part time Clerk of the Justice to assist in the court office; and

WHEREAS, the 2022-2023 Adopted Village budget has funds in the court budget for additional hours for the Clerk of the Justice; and

WHEREAS, the Village currently only has one position of Clerk of the Justice and would need to create a second position; and

NOW, THEREFORE BE IT RESOLVED, the Village of Perry Board of Trustees hereby approves the creation of a second part-time position of Clerk of the Justice with Wyoming County Civil Service.



RESOLUTION ADOPTING THE 2022 FEE SCHEDULE

WHEREAS, the Village Administrator, the Village Clerk, and the DPW Superintendent have provided an updated fee schedule; and

BE IT RESOLVED, the Village of Perry Board of Trustees has determined that the fees are reasonable and hereby adopts it effective June 6, 2022.



2022 Village of Perry Fee Schedule

(Effective June 6, 2022)

No permit or certificate shall be issued, no approval shall be granted, no application shall be considered complete, no park reservation shall be confirmed, and no public hearing shall be scheduled or held until the fees, as established by the Village Board, have been paid in full. Accepted forms of payment are cash and check.

VILLAGE CLERK'S OFFICE	
Birth Certificate	\$10 (per certificate)
Death Certificate	\$10 (per certificate)
Genealogy Search	\$22
FOIL (8 ½ x 11, 8 ½ x 14, 8 ½ x 17)	\$0.25 / page
*Electronic	Cost of media
Games of Chance	\$25
Returned Check Fee	\$20
Alarm Permit	\$10
Tax Search	\$10
Sewer Inflow Test	\$50



2022 Village of Perry Fee Schedule

(Effective June 6, 2022)

No permit or certificate shall be issued, no approval shall be granted, no application shall be considered complete, no park reservation shall be confirmed, and no public hearing shall be scheduled or held until the fees, as established by the Village Board, have been paid in full. Accepted forms of payment are cash and check.

DEPARTMENT OF PUBLIC WORKS	
Equipment:	Cost Per Hour:
Loader	\$125.00
Sewer Jet Machine	\$75.00
Excavator	\$75.00
Backhoe	\$75.00
Lawn Mower	\$60.00
Ventrac	\$60.00
Bucket Truck	\$60.00
Dump/Plow Truck	\$50.00
Pickup Truck	\$40.00
Chain Saw	\$25.00
Pole Saw	\$25.00
16-ton Trailer	\$20.00
Backpack Blower	\$15.00
Weed Eater	\$15.00
Utility Trailer	\$10.00
Labor (2 hour minimum)	\$40.00 / hour \$60.00 / hour (overtime rate)
Sidewalk Express	\$11.00 / linear foot



2022 Village of Perry Fee Schedule

(Effective June 6, 2022)

No permit or certificate shall be issued, no approval shall be granted, no application shall be considered complete, no park reservation shall be confirmed, and no public hearing shall be scheduled or held until the fees, as established by the Village Board, have been paid in full. Accepted forms of payment are cash and check.

PARKS DEPARTMENT		
Daily Rates	Village Resident	Non-Resident
Perry Beach:		
Pavilion	\$150	\$180
Perry Park:		
Pavilions:		
North Pavilion	\$40	\$48
South Pavilion	\$40	\$48
Softball Fields:		
Diamond 1	\$75	\$90
-with lights	\$125	\$150
Diamond 2	\$75	\$90
Diamond 3	\$75	\$90
Little League Field	\$75	\$90
Park Avenue:		
Softball Field	\$75	\$90
Large Events*	\$500	\$600
Includes pavilions, courts, utilities, and support from the Village of Perry Parks Department. Large events are subject to Village Board approval.		



2022 Village of Perry Fee Schedule

(Effective June 6, 2022)

No permit or certificate shall be issued, no approval shall be granted, no application shall be considered complete, no park reservation shall be confirmed, and no public hearing shall be scheduled or held until the fees, as established by the Village Board, have been paid in full. Accepted forms of payment are cash and check.

ZONING OFFICE	
Zoning Permit	\$25 (up to 200 sq' + \$0.10 per sq' above)
Land Separation	\$150 (per lot created)
Site Plan Review	\$200
Variance	\$200 (per variance)
Special Use Permit	\$200
Special Use annual review	\$25
Subdivision – up to 3 lots	\$350
Subdivision – more than 3 lots	\$800
Re-Zone – up to 6 parcels	\$550
Re-Zone – more than 6 parcels	\$850
Unified Solar Permit (Wyoming County)	\$50
Soliciting	\$50 per day
Mailing and third-party review	Applicant assumes cost



2022 Village of Perry Fee Schedule

(Effective June 6, 2022)

No permit or certificate shall be issued, no approval shall be granted, no application shall be considered complete, no park reservation shall be confirmed, and no public hearing shall be scheduled or held until the fees, as established by the Village Board, have been paid in full. Accepted forms of payment are cash, check, or credit card (Visa, MasterCard, and Discover).

WATER AND SEWER	
Water:	
Village User Base Rate	\$34.00 / quarter
Outside User Base Rate (District)	\$45.00 / quarter
Outside User Base Rate (Non-District)	\$50.00 / quarter
Village User Rate per 1,000 gallons	\$4.15
Outside User Rate per 1,000 gallons (District)	\$5.60
Town of Castile Districts	\$5.81
Outside User Rate per 1,000 gallons (Non-District)	\$5.75
Turn on Fee for Non-Payment	\$50
Shut Off or Turn On Requests After Hours	\$50
Curb Box Taps (3/4" pipes)	\$500
(Larger than 3/4" may be subject to additional fees)	
Sewer:	
Village User Base Rate	\$64.50 / quarter
Outside User Base Rate (Non-District)	\$80.75 / quarter
Village User Rate per 1,000 gallons	\$7.85
Outside User Rate per 1,000 gallons (Non-District)	\$9.80
Sewer Connection Fee Cost per Unit	\$1,900



Private Wastewater Disposal Construction Permit ¹	Per County Health Dept. Fee Schedule
Village Septage Hauler License Application ³	\$200
Septage Disposal Fee per gallon ³	\$0.09
Individual Wastewater Discharge Permit Applications ^{1,2}	\$300
Notes: 1) Professional services assistance in connection with the permit review shall be charged to the applicant. Village reserves right to charge additional administrative fees. 2) The Village reserves the right to establish fees on a case by case basis for wastewater discharges allowed under an individual wastewater discharge permit. 3) Contingent upon permission of NYSDEC and the Village	



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

WHEREAS, the Village of Perry Board of Trustees were approached by the Arts Council for Wyoming County (ACWC) to consider hosting the annual Arts and Crafts Festival at the Perry Village Park from October 8, 2022 – October 12, 2022; and

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

BE IT RESOLVED, that the Village of Perry Board of Trustees hereby agrees to the host the ACWC's Letchworth Arts & Crafts Show & Sale at the Perry Village Park from October 8, 2022 – October 10, 2022.



RESOLUTION CREATING PROJECT BUDGET FOR SILVER LAKE TRAIL CREEKSIDE PLANNING

WHEREAS, the Village of Perry has been awarded a \$50,000 Ralph C. Wilson, Jr. Legacy Fund for Design and Access administered by the Community Foundation for Greater Buffalo grant towards the design and planning for the Silver Lake Trail Creekside Wooded Walk Segment; and

WHEREAS, the Village Administrator has proposed a budget for the project based on the grant application as follows:

REVENUE:

HD2770	Ralph C. Wilson Jr Foundation	\$ 50,000.00
		\$ 50,000.00

EXPENDITURES:

HD7997.2	Design	\$ 23,000.00
HD7997.21	Surveys, Legal, Environ. Costs	\$ 27,000.00
		\$ 50,000.00

TOTAL PROJECT BUDGET	\$ 50,000.00
	; and

BE IT RESOLVED, the Village of Perry Board of Trustees hereby authorizes the project budget for the Silver Lake Trail Creekside Planning Project; and

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

**Village of Perry
Village Board Meeting
6/6/2022**

Clerk/Deputy Treasurer Report

FY 2021-2022

Abstract #25

Vouchers #1912 - 2019

General Fund	\$ 120,963.53
Special Grant Fund	\$ -
Water Fund	\$ 10,391.22
Sewer Fund	\$ 187,628.94
Capital Projects Fund	\$ 31,289.51
Trust & Agency	\$ -
Silver Lake Watershed Commission	\$ 37.99
Total	\$ 350,311.19

FY 2022-2023

Abstract #01

Vouchers #01-15

General Fund	\$ 16,156.06
Special Grant Fund	\$ -
Water Fund	\$ 4,073.07
Sewer Fund	\$ 2,534.07
Capital Projects Fund	\$ -
Trust & Agency	\$ 515.70
Silver Lake Watershed Commission	\$ -
Total	\$ 23,278.90

- Vouchers were audited by Trustee Billings
- Prepaid to avoid late fees
 - WWTP BAN principal \$ 197,947.20
 - Fire Truck debt service P&I \$ 180,598.00
 - \$ 16,380.00
- Breakdown of Capital Projects
 - Silver Lake Trail - Footbridge \$ 2,330.11
 - WWTP Project \$ 28,246.90
 - I&I Study \$ 712.50

Vouchers were audited by Trustee Billings