

Village of Perry Board of Trustees

Village Board Meeting • Agenda • Monday, May 1, 2023 • 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 Local Law Entitled "Amending §490-72 'Sign Regulations' of the Zoning Code of the Village of Perry"
- 3. Presentations & Board Actions
 - a. Memorial Park Planning Presentation
 - b. Approval of Minutes April 17, 2023
 - c. Resolution Appointing Seasonal Laborer, Jase Stone
 - d. Resolution Appointing Full-Time Laborer, Kevin Baker
 - e. Resolution Appointing Full-Time Police Officer, Matthew Cross
 - f. Resolution Accepting Resignation of Part-Time Clerk, Laura Gifford
 - g. Resolution Authorizing Dental and Vision Insurance Plans for the 2023-2024 Renewal Cycle
 - h. Resolution Relating to the Proposed Local Law Entitled "Amending §490 'Zoning' of the Village Code of the Village of Perry to Incorporate 'Complete Streets'"
- 4. Clerk/Deputy Treasurer's Report
- 5. Department/Committee Reports
- 6. Trustee Reports
- 7. Executive Sessions

VILLAGE OF PERRY VILLAGE BOARD MEETING MINUTES APRIL 17, 2023

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 17th day of April 2023.

PRESENT: Rick Hauser Mayor

Dariel Draper Trustee
Arlene Lapiana Trustee
Ernie Lawrence Trustee

ALSO PRESENT: Samantha Marcy Administrator

Christina Slusser Village Clerk

GUESTS: Lorraine Sturm Perry Herald

Bill Bark Country Courier

ABSENT: Jacquie Billings Trustee

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

PUBLIC COMMENT

No comments.

PRESENTATIONS & BOARD ACTIONS

FIRE DEPARTMENT YEARLY REVIEW - CHIEF DAVE LARABY

Village of Perry Fire Chief, Dave Laraby, presented the Board with a report for the Fire Department's last fiscal year, April 1st through March 31st. The department received 164 calls which were broken down by category in the report.

The department has 44 active firefighters, 24 of which are interior qualified, putting Perry at 2nd in the county for interior qualified members. The Perry Fire Department worked a brush fire at Letchworth State Park yesterday near the St. Helena overlook. There were two separate fires covering about 4 acres of vegetation and trees caused by high voltage transmission lines that were knocked off poles due to high winds. Many other companies assisted. There were no injuries and everyone was done before dark.

Chief Laraby said that the calls were pretty typical compared to previous years with the exception of some lower numbers during covid. Mayor Hauser requested the percentage of calls that are outside the Village to compare to the fire contracts.

MINUTES

Trustee Lawrence made a motion to approve the minutes from the last regular board meeting on April 3, 2023, which was the annual organizational meeting. Trustee Lapiana seconded the motion and it was carried with all voting aye.

RESOLUTION ADOPTING THE 2023-2024 FISCAL YEAR VILLAGE OF PERRY OPERATING BUDGET

WHEREAS, the Village of Perry Board of Trustees held a public hearing on April 3, 2023 at 8:00pm on the tentative budget including the Village's general, water and sewer funds, and elected officials salaries; and

WHEREAS, the 2023-2024 fiscal year budget with a total amount of \$5,005,911 is not tax cap compliant; and

WHEREAS, the Village of Perry Board of Trustees held a public hearing on March 20, 2023 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 2023-2024 fiscal year; and

BE IT FURTHER RESOLVED, that the Village Administrator and Village Clerk shall prepare and certify the 2023-2024 budget as provided by law, and duplicate copies of the 2023-2024 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.

Many workshops, department meetings, and public meetings were held for the development of the 2023-2024 budget with the final step being adoption. Mayor Hauser entertained a motion to approve the budget. Motion was made by Trustee Draper to adopt the 2023-2024 fiscal year budget for the Village which was seconded by Trustee Lawrence and carried unanimously.

RESOLUTION ACCEPTING RESIGNATION OF POLICE OFFICER, MCKAYLEE CROLL

WHEREAS, Ms. McKaylee Croll as tendered her resignation from the position of Police Officer effective April 21, 2023; and

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

Trustee Lapiana made a motion to accept the resignation of Officer Croll 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 #7 from the HVAC contractor, John W. Danforth Company, for the wastewater treatment plant project in the amount of \$20,947.50; and

WHEREAS, the Village Clerk has received pay app #7 from the plumbing contractor, Crosby-Brownlie, Inc., for the wastewater treatment plant project in the amount of \$2,242.00; 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:

John W. Danforth Company \$20,947.50

Crosby-Brownlie, Inc. \$2,242.00

Trustee Lapiana made a motion to adopt the resolution approving payments for the Wastewater Treatment Plant project which was seconded by Trustee Draper and carried with all voting aye.

RESOLUTION APPROVING HOST COMMUNITY BENEFIT AGREEMENT WITH PERRY COMMUNITY SOLAR, LLC

WHEREAS, the Perry Community Solar, LLC ("Company") is developing or shall develop a large-scale solar project on a portion of property located on 200 North Main Street (88.20-3-16.1) in the Village of Perry (the "Project"); and

WHEREAS, the Company intends to enter into an agreement respecting the Project making provisions for payments in lieu of taxes (the "PILOT Agreement") by the Company with the Wyoming County Industrial Development Agency (the "IDA") for the benefit of the Village, Wyoming County (the "County") and the Perry Central School District; and

WHEREAS, the Company recognizes that the Project will impact the surrounding community, particularly the Village, more specifically that, during the development, construction, and long-term operation of said Project, the Village will incur significant expenses in connection with its "police powers"; and

WHEREAS, in consideration for the impacts on the community with respect to the Project, the Company has agreed to pay a Host Community Benefit Fee (as such term is defined in Section 2.1) to the Village, as set forth within this Community Benefit Agreement in addition to payments made pursuant to the PILOT Agreement;

WHEREAS, the Village and the Company wish to memorialize the terms and conditions associated with the payment of the Host Community Benefit Fee; and

BE IT RESOLVED, that the Village of Perry Board of Trustees hereby approved the Host Community Benefit Agreement with Perry Community Solar, LLC and authorizes the Mayor to execute said agreement.

Typically the overall amount of an agreement like this is distributed to the taxing jurisdiction. About 70% of the project is within the Village. In consideration of the impact to the community, an annual fee of \$2,800 per megawatt will be paid to the Village. Motion was made by Trustee Lawrence to approve the Host Community Benefit Agreement with Perry Community Solar which was seconded by Trustee Lapiana and carried with all voting aye.

RESOLUTION AUTHORIZING USE OF AMERICAN RESCUE PLAN ACT FUNDS ON PURCHASE FOR PARKS DEPARTMENT

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

WHEREAS, during the 2023-2024 budget planning process it was discussed purchasing a mower for the Parks Department; and

WHEREAS, the Parks Committee is requesting the purchase of a Ferris Zero Turn Mower to be designated to the Parks Department and the use of ARPA funds for the purchase not to exceed \$15,750; and

NOW, THEREFORE BE IT RESOLVED, that the Perry Village Board of Trustees hereby authorizes the use of ARPA funds for the purchase of the Ferris Mower designated to the Parks Department in an amount not to exceed \$15,750.00.

Administrator Marcy provided a breakdown of ARPA funds that have been earmarked so far including funds for the mower. Trustee Lapiana made a motion to authorize the use of ARPA funds for a mower for the parks department which was seconded by Trustee Lawrence and carried with all voting aye.

RESOLUTION AUTHORIZING BUDGET TRANSFERS TO THE 2022-2023 VILLAGE BUDGET

WHEREAS, the Village Administrator is proposing the following Budget Transfers to correct overspent accounts for the 2022-2023 fiscal year:

General Fund:

Increase: Increase: Increase: Decrease:	A1420.4 (Law, Contractual) A8010.43 (Zoning, Attorney Fees) A1910.4 (Unallocated Insurance) A1990.4 (Contingency)	\$525.00 \$1,771.35 \$2,376.66	\$4,613.01
Increase: Decrease:	A1620.42 (Buildings, Utilities) A1620.4 (Buildings, Contractual)	\$164.16	\$164.16
Increase:	A3120.12 (Police, Part-Time)	\$18,644.92	Ş104.10
Decrease:	A3120.1 (Police, Full-Time) A5132.42 (Garage, Utilities)	\$1,554.31	\$18,644.92
Decrease:	A5132.4 (Garage, Contractual)		\$1,554.31
Increase: Decrease: Decrease:	A9050.8 (Unemployment Insurance) A1990.4 (Contingency) A9060.8 (Health Insurance)	\$16,648.00	\$8,253.56 \$8,394.44
Increase: Decrease:	A9055.8 (Disability Insurance) A9060.8 (Health Insurance)	\$484.50	\$484.50
Water Fund:			3404.JU
Increase: Decrease:	F8310.4 (Water Admin, Contractual) F1420.4 (Law, Contractual)	\$2,501.49	\$2,501.49
Increase:	F8320.41 (Source of Supply, Utilities) F8330.4 (Water Purification, Contractual)	\$2,592.08 \$5,417.24	40.000.00
Decrease: Sewer Fund:	F1440.4 (Engineer, Contractual)		\$8,009.32
Increase: Decrease:	G1440.4 (Engineer, Contractual) G1420.4 (Law, Contractual)	\$198.00	\$198.00
Increase: Decrease:	G9060.8 (Health Insurance) G9030.8 (Social Security)	\$291.96	\$291.96; and

BE IT RESOLVED, that the Village of Perry Board of Trustees hereby authorizes the Village Administrator to make the above budget transfers for the 2022-2023 fiscal year; and

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

Trustee Lawrence made a motion to approve the above budget transfers proposed by Administrator Marcy. This motion was seconded by Trustee Lapiana and carried with all voting aye.

RESOLUTION APPOINTING TEMPORARY CLERK TO THE JUSTICE, MS. GILLIAN KOERNER

WHEREAS, Judge Wolcott is requesting a temporary appointment for the position of Clerk to the Justice to assist with the court office operations; and

WHEREAS, Judge Wolcott is requesting the appointment of Ms. Gillian Koerner; and

BE IT RESOLVED, that the Perry Village Board of Trustees does hereby appoint Ms. Gillian Koerner as a temporary Clerk to the Justice at a rate of \$24.59 per hour effective April 17, 2023.

The Village is accepting applications for a Clerk to the Justice position through next Friday. In the meantime, Ms. Koerner will assist with the transition. Trustee Lapiana made a motion to approve the appointment of a temporary Clerk to the Justice which was seconded by Trustee Lawrence and carried with all voting aye. It was clarified that this plan will be through the end of the fiscal year if needed. A new recommendation will be brought to the Board if this request is expected to extend.

RESOLUTION APPROVING ROCHESTER LADY LIONS SOFTBALL RESERVATION REQUEST

WHEREAS, the Parks Committee has reviewed the request from the Rochester Lady Lions Softball team; and

WHEREAS, the Rochester Lady Lions are requesting to reserve five softball fields from July 19 – July 23 for a softball tournament; and

WHEREAS, the Parks Committee is suggesting charging a fee of \$2,000 for the usage of the five fields for the five days requested; and

NOW, THEREFORE BE IT RESOLVED, the Village of Perry Board hereby accepts the Rochester Lady Lions Softball reservation request; and

BE IT FURTHER RESOLVED, the Village of Perry Board directs the Village Clerk to charge a fee of \$2,000 and to obtain all applicable documents including insurance certificate.

This request was received and approved last year for the same fee. Motion was made by Trustee Lapiana to approve the reservation request for the Rochester Lady Lions which was seconded by Trustee Lawrence and carried with all voting aye.

RESOLUTION APPROVING WYOMING COUNTY MENTAL HEALTH DEPARTMENT/PARTNERS FOR PREVENTION RESERVATION REQUEST

WHEREAS, the Parks Committee has reviewed the request from the Wyoming County Mental Health Department/Partners for Prevention; and

WHEREAS, the Wyoming County Mental Health Department/Partners for Prevention are requesting to reserve two fields at the Village Park on May 6, 2023 for a kickball tournament; and

WHEREAS, the Parks Committee is suggesting waiving the fee for the usage of the fields; and

NOW, THEREFORE BE IT RESOLVED, the Village of Perry Board hereby accepts the Wyoming County Mental Health Department/Partners for Prevention reservation request; and

BE IT FURTHER RESOLVED, the Village of Perry Board approves waiving the fee for the Wyoming County Mental Health Department/Partners for Prevention.

The recommendation to waive fees is due to shared services with the county. Motion to approve the resolution above was made by Trustee Lapiana, seconded by Trustee Draper, and carried with all voting aye.

RESOLUTION SETTING A PUBLIC HEARING ON THE PROPOSED LOCAL LAW ENTITLED "AMENDING §490-72 'SIGNREGULATIONS' OF THE ZONING CODE OF THE VILLAGE OF PERRY" VILLAGE OF PERRY

RESOLUTION

Adopted: April 17, 2023

WHEREAS, the Village Board of the Village of Perry met at a regular board meeting at the Village Offices located in the Village of Perry, New York on the 17th day of April 2023, commencing at 7:30 p.m., at which time and place the following members were:

Present:	Mayor	Rick Hauser
	Trustee	Dariel Draper
	Trustee	Arlene Lapiana
	Trustee	Ernie Lawrence
Absent:	Trustee	Jacquie Billings

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 has drafted a local law that would add and amend language to the current sign regulations within §490-72 "Sign Regulations" of the Zoning Code of the Village of Perry; and

WHEREAS, the purpose of the local law is to amend and update a portion of the language of §490-72 "Sign Regulations" of the Zoning Code of the Village of Perry; and

WHEREAS, therefore, the Village Board of the Village of Perry is considering a Local Law entitled "Amending §490-72 'Sign Regulations' of the Zoning Code of the Village of Perry"; and

WHEREAS, in accordance with the State Environmental Quality Review Act (SEQR), 6NYCRR Part 617, the Village Board has determined that the proposed amendments to §490-72 of the Village of Perry Zoning Ordinance to be a Type II Action and as such, the Village Board has no further responsibilities under SEQR; and

WHEREAS, the Village Board of the Village of Perry finds it in the best interest of the Village to hold a public hearing to consider the adoption of said local law.

NOW ON MOTION OF Trustee Draper, which has been duly seconded by Trustee Lapiana, be it

RESOLVED, the Village Board of the Village of Perry will hold a public hearing on the proposed adoption of said local law on the 1st day of May at 8:00 p.m., at which time all interested parties and citizens for or against the proposed law will be heard.

Ayes: 4 Nays: 0

Quorum Present: X Yes No

Dated: April 18, 2023

Proposed sign law amendments have been shared with the Planning Board and ZBA where comments were received and revisions were made. The amendments increase the number of signs and their allowed size. The amendments will reduce the number of challenge areas in the Village to a size that can be acted upon. Language regarding murals has also been plugged in to the law. It is very likely that the Village will see an application for a mural soon so explicit language in terms of a definition is necessary. As noted in the resolution above, Trustee Draper made a motion to schedule a public hearing for the consideration of a local law entitled "Amending 490-72 'Sign Regulations' of the Zoning Code of the Village of Perry" which was seconded by Trustee Lapiana and carried with all voting aye.

CLERK/DEPUTY TREASURER REPORT

FY 2022-2023 Abstract #22

Vouchers #1755 - 1855

General Fund	\$ 33,821.25
Special Grant Fund	\$ 165,200.00
Water Fund	\$ 9,701.78
Sewer Fund	\$ 15,431.48
Capital Projects Fund	\$ 26,639.50
Trust & Agency	\$ 1,144.84
Silver Lake Watershed Commission	\$ 48.55
Total	\$ 251,987.40

Vouchers were audited by Trustee Lapiana. \$162,000.00 of the special grant fund total was received from HTFC and turned over for the NYMS grant. Motion to approve payment of abstract #22 in the amount of \$251,987.40 was made by Trustee Lawrence, seconded by Trustee Draper, and carried with all voting aye. Updated NYCLASS balances were also provided.

DEPARTMENT/COMMITTEE REPORTS

Reports for the following departments were included with no action needed: WTP, WWTP, Police, DPW, and Parks.

TRUSTEE REPORTS

Trustee Lawrence noted that Perry Rotary donated money for 2 picnic tables, 2 benches, & 2 grills for Park Ave. Park. Superintendent Deaton designed a layout of where the items can be placed at the park, near the playground area.

A committee has been working on a plan for Memorial Park and has gotten pretty close to a final design. Trustee Lawrence plans to have James Reynolds, who has contributed much to the design, come to a board meeting to share the committee's ideas. Some of the plans may fall under the DRI.

Mayor Hauser informed the Board that there are plans for Shawn Dunwoody, who works nationally, to do a 20' x 70' mural on the wall facing Memorial Park. PMSA and Rotary have raised funds for the work. Shawn is working on gathering ideas from the community. There was a kickoff meeting with stakeholders to get the first round of ideas on themes for the design. There will be public sessions as well; the next one on April 26th during PMSA's meeting at 7:00 pm upstairs at the Village Hall. There will be a community paint day during the Chalk Art Festival with plans for a finished mural by the end of summer.

A Fire Department consolidation meeting is scheduled on April 26th as well, at 6:00 pm in Silver Springs. Trustee Lawrence, Administrator Marcy, and Fire Chief Laraby plan to attend.

Mayor Hauser stated that Letchworth Gateway Villages has full membership by all 10 Trail Town Communities. LGV is now funded by communities rather than grants, although there could be more grant opportunities in the future. Individuals are welcome to go to exploregeneseevalley.com to sign up for the monthly newsletter. Mayor Hauser is happy with the statistics and outreach of LGV.

With no further business, motion to adjourn was made by Trustee Draper at 8:25 pm which was seconded by Trustee Lapiana and carried.

Respectfully submitted, Christina Slusser, Village Clerk



RESOLUTION APPOINTING SEASONAL LABORER, JASE STONE

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

WHEREAS, the Superintendent of Public Works is requesting the appointment of Mr. Stone for the 2023 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 \$15.00 per hour effective May 2, 2023.



RESOLUTION APPOINTING FULL-TIME LABORER, KEVIN BAKER

WHEREAS, there is a vacancy for a Full-Time Laborer, designated to the Department of Public Works, due to a resignation; and

WHEREAS, Administrator Marcy and Superintendent Deaton interviewed Mr. Kevin Baker and are requesting the hiring of Mr. Baker as a Full-Time Laborer; and

WHEREAS, Administrator Marcy and Superintendent Deaton are requesting the starting rate for Mr. Baker to be the full rate due to experience and qualifications; and

NOW, THEREFORE BE IT RESOLVED, the Village of Perry Board of Trustees hereby approves the hiring of Mr. Kevin Baker as a full-time, benefit eligible, Laborer with a starting hourly rate of \$20.04 effective May 15, 2023.



RESOLUTION APPOINTING FULL-TIME POLICE OFFICER, MATTHEW CROSS

WHEREAS, there is a vacancy for a Full-Time Police Officer due to a recent resignation; and

WHEREAS, Officer Cross has been employed with the Village of Perry Police Department since May 2022; and

WHEREAS, Chief Grover is requesting the hiring of Officer Matthew Cross as a Full-Time Police Officer; and

NOW, THEREFORE BE IT RESOLVED, the Village of Perry Board of Trustees hereby approves the hiring of Officer Matthew Cross as a full-time, benefit eligible, Police Officer with a starting hourly rate of \$25.68 effective May 8, 2023.



RESOLUTION ACCEPTING RESIGNATION OF PART-TIME CLERK, LAURA GIFFORD

WHEREAS, Ms. Laura Gifford has tendered her resignation from the position of Part-Time Clerk effective May 5, 2023; and

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

April 25, 2023



Village of Perry 46 N. Main Street Perry, NY 14530

Dear Christina,

Please accept this letter as my formal resignation from my role as Part-Time Clerk. My last day will be 5/5/2023. I am happy to assist you with any tasks during my final weeks on the job.

Thank you for the knowledge and experience I have gained. I am very grateful for the team and the relationships I've built.

Sincerely,

Laura Gifford



RESOLUTION AUTHORIZING DENTAL AND VISION INSURANCE PLANS FOR THE 2023-2024 RENEWAL CYCLE

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

WHEREAS, the Village Administrator is recommending to continue with the current plans: Dutchess 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 Dutchess Dental Plan and Platinum 12 Vision Plan for the 2023-2024 renewal year; and

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

THIS RENEWAL AGREEMENT, made this ______day of _______, 20_____, between VILLAGE OF PERRY (POLICE) (hereinafter the EMPLOYER) with offices located at 46 North Main Street, Perry, New York 14530 and the CSEA EMPLOYEE BENEFIT FUND (hereinafter the FUND), a Trust, with offices located at One Lear Jet Lane, Suite One, Latham, New York 12110-2395.

WHEREAS, the parties have heretofore entered into an agreement dated June 29,1998 (the "Original Agreement"), for the provision by the FUND of certain benefits to the EMPLOYER'S covered employees, which Original Agreement was most recently extended by Renewal Agreement dated December 5, 2016 (as extended, the "Agreement"), and

WHEREAS, the parties desire to continue the provision of said benefits upon the terms and conditions contained in the Agreement, except as modified hereby,

NOW, THEREFORE, in consideration of the covenants and promises contained herein, the parties agree as follows:

1. The FUND shall provide benefits to the EMPLOYER'S covered employees under the following benefit PLAN(S) established by the FUND:

DUTCHESS DENTAL PLAN PLATINUM 12 VISION PLAN

2. The EMPLOYER shall pay the FUND the following amounts per covered employee per month:

A. DUTCHESS DENTAL PLAN – SINGLE COVERAGE

- (i) from June 1, 2019 to June 30, 2019, \$66.61;
- (ii) from July 1, 2019 to June 30, 2020, \$67.93;
- (iii) from July 1, 2020 to December 31, 2020, \$67.93;
- (iv) from January 1, 2021 to June 30, 2021, \$69.97;
- (v) from July 1, 2021 to June 30, 2022, \$74.17;
- (vi) from July 1, 2022 to June 30, 2023, \$79.37;
- (vii) from July 1, 2023 to May 31, 2024, \$80.16.

B. **DUTCHESS DENTAL PLAN – FAMILY COVERAGE**

- (i) from June 1, 2019 to June 30, 2019, \$179.54;
- (ii) from July 1, 2019 to June 30, 2020, \$183.14;
- (iii) from July 1, 2020 to December 31, 2020, \$183.14;

- (iv) from January 1, 2021 to June 30, 2021, \$188.63;
- (v) from July 1, 2021 to June 30, 2022, \$199.96;
- (vi) from July 1, 2022 to June 30, 2023, \$213.96;
- (vii) from July 1, 2023 to May 31, 2024, \$216.10.

C. PLATINUM 12 VISION PLAN – SINGLE COVERAGE

- (i) from June 1, 2019 to June 30, 2019, \$12.65;
- (ii) from July 1, 2019 to June 30, 2020, \$12.65;
- (iii) from July 1, 2020 to December 31, 2020, \$12.65;
- (iv) from January 1, 2021 to June 30, 2021, \$12.65;
- (v) from July 1, 2021 to June 30, 2022, \$12.65;
- (vi) from July 1, 2022 to June 30, 2023, \$12.65;
- (vii) from July 1, 2023 to May 31, 2024, \$12.65.

D. PLATINUM 12 VISION PLAN – FAMILY COVERAGE

- (i) from June 1, 2019 to June 30, 2019, \$34.32;
- (ii) from July 1, 2019 to June 30, 2020, \$34.32;
- (iii) from July 1, 2020 to December 31, 2020, \$34.32;
- (iv) from January 1, 2021 to June 30, 2021, \$34.32;
- (v) from July 1, 2021 to June 30, 2022, \$34.32;
- (vi) from July 1, 2022 to June 30, 2023, \$34.32;
- (vii) from July 1, 2023 to May 31, 2024, \$34.32.
- 3. Every employee for whom the FUND receives the payments set forth in Section 2B hereof shall receive Dutchess Dental Plan coverage for the employee and all dependents as defined in Article I Section 5 of this Agreement, subject to the limitations set forth in Article IV Section 6 of this Agreement. Every employee for whom the FUND receives the payments set forth in Section 2D hereof shall receive Platinum 12 Vision Plan coverage for the employee and all dependents as defined in Article I Section 5 of this Agreement, subject to the limitations set forth in Article IV Section 6 of this Agreement.

- 4. Notwithstanding the foregoing, full-time employees hired on or after June 1, 2010 shall pay twenty (20%) percent of the cost of the Dutchess Dental Plan coverage. Full-time employees hired prior to June 1, 2010 shall pay ten (10%) percent of the cost of the Dutchess Dental Plan coverage. Full-time employees hired prior to June 1, 2020 shall pay \$3.50 per pay period toward the cost of the Platinum 12 Vision Plan coverage. Full-time employees hired on or after June 1, 2020 shall pay twenty (20%) percent of the cost of the Platinum 12 Vision Plan coverage. Each such amount (the "Employee's Share") shall be paid by each employee by means of a payroll deduction item which shall remain in place for the duration of this Renewal Agreement. The cost of coverage in excess of the applicable Employee's Share shall be paid by the EMPLOYER.
- 5. This Renewal Agreement is effective as of June 1, 2019 and shall terminate on May 31, 2024, subject to continuation pursuant to the terms of Article IX, Section 2 of the Agreement and subject to earlier termination by virtue of the decertification of CSEA as the representative of the employees in the bargaining unit required to be covered under this Agreement.
- 6. Except as expressly modified herein, the terms and conditions of the Agreement are hereby ratified and affirmed and incorporated by reference.

IN WITNESS WHEREOF, the parties have executed this Renewal Agreement the day and year first above written.

CSEA EMPLOYEE BENEFIT FUND	VILLAGE OF PERRY	
By:/well au Ill	By:	
William F. Howard, Director	Rick Hauser, Mayor	

VILLAGE OF PERRY RESOLUTION RELATING TO THE PROPOSED LOCAL LAW ENTITLED "AMENDING §490 'ZONING' OF THE VILLAGE CODE OF THE VILLAGE OF PERRY TO INCORPORATE 'COMPLETE STREETS'"

	A	aoptea:	, 2023		
the Village of Perry	, on the	day of	at a regular board m	neeting at the Vilonmencing at	
and the following n	nembers were:				
Present:	Mayor				
	Trustee				
Absent:					

WHEREAS, all Village Board Trustees, 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 Trustees of the Village of Perry are considering a proposed local law, entitled "Amending §490 'Zoning' of the Village Code of the Village of Perry to Incorporate 'Complete Streets'"; and

WHEREAS, the Village of Perry recognizes that Complete Streets allows for streets to be designed and operated to enable safe mobility and access for all users, regardless of age or ability, so that pedestrians, bicyclists, motorists, and transit riders are able to safely move along and across a street; and

WHEREAS, pursuant to and in accordance with the provision of section 617.6 (Initial Review of Actions and Establishing Lead Agency) of the New York State Environmental Quality Review Regulations, (6 NYCRR part 617) the Village of Perry declares its intention to seek lead agency status for purposes of SEQRA review, has reviewed the proposed law and will take a "hard look" at all potential adverse environmental impacts pursuant to SEQRA by completing Part 1 of a Short Form EAF, and shall advise all other involved and/or interested agencies that it believes it is the proper Lead Agent for this Action. Those Agencies are listed as follows:

- 1. Wyoming County Board of Supervisors
- 2. Wyoming County Agriculture and Farmland Protection Board (AFPB)
- 3. Wyoming County Planning Board
- 4. Village of Perry Planning Board
- 5. Village of Perry Zoning Board of Appeals
- 6. Department of Environmental Conservation
- 7. Town Board of the Town of Perry
- 8. Town Board of the Town of Castile

and;

WHEREAS, pursuant to §§239-l and 239-m of the General Municipal Law, said local law and all supporting documentation, shall be submitted to the Wyoming County Planning Board for their review and recommendations; and

WHEREAS, the Village Boa Perry to hold a public hearing to con-		is in the best interest of the Village of id local law.
NOW ON MOTION OF, now therefo		which has been duly seconded by
Review of Actions and Establishing Review Regulations, (6 NYCRR par intention to seek lead agency status law and will take a "hard look" at all by completing Part 1 of a Short Fort agencies that it believes it is the prop follows: 1. Wyoming County Bot 2. Wyoming County Ag 3. Wyoming County Pla 4. Village of Perry Plant 5. Village of Perry Zonit	Lead Agency) of the Net t 617) the Village Boar for purposes of SEQR potential adverse environ EAF, and shall advisor Lead Agent for this ard of Supervisors riculture and Farmland nning Boarding Boarding Board of Appeals nmental Conservation own of Perry	rd of the Village of Perry declares its A review, has reviewed the proposed commental impacts pursuant to SEQRA are all other involved and/or interested
RESOLVED , that pursuant local law shall be submitted to the recommendations at their next meeting.	e Wyoming County P	
RESOLVED , that Village B proposed adoption of the local law en p.m., at which time all interested par heard.	titled "Complete Street	
Ayes: Nays:		
Quorum Present: ☐ Yes ☐ N Dated:, 20		Christina Slusser, Clerk Village of Perry

[SEAL]

A PROPOSED LOCAL LAW ENTITLED "AMENDING §490 'ZONING' OF THE VILLAGE CODE OF THE VILLAGE OF PERRY TO INCORPORATE 'COMPLETE STREETS'"

BE IT ENACTED by the Village Board of the Village of Perry as follows:

SECTION I. ENACTMENT.

That Article VIIA entitled "Complete Streets" is hereby added as follows:

SECTION II. DEFINITION.

The Village Board of the Village of Perry hereby adopts the following changes to the Zoning Code of the Village of Perry:

§490-14 "Word Usage and Definitions":

Amend to read as follows:

Complete Streets means streets that are designed and operated to enable safe mobility and access for all users, regardless of age or ability, so that pedestrians, bicyclists, motorists, and transit riders are able to safely move along and across a street. (Please refer to §490-74 through §490-76.5 for more information).

§490-74 (Reserved):

Amend to read as follows:

"Complete Streets" means streets that are designed and operated to enable safe mobility and access for all users, regardless of age or ability, so that pedestrians, bicyclists, motorists, and transit riders are able to safely move along and across a street.

- A. Complete Streets integrate people and place in the planning, design, construction, operation, and maintenance of transportation networks.
- B. Complete Streets can include design elements utilizing both traditional "village center" street characteristics (curbs, narrow traffic lanes to promote slower speeds, sidewalks, crosswalks, striped on-street and/or angled parking, two-lane streets, tighter turning radii at street intersections, landscaped medians, ornamental pedestrian-scale street lights, street trees, etc.) and traffic calming features ("Yield to pedestrian in the crosswalk" signs, speed tables, pedestrian refuge islands, bicycle infrastructure, such as painted or protected bicycle lanes, speed humps, etc.). These design elements promote safety over speed and promote a hospitable and comfortable environment for all. These elements are intended to balance the needs of different modes and support local land uses, economic development, community character, and the natural environment. Different Complete Streets elements may be applied to different streets to enhance access and mobility, but the goal of accommodation remains the same regardless of which street these elements are applied to.

SECTION III. POLICY

<u>§490-75 (Reserved):</u>

Amend to read as follows:

- A. The Village should develop a safe, reliable, efficient, integrated, and connected multimodal transportation system that will promote access, mobility and health for all users, and will ensure that the safety and convenience of all users of the transportation system are accommodated, including pedestrians, bicyclists, users of public transit, people of all ages and abilities, emergency responders, delivery providers, motorists, and adjacent land users.
- B. The Village's goal in adopting a Complete Streets policy is to create an interconnected network of transportation facilities which accommodates all modes of travel in a manner that is consistent with neighborhood context and supportive of community goals as documented in the Village's comprehensive plan.

SECTION IV. SCOPE OF APPLICABILITY

§490-76 (Reserved):

Amend to read as follows:

- A. All municipal-owned transportation facilities in the public right-of-way, including but not limited to, streets, bridges, sidewalks, and recreational trails should be designed, constructed, operated, and maintained so that users of all ages and abilities can travel safely.
- B. Non-public streets and parking lots constructed on private property, but subject to the Village development review process, should adhere to this policy. Parking lots should consider pedestrian connectivity from building entrances to street facilities, safety and ease of pedestrian and bike accommodations in the parking lot, and any other improvements for all modes of transportation.
- C. The Village should foster partnerships with the State of New York, Wyoming County, neighboring municipalities, local businesses, and the Perry Central School District to develop facilities and programs that advance the Village's complete streets policy and continue such infrastructure beyond the Village's borders.
- D. The Village should approach transportation infrastructure projects as opportunities to create safer and more accessible streets for all users. The planning and review processes associated with transportation and/or development projects should incorporate as a primary objective the alteration of existing transportation infrastructure and the creation of new infrastructure that conforms with this policy. These phases include, but are not limited to: planning, programming, design, right-of-way acquisition, construction, construction engineering, reconstruction, operation, and maintenance.

E. All new residential subdivisions will be required to comply with §475-11 for subdivision law for design standards. They should be required to construct sidewalks within the development at the time of initial construction of the infrastructure serving such subdivision.

SECTION V. EXCEPTIONS

§490-76.1 (Reserved):

Amend to read as follows:

The incorporation of bicycle, pedestrian, and transit facilities should be mandated in all street construction, reconstruction, rehabilitation, and pavement maintenance projects undertaken by or on behalf of the Village. Exceptions may or may not be considered under one or more of the following conditions:

- A. Any exception to this policy, including for private projects, must both be reviewed and approved by the Village Board and be documented with supporting data that indicates the basis for the decision. Such documentation should be publicly available.
- *B. Exceptions to this policy may be considered when:*
 - (1) An affected roadway prohibits, by law, use by a specific mode of transportation;
 - (2) Facility owners conduct routine maintenance activities designed to keep their facilities in serviceable condition (e.g., mowing, cleaning, sweeping, spot repair, and surface treatments);
 - (3) Temporary alterations to transportation infrastructure are made in response to a public safety or emergency situation;
 - (4) The Zoning Board of Appeals (ZBA) issues a documented exception concluding that the application of Complete Streets principles is unnecessary, unduly cost prohibitive, or inappropriate because it would be contrary to public safety;
 - (5) Other available means or factors indicate an absence of need, including future need; or
 - (6) A reasonable equivalent, such as an adequate pedestrian path on a parallel route, is already an available or planned alternative.

SECTION VI. DESIGN STANDARDS

§490-76.2 (Reserved):

Amend to read as follows:

A. The Village should plan, design, build, and maintain all bicycle, pedestrian, and transit facilities in accordance with accepted federal, state, and local standards and guidelines, but will consider innovative and/or non-traditional design options, as appropriate. The

- Village will strive in the implementation of this policy to reflect the context and character of the surrounding built and natural environments, and apply complete streets elements to enhance the appearance of the neighborhood.
- B. The Village should follow commonly accepted design guidance for Complete Streets projects. Any conflicts in guidance will be resolved by the Village Planning Board in favor of the optimal solution for the Village's needs. Potential sources of design guidance can be obtained from the following organizations:
 - (1) United States Department of Transportation (USDOT), including the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA)
 - (2) U.S. Access Board
 - (3) New York State Department of Transportation (NYSDOT)
 - (4) American Association of State Highway & Transportation Officials (AASHTO)
 - (5) Transportation Research Board (TRB)
 - (6) Institute of Transportation Engineers (ITE)
 - (7) National Association of City Transportation Officials (NACTO)
 - (8) Smart Growth America
 - (9) Americans with Disability Act
- C. In recognition of context sensitivity, public input, and the needs of many users, a flexible, innovative, and balanced approach that follows other appropriate design standards may be considered, provided that a comparable level of safety for all users is present. The Village Board recognizes that all streets are different and that the needs of all users will need to be balanced in a flexible manner, and that solutions should be developed to fit within the context of the community where construction is to take place and those solutions should be flexible so that the needs of the corridor can be met.

SECTION VII. PERFORMANCE MEASURES AND REPORTING

§490-76.3 (Reserved):

Amend to read as follows:

- A. The Planning board should measure the success of this Complete Streets policy using the following performance measures:
 - (1) Total miles of bike facilities.
 - (2) Linear feet of new pedestrian facilities, including but not limited to:
 - (a) Crosswalk and intersection improvements.
 - (b) Number of new curb ramps installed along village streets.

- (c) Number of crashes and injuries for all modes at location of improvements.
- (d) Number of [audible] traffic signals.
- (3) Other measures as agreed upon by the Village Board and the Village Planning Board
- B. An annual report will be made by the Planning Board to the Village Board showing progress made in implementing this policy. The annual report on the annual increase or decrease for each performance measure contained in this article compared to the previous year(s) should be posted online for each of the above measures.
- C. The Village Planning Board will review each application it receives to determine how Complete Streets elements should be applied to the project. The Planning Board and the Complete Streets Taskforce will discuss Complete Streets annually at minimum, and then as needed to plan future complete streets projects within the Village. This will include the inventory and evaluation of how well each street in the Village is serving all users. The Planning Board and the Complete Streets Taskforce will identify and prioritize desired projects and redesigns and options for achieving a quality community and appropriate street environment, including improved accessibility; provide recommendations on policies and priorities, including maintenance of Complete Streets facilities; and assess opportunities to integrate, accommodate, and balance the needs of all users in street projects and address potential obstacles to implementing Complete Streets elements in the Village.

SECTION VIII. THE COMPLETE STREETS TASKFORCE

§490-76.4 (Reserved):

Amend to read as follows:

- *A.* There is hereby created a Complete Streets Taskforce.
- B. The Complete Streets Taskforce should consist of three (3) volunteer members; with one member appointed by the planning board to coordinate between the two.
- C. The purpose of the Complete Streets Taskforce is to promote health through physical activity and active transportation for all users, specifically, the most vulnerable children, older adults, and those with disabilities within the Village of Perry.

SECTION IX. IMPLEMENTATION

§490-76.5 (Reserved):

Amend to read as follows:

The Village of Perry should view Complete Streets as integral to everyday transportation decision-making practices and processes. To this end:

A. The Department of Public Works, the Planning Board, and other relevant departments, agencies, boards, or committees will incorporate Complete Streets principles into all

existing plans, standards, guidelines, manuals, and development review checklists, as appropriate (including, but not limited to, the municipal Comprehensive Plan, Zoning Code, Design Standards/Guidelines, Subdivision Regulations, Capital Improvement Program, Sustainability Plan, and Local Waterfront Revitalization Plan);

- B. The Department of Public Works, the Planning Board, and other relevant departments, agencies, boards or committees will **review current design standards**, including subdivision regulations which apply to new roadway construction, to ensure that they reflect the best available design standards and guidelines, and effectively implement Complete Streets, where feasible;
- C. The Village should encourage **staff professional development and training** on complete streets through attending conferences, classes, seminars, and workshops;
- D. The Village should seek to identify all current and potential future **sources of funding** for street improvements and recommend improvements to the project selection criteria to support Complete Streets projects;
- E. The Village should promote **inter-departmental project coordination** among Village departments with an interest in the activities that occur within the public right-of-way in order to better use fiscal resources and promote complete streets principles.

SECTION X. SEVERABILITY/VALIDITY

If any part or provision of this local law, or the application thereof, to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision or application directly involved in the controversy in which such judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this local law, or application thereof to other persons or circumstances, and the Village Board of the Village of Perry hereby declares that it would have passed this Local Law or the remainder thereof, had such invalid application or invalid provision been apparent.

SECTION XI. REPEAL

All ordinances, local laws and parts thereof inconsistent with this local law are hereby repealed.

SECTION XII. EFFECTIVENESS

This local law shall take effect immediately upon filing in the office of the Secretary of State in accordance with §27 of the Municipal Home Rule Law of the State of New York.

Short Environmental Assessment Form Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

D 11 D 1 1 D 1 1						
Part 1 – Project and Sponsor Information						
Name of Action or Project:						
Project Location (describe, and attach a location ma	<u>ap):</u>					
Brief Description of Proposed Action:						
Name of Applicant or Sponsor:			Telephone:			
			E-Mail:			
Address:	_					
City/PO:			State:	Zip (Code:	
1. Does the proposed action only involve the legis administrative rule, or regulation?	slative adoption	of a plan, loca	law, ordinance,	L	NO	YES
If Yes, attach a narrative description of the intent of may be affected in the municipality and proceed to				rces that		
2. Does the proposed action require a permit, appr If Yes, list agency(s) name and permit or approval:	roval or funding	from any othe	r government Ager	ncy?	NO	YES
a. Total acreage of the site of the proposed actionb. Total acreage to be physically disturbed?c. Total acreage (project site and any contiguous or controlled by the applicant or project sp	us properties) ow	/ned	acres acres acres			
4. Check all land uses that occur on, are adjoining	or near the prop	osed action:				
☐ Urban Rural (non-agriculture)	Industrial	Commercia		(suburban)		
☐ Forest Agriculture Parkland	Aquatic	Other(Spec	ify):			

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5.	Is the proposed action,	NO	YES	N/A
	a. A permitted use under the zoning regulations?			
	b. Consistent with the adopted comprehensive plan?			
			NO	YES
6.	Is the proposed action consistent with the predominant character of the existing built or natural landscape?			
7.	Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		NO	YES
If Y	Yes, identify:			
			110	
8.	a. Will the proposed action result in a substantial increase in traffic above present levels?		NO	YES
	b. Are public transportation services available at or near the site of the proposed action?			
	c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?			
9.	Does the proposed action meet or exceed the state energy code requirements?		NO	YES
If th	he proposed action will exceed requirements, describe design features and technologies:			
10.	Will the proposed action connect to an existing public/private water supply?		NO	YES
	If No, describe method for providing potable water:			
11.	Will the proposed action connect to existing wastewater utilities?		NO	YES
	If No, describe method for providing wastewater treatment:			
12.	a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or distric	t	NO	YES
Cor	ich is listed on the National or State Register of Historic Places, or that has been determined by the mmissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the te Register of Historic Places?			
	b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for haeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?			
13.	a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?		NO	YES
	b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?			
If Y	Yes, identify the wetland or waterbody and extent of alterations in square feet or acres:			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
☐Shoreline ☐ Forest Agricultural/grasslands Early mid-successional		
Wetland Urban Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or	NO	YES
Federal government as threatened or endangered?		
16. Is the project site located in the 100-year flood plan?	NO	YES
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
If Yes,		
a. Will storm water discharges flow to adjacent properties?		
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:		
18. Does the proposed action include construction or other activities that would result in the impoundment of water	NO	VEC
or other liquids (e.g., retention pond, waste lagoon, dam)?	NO	YES
If Yes, explain the purpose and size of the impoundment:		
49. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste	NO	YES
management facility? If Yes, describe:		
If Tes, describe.		
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or	NO	YES
completed) for hazardous waste? If Yes, describe:		
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BE MY KNOWLEDGE	ST OF	
Applicant/sponsor/name:		
Signature:Title:		

Village of Perry Village Board Meeting 5/1/2023

Clerk/Deputy Treasurer Report

FY 2022-2023 Abstract #23 Vouchers #1856 - 1919

WWTP Project

General Fund	\$ 44,020.02
Special Grant Fund	\$ 1,020.00
Water Fund	\$ 5,967.23
Sewer Fund	\$ 17,048.81
Capital Projects Fund	\$ 37,374.00
Trust & Agency	\$ 2,105.98
Silver Lake Watershed Commission	\$ 37.99
Total	\$ 107,574.03

 Vouchers were audited by Trustee Lawrence

 Prepaid to avoid late fees 	\$ 154.97
• Breakdown of Capital Projects:	
Storm Drainage Improvements	\$ 15,875.00
Lead Service Line Replacement	\$ 11.030.00

\$ 10,469.00