



Village of Perry Board of Trustees

Village Board Meeting • Agenda • Thursday, July 6, 2023 • 6:00 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 – June 19, 2023
 - b. ☐ Resolution Appointing Seasonal Laborer, Austin Croll
 - c. ☐ Resolution Approving Payment for the Silver Lake Trail Project
 - d. ☐ Resolution Regarding the Approval of a Bond Anticipation Note of \$45,000 for the Ford Explorer Hybrid
4. ☐ Clerk/Deputy Treasurer's Report
5. ☐ Department/Committee Reports
6. ☐ Trustee Reports
7. ☐ Executive Session

**VILLAGE OF PERRY
VILLAGE BOARD MEETING MINUTES
JUNE 19, 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 19th day of June 2023.

PRESENT:	Rick Hauser	Mayor
	Daniel Draper	Trustee
	Jacquie Billings	Trustee
	Ernie Lawrence	Trustee
ALSO PRESENT:	Samantha Marcy	Administrator
	Christina Slusser	Village Clerk
GUESTS:	Lorraine Sturm, Perry Herald	
	Terri Humberstone	Michael Buda
	Tim Humberstone	Beth C. Dumbleton-Becker
	Daryl Heiby	David Becker
	Ellen Heiby	James Reynolds
ABSENT:	Arlene Lapiana	Trustee

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

PUBLIC COMMENT

DOWNTOWN REVITALIZATION INITIATIVE PROJECT IDEAS

Mayor Hauser addressed the room by giving a summary of where the DRI project stands currently. Funds have been earmarked by the state but not yet allocated. The Village has plans to extend the Silver Lake Trail and complete the assembly hall on the 2nd floor of the Village Hall. There are other projects for the private sector.

The DRI application was used to demonstrate readiness and capacity and to show that Perry has projects that can be transformative. Public and private sector projects need to be submitted to the LPC (Local Planning Committee) by July 21st. The application is available at www.villageofperrydri.com. There will be a public workshop on June 29th. The location and time is to be determined.

The focus of the public hearing tonight is to get public input on municipal projects. Everything submitted will go to the committee and qualified projects should move on to the next step for design work, realistic budget estimating, and proformas to demonstrate the need for funds. Public projects will not need a proforma but will need to demonstrate the vision of the DRI. A line used in the DRI application is that Perry aims to be a “hospitality hub.” Perry aims to create an atmosphere of trails, food tourism, and a revitalized Main Street; a place that is great to live, work, and stay.

Things not eligible for DRI funds include paving, planning and work at the Public Beach, and Village Park since they are outside of the DRI boundary.

Michael Buda suggested an educational center using the stretch of mills. Educational signs could explain the plant life and use of oil and flour; also an archaeology interest or a place to put mill stones and explain how they were used to ground flour. There is also an interest in alternative energy. These things could help create a link to Letchworth State Park.

Beth Dumbleton-Becker proposed a gazebo or picnic shelter across the new bridge along with a fence around the area and some lighting.

Lorraine Sturm referenced a new playground at Letchworth with adaptable equipment, like swings that hold wheelchairs. If Park Ave. was viewed as an extension of the proposed DRI boundary, it might be a nice addition there. Park Ave has also been considered for a dog park and walking paths. There are already new grills, benches, and picnic tables ordered for that park.

The assembly space on the 2nd floor of the Village Hall needs to be renovated now that the elevator has been installed for accessibility. It was suggested that it would be nice to see a space with maps of Perry over the years; a space upstairs that is dedicated to preserving some of the history.

There was also a proposed overlook by Basil's on Center Street and to add a historic marker there.

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

At 8:00 pm, Mayor Hauser opened the Public Hearing on Complete Streets. James Reynolds, the Chairperson of the Village of Perry Planning Board, was present to comment. Mr. Reynolds thanked all who were involved for their time and effort to review the law, saying that the Village of Perry will be the first municipality in Wyoming County to pass a law like this. Mr. Reynolds recently worked with Caneadea in Allegheny County who recently passed a resolution based on Perry's law.

In the upcoming state budget, municipalities with Complete Streets policies or laws could get additional money from the state. This could also open an opportunity for smaller grants and helps to strengthen other applications. Grants can be used for sidewalk repair, signage, or new curb ramps; typically small projects. Mr. Reynolds let the Board know about a new grant, Safe Streets for All, which has a July deadline to apply, so it could be something to consider for next year. A safety policy is also needed.

With no comments from the public, at 8:07 pm Mayor Hauser made a motion to close the public hearing. Trustee Draper seconded the motion and it was carried with all voting aye.

**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

§490-75 (Reserved):

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.

**RESOLUTION OF THE VILLAGE BOARD OF THE VILLAGE OF PERRY
DECLARING LEAD AGENCY
AND ADOPTING THE PROPOSED LOCAL LAW ENTITLED
“AMENDING §490 ‘ZONING’ OF THE VILLAGE CODE OF THE VILLAGE OF
PERRY TO INCORPORATE ‘COMPLETE STREETS’
AND ISSUING A NEGATIVE DECLARATION**

Adopted: June 19, 2023

The Village Board of the Village of Perry met at a regular board meeting at the Village Offices of the Village of Perry in the Village of Perry, New York on the 19th day of June, 2023, commencing at 7:30 p.m. at which time and place the following members were:

<u>Present:</u>	Mayor	Rick Hauser
	Trustee	Dariel Draper
	Trustee	Jacquie Billings
	Trustee	Ernie Lawrence

<u>Absent:</u>	Trustee	Lapiana
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WHEREAS, all Village Board Members having due notice of said meeting, and that pursuant to Section 94 of the Public Officers Law (Public Meetings Law), said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law; and

WHEREAS, the Village 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, the Village Board of the Village of Perry sought lead agency status, by resolution dated May 1, 2023, and under the State Environmental Quality Review Act, also known as SEQRA, advised all other involved/interested agencies of the proposed project; and

WHEREAS, the Village Board of the Village of Perry submitted notices on the 11th day of May, 2023, to the following involved/interested agencies of the proposed law:

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 review of section 239 1-m of the General Municipal Law the proposed law was referred to the County Planning Board for review at their June 5, 2023 meeting; and

WHEREAS, the Wyoming County Planning Board determined that there appear to be no significant county-wide negative impacts related to the proposed "Complete Streets" law; and

WHEREAS, the Village Board of the Village of Perry held a public hearing with regard to the consideration of the adoption of the proposed Complete Streets local law on the 19th day of June, 2023 at the Village Offices in the Village of Perry at __:__ p.m., and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition of the proposed local law; 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 Board of the Village of Perry as lead agency will review the proposed law and all supporting documents and take a "hard look" at all potential adverse environmental impacts pursuant to SEQRA by completing Part II and Part III of the Short Environmental Assessment Form; and

WHEREAS, the Village Board, as lead agency, shall consider the proposed law, review the short form environmental assessment, review the criteria set forth in 6 NYCRR section 617.7(c), thoroughly analyze the relevant areas of potential environmental concern, and will consider all of the potential environmental impacts and their magnitude in connection with said law; and

NOW ON MOTION OF Trustee Billings which has been duly seconded by Trustee Lawrence, be it

RESOLVED, that the Village Board of the Village of Perry sought lead agency status pursuant to a resolution dated May 1, 2023, and under the State Environmental Quality Review Act, also known as SEQRA, advised the following involved/interested agencies of the proposed project by notice sent first class mail on May 11, 2023,:

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 be it further

RESOLVED, that pursuant to the provisions of coordinated review under SEQRA, the involved/interested agencies were allowed 30-days to comment on the notice of coordination and no such agency submitted comments prior to the expiration of the 30-days on or before June 11th, 2023; and be it further

RESOLVED, that pursuant to review of section 239 1-m of the General Municipal Law, said project did require referral to the Wyoming County Planning Board and was referred to the County Planning Board for review at the June 5, 2023 meeting; and be it further

RESOLVED, the Wyoming County Planning Board determined that there appear to be no significant county-wide negative impacts related to the proposed “Complete Streets” law; and be it further

RESOLVED, that the Village Board, as lead agency, shall consider the proposed project, review the short form environmental assessment, review the criteria set forth in 6 NYCRR section 617.7(c), thoroughly analyze the relevant areas of potential environmental concern, and will consider all of the potential environmental impacts and their magnitude in connection with said law; and be it further

RESOLVED, that the Village Board of the Village of Perry has determined that the Village Board is the best candidate for Lead Agent for this local law and hereby declares itself Lead Agency; and be it further

RESOLVED, the Village Board of the Village of Perry hereby adopts the local law entitled “Amending §490 ‘Zoning’ of the Village Code of the Village of Perry to Incorporate ‘Complete Streets’”; and be it further

RESOLVED, that the Village Board of the Village of Perry hereby issues a Negative Declaration and the Mayor of the Village is hereby authorized to sign Part III of the Short EAF which will act as the SEQRA Negative Declaration; and be it further

RESOLVED, that the Village Clerk be and she hereby is directed to enter said local law in the minutes of this meeting and give due notice of the adoption of said local law to the Secretary of the State of New York; and be it further

RESOLVED, the Village Clerk of the Village of Perry shall provide a report of final action to Wyoming County Planning & Development, located at 36 Center Street, Suite C, Warsaw, New York 14569 to advise that the local law was approved and adopted by the Village.

Ayes: 4

Nays: 0

Quorum Present: ___ Yes ___ No

Dated: June 20, 2023

PRESENTATIONS & BOARD ACTIONS

MINUTES

Motion to approve the minutes from the regular board meeting on 6/5/2023 was made by Trustee Billings, seconded by Trustee Lawrence, and carried with all voting aye.

RESOLUTION APPOINTING PART-TIME POLICE OFFICER, THOMAS FRONCKOWIAK

WHEREAS, Chief Grover has determined the need for an additional part-time Police Officer; and

WHEREAS, Chief Grover is requesting the hiring of Mr. Thomas Fronckowiak as a Part-Time Police Officer for the Village of Perry; and

NOW, THEREFORE BE IT RESOLVED, the Village of Perry Board of Trustees hereby approves the hiring of Mr. Thomas Fronckowiak as a part-time Police Officer with a starting hourly rate of \$24.14 pending Wyoming County Civil Service approval and satisfactory background checks.

Trustee Lawrence made a motion to approve the hiring of Thomas Fronckowiak which was seconded by Trustee Draper and carried unanimously.

RESOLUTION APPROVING PAYMENTS FOR WASTEWATER TREATMENT PLANT PROJECT

WHEREAS, the Village Clerk has received pay app #23 from the general contractor, Crane-Hogan Structural Systems, Inc., for the wastewater treatment plant project in the amount of \$77,905.66; and

WHEREAS, the Village Clerk has received pay app #8 from the plumbing contractor, Crosby-Brownlie, Inc. for the wastewater treatment plant project in the amount of \$3,211.00; and

NOW, THEREFORE BE IT RESOLVED, that the Perry Village Board of Trustees hereby approves the following payments for the wastewater treatment plant project and directs the Village Clerk to submit vouchers for payment:

Crane-Hogan Structural Systems, Inc.	\$77,905.66
Crosby-Brownlie, Inc.	\$3,211.00

Trustee Billings made a motion to approve the resolution for the Wastewater Treatment Plant pay apps as written which was seconded by Trustee Draper and carried with all voting aye.

RESOLUTION APPROVING SHAKE ON THE LAKE, INC. RESERVATION REQUEST

WHEREAS, the Parks Committee has reviewed the request from Shake on the Lake, Inc.; and

WHEREAS, in addition to performances already approved for July 28, 2023 and July 29, 2023, Shake on the Lake, Inc. is requesting to reserve the Public Beach from Friday, August 4, 2023 through Saturday, August 5, 2023, for their summer performance; and

WHEREAS, the Parks Committee is suggesting waiving the fee for the Public Beach; and

NOW, THEREFORE BE IT RESOLVED, the Village of Perry Board hereby accepts the Shake on the Lake, Inc. reservation request; and

BE IT FURTHER RESOLVED, the Village of Perry Board approves waiving the fee for the Shake on the Lake, Inc.

Trustee Draper made a motion to approve the reservation request from Shake on the Lake which was seconded by Trustee Lawrence and carried unanimously.

RESOLUTION APPROVING PERRY FIRE DEPARTMENT LADIES' AUXILIARY RESERVATION REQUEST

WHEREAS, the Parks Committee has reviewed the request from the Perry Fire Department Ladies Auxiliary; and

WHEREAS, the Perry Fire Department Ladies Auxiliary is organizing the annual Sea Serpent Softball Tournament to benefit the Fire Department; and

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

WHEREAS, the Perry Fire Department Ladies Auxiliary will be responsible for direct costs of materials used during the event; and

NOW, THEREFORE BE IT RESOLVED, the Village of Perry Board hereby accepts the Perry Fire Department Ladies Auxiliary reservation request; and

BE IT FURTHER RESOLVED, the Village of Perry Board approves waiving the fee for the fields for the Perry Fire Department Ladies Auxiliary Sea Serpent Tournament.

Trustee Lawrence made a motion to approve the request from the Ladies Auxiliary as above which was seconded by Trustee Draper 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:	A1010.1 (Board of Trustees – Personnel Serv.)	\$0.12	
Increase:	A1010.41 (Board of Trustees – Labor Rel.)	\$27.50	
Decrease:	A1010.4 (Board of Trustees - Contractual)		\$27.62
Increase:	A1110.1 (Village Justice – Personnel Serv.)	\$0.41	
Increase:	A1110.4 (Village Justice – Contractual)	\$1,242.40	
Decrease:	A1110.11 (Village Justice – Court Clerk)		\$1,242.81
Increase:	A1410.1 (Clerk – Personnel Serv.)	\$203.93	
Increase:	A1410.12 (Clerk – F/T)	\$569.50	
Increase:	A1410.4 (Clerk – Contractual)	\$248.02	
Decrease:	A1410.13 (Clerk – P/T)		\$1,021.45
Increase:	A1420.4 (Law – Contractual)	\$825.00	
Increase:	A1430.1 (Personnel)	\$6,245.15	
Decrease:	A1440.4 (Engineer)		\$7,070.15
Increase:	A1490.1 (Public Works Admin)	\$38.60	
Decrease:	A1490.4 (Public Works – Contractual)		\$38.60
Increase:	A1620.4 (Buildings – Contractual)	\$1,033.60	
Increase:	A1620.42 (Buildings – Utilities)	\$1,119.01	
Decrease:	A1620.21 (Buildings – Village Hall)		\$2,152.61
Increase:	A1670.4 (Central Mail & Print)	\$40.37	
Decrease:	A1680.4 (Data Processing)		\$40.37
Increase:	A3120.1 (Police – F/T)	\$15,290.84	
Increase:	A3120.12 (Police – P/T)	\$19,705.64	
Increase:	A3120.14 (Police – SRO)	\$2,561.40	
Decrease:	A3120.15 (Police – Grant Time)		\$12,077.22
Decrease:	A3120.11 (Police – Crossing Guards)		\$2,007.52
Decrease:	A3120.13 (Police – Overtime)		\$3,214.76
Decrease:	A3120.2 (Police – Equipment)		\$7,854.71
Decrease:	A3120.4 (Police – Contractual)		\$12,403.67
Increase:	A3410.2 (Fire – Equipment)	\$3,943.83	
Decrease:	A3410.4 (Fire – Contractual)		\$3,358.70
Decrease:	A3410.4 (Fire – Training)		\$585.13
Increase:	A5132.1 (Garage – Personnel)	\$4,788.39	
Decrease:	A5110.1 (Streets – Personnel)		\$4,788.39

Increase:	A5132.42 (Garage – Utilities)	\$800.57	
Decrease:	A5132.4 (Streets - Contractual)		\$800.57
Increase:	A5680.4 (Electric Charge Station – Contractual)	\$965.74	
Decrease:	A5182.4 (Street Lighting – Contractual)		\$965.74
Increase:	A7020.1 (Rec Admin – Personnel)	\$4,777.77	
Decrease:	A7020.11 (Rec Admin – Overtime)		\$2,000.00
Decrease:	A7020.15 (Rec Admin – Longevity)		\$500.00
Decrease:	A7110.1 (Parks – Personnel)		\$2,277.77
Increase:	A7110.2 (Parks – Equipment)	\$925.00	
Increase:	A7110.4 (Parks – Contractual)	\$2,480.48	
Increase:	A7310.4 (Youth Programs – Contractual)	\$1,596.76	
Increase:	A8160.4 (Refuse & Garbage – Contractual)	\$108.96	
Decrease:	A8540.4 (Drainage – Contractual)		\$5,111.20
Increase:	A8010.4 (Zoning – Contractual)	\$90.00	
Increase:	A8010.43 (Zoning – Attorney Fees)	\$447.84	
Decrease:	A8010.41 (Zoning – Board)		\$537.84
Water Fund:			
Increase:	F1440.4 (Engineer – Contractual)	\$282.00	
Increase:	F8310.4 (Water Admin – Contractual)	\$714.75	
Decrease:	F8310.1 (Water Admin – Personnel)		\$996.75
Increase:	F8320.1 (Source of Supply – Personnel)	\$2,069.31	
Increase:	F8320.4 (Source of Supply – Contractual)	\$2,737.94	
Increase:	F8320.41 (Source of Supply – Utilities)	\$2,030.58	
Decrease:	F8320.11 (Source of Supply – OT)		\$2,198.22
Decrease:	F8320.2 (Source of Supply - Equipment)		\$4,639.61
Increase:	F8330.4 (Water Purification – Contractual)	\$5,262.75	
Decrease:	F8320.2 (Source of Supply – Equipment)		\$5,262.75
Increase:	F9060.8 (Hospital & Medical Ins.)	\$494.70	
Decrease:	F9030.8 (Social Security)		\$494.70
Sewer Fund:			
Increase:	G1420.1 (Law – Personnel)	\$0.14	
Increase:	G1440.4 (Engineer – Contractual)	\$385.00	
Decrease:	G1420.4 (Law – Contractual)		\$385.14
Increase:	G8120.4 (Sanitary Sewer – Contractual)	\$9,570.25	

Decrease:	G8120.1 (Sanitary Sewer – Personnel)		\$9,570.25
Increase:	G8130.4 (Sewage Treatment – Contractual)	\$9,976.12	
Decrease:	G8130.41 (Sewage Treatment – Utilities)		\$9,976.12
Increase:	G9060.8 (Hospital & Medical Ins.)	\$1,550.38	
Decrease:	G9030.8 (Social Security)		\$1,550.38

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.

This should be the last resolution needed for budget transfers for the 2022-2023 Village Budget. The administrator can then start working on closing out the fiscal year to see where the planned budget ended up. Trustee Lawrence made a motion to adopt the resolution approving the above budget transfers which was seconded by Trustee Draper and carried with all voting aye.

RESOLUTION AUTHORIZING ENCUMBRANCE OF FUNDS FROM THE 2022-2023 ADOPTED VILLAGE BUDGET TO THE 2023-2024 ADOPTED VILLAGE BUDGET

WHEREAS, the Village of Perry Board of Trustees has adopted the 2022-2023 Village of Perry budget with certain appropriations relating to projects or orders that have begun in the 2022-2023 fiscal year but will continue into the 2023-2024 fiscal year; and

WHEREAS, it is necessary to encumber appropriations from the 2022-2023 Village of Perry budget into the 2023-2024 Adopted Village Budget for the items identified below:

Description	Amount to Encumber	2022-2023 Budget Account	2023-2024 Budget Account
General Fund:			
Carpeting for board room	\$6,245	A1620.21	A1620.21
Records Management	\$5,250	A1410.41	A1410.4
Police Camera Grant	\$1,004	A3120.2	A3120.2
Fire Dept Entrance	\$24,980	A5410.4	A5410.4
Fire Dept Entrance	\$1,820	A5110.4	A5410.4
Parks Cart	\$15,000	A7110.4	A7110.4
<i>Total General Fund</i>	\$54,299		
Water Fund:			

Replace Water Main on Watkins Ave	\$88,688	F8340.2	F8340.2
<i>Total Water Fund</i>	\$88,688		
Sewer Fund:			
Pump Station Repair	\$17,995	G8130.2	G8130.2
Fencing for WWTP	\$8,200	G8130.2	G8130.2
Teleskid Broom	\$22,213	G8130.2	G8130.2
<i>Total Sewer Fund</i>	\$48,408		

WHEREAS, the items identified above totaling \$191,395.00 are deemed to be in process; and

NOW, THEREFORE BE IT RESOLVED, the Village of Perry Board of Trustees hereby directs the appropriations identified above be encumbered for the purposes herein specified and authorizes the Village Administrator to make the associated journal entries; and

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

The above represents projects that were planned for the previous fiscal year but haven't been able to be completed yet. This will allow the Village Administrator to encumber the money to do the projects or make the purchases in the new fiscal year. A motion was made by Trustee Draper to authorize the encumbrance of funds which was seconded by Trustee Lawrence and carried unanimously.

CLERK/DEPUTY TREASURER'S REPORT

FY 2022-2023

Abstract # 26

Vouchers # 2153 - 2219

General Fund	\$ 27,320.25
Special Grant Fund	\$ -
Water Fund	\$ 2,276.86
Sewer Fund	\$ 6,515.49
Capital Projects Fund	\$ 81,116.66
Trust & Agency	\$ -
Silver Lake Watershed	\$ 45.60
Total	\$ 117,274.86

FY 2023-2024

Abstract # 2

Vouchers # 19 - 59

General Fund	\$28,018.49
Special Grant Fund	\$ -
Water Fund	\$ 206.96
Sewer Fund	\$ 4,919.88
Capital Projects Fund	\$ -
Trust & Agency	\$ 6,750.78
Silver Lake Watershed	\$ -
Total	\$39,896.11

Trustee Draper made a motion to approve payment of abstract #26, vouchers 2153-2219, in the amount of \$117,274.86 which was seconded by Trustee Lawrence and carried with all voting aye.

Trustee Draper made a motion to approve payment of abstract #2, vouchers 19-59, in the amount of \$39,896.11 which was seconded by Trustee Lawrence and carried with all voting aye.

DEPARTMENT/COMMITTEE REPORTS

FINANCIAL REPORTS AND NYCLASS BALANCES

A detail of revenues plus expenditures through May 2023 was provided along with the NYCLASS statement dated 5/31/2023. A new account has been set up for the Silver Lake Watershed Commission with a contribution of \$20,000 which was moved from the savings account with approval by resolution at the last SLWC meeting.

POLICE DEPARTMENT

A new electric police bike has been received.

WATER AND SEWER DEPARTMENT

A draft water rate study has been prepared. An RFP will be needed for the next steps of the Water Treatment Plant project.

DEPARTMENT OF PUBLIC WORKS

No action needed.

PARKS – NORTH PAVILION AT VILLAGE PARK

Trustee Lawrence informed that the Parks Committee met and strongly endorsed the rebuilding of the North Pavilion at the Village Park. A number of rental reservations needed to be changed due to not being able to use the pavilion. The committee feels that Camp Hard Hat provides a good opportunity to move ahead with rebuilding. Due to the timing of the next board meeting vs. when construction would be expected to start, a resolution was needed at this meeting.

Trustee Billings made a motion authorizing the reallocation of funds from Memorial Park to the Village Park for the demolition and rebuilding of the North Pavilion by Camp Hard Hat. This motion was seconded by Trustee Lawrence and carried unanimously.

With no further business, motion to adjourn was made by Trustee Draper at 8:31 pm which was seconded by Trustee Billings and carried.

Respectfully submitted,
Christina Slusser, Village Clerk



RESOLUTION APPOINTING SEASONAL LABORER, AUSTIN CROLL

WHEREAS, the Superintendent of Public Works is requesting the appointment of Mr. Austin Croll for the 2023 season; and

BE IT RESOLVED, that the Perry Village Board of Trustees does hereby appoint Mr. Austin Croll as a Seasonal Laborer designated to the Department of Public Works at a rate of \$17.00 per hour effective July 7, 2023.



RESOLUTION APPROVING PAYMENT FOR THE SILVER LAKE TRAIL PROJECT

WHEREAS, the Village has received a payment request from the engineer, C&S Companies, for the Silver Lake Trail project in the amount of \$15,279.00; and

WHEREAS, the Village Administrator is recommending payment totaling 80% of the final pay application (\$12,223.20) with the remaining 20% to be paid at the conclusion of the project; and

NOW, THEREFORE BE IT RESOLVED, that the Perry Village Board of Trustees hereby approves the following payment for the Silver Lake Trail project and directs the Village Clerk to submit a voucher for payment:

C&S Companies

\$12,223.20

BE IT FURTHER RESOLVED, that the Perry Village Board of Trustees hereby authorizes the Mayor to sign the payment invoice.

COST CONTROL REPORT

CONSULTANT'S NAME:
C&S ENGINEERS, INC.

Project Name: Silver Lake Trail, Phase 1

PIN: 4761.26

C&S File: W48.001.002

Client: Village of Perry

Contact: Samantha Pierce

ESTIMATE NO.: 4

REPORTING PERIOD FROM: 12/4/2021 TO 9/9/2022

	1 THIS PERIOD	1A LAST REPORT	2 TO DATE	3 EST. TO COMP.	4 EST. TOTAL (2+3)	5 BUDGET	6 APR. EXTRA WORK	7WORK BUDGET (5&6)	8 UNDER (OVER) (7-4)	9 % PHASE COMP	10 % (4/7)
PROJECT TASKS											
DIRECT TECHNICAL SALARIES											
510 Construction Labor	\$ 6,187.00	\$ 32,398.50	\$ 38,585.50	\$ -	\$ 38,585.50	\$ 33,036.92	\$ 5,432.83	\$ 38,469.75	\$ (115.75)	117%	100%
550 Premium Overtime	\$ -		\$ -	\$ -	\$ -	\$ 2,912.35	\$ 477.60	\$ 3,389.95			
TOTAL SALARY	\$ 6,187.00	\$ 32,398.50	\$ 38,585.50	\$ -	\$ 38,585.50	\$ 35,949.27	\$ 5,910.43	\$ 41,859.70	\$ (115.75)		92%
OVERHEAD	\$ 8,687.00	\$ 45,681.89	\$ 54,368.89	\$ -	\$ 54,368.89	\$ 46,582.05	\$ 7,660.28	\$ 54,242.33			100%
FIXED FEE	\$ -	\$ 10,246.63	\$ 10,246.63	\$ -	\$ 10,246.63	\$ 11,943.00	\$ 1,700.29	\$ 13,643.29			75%
			\$ -								
SUB-TOTAL	\$ 14,874.00	\$ 88,327.02	\$ 103,201.02	\$ -	\$ 103,201.02	\$ 94,474.32		\$ 109,745.32	\$ (115.75)		94%
1000 Direct Expenses	\$ -	\$ 835.97	\$ 835.97	\$ -	\$ 835.97	\$ 500.00	\$ 8.00	\$ 508.00	\$ (327.97)	167%	165%
Services By Others											
800 Testing Services	\$ 405.00	\$ 6,837.00	\$ 7,242.00	\$ -	\$ 7,242.00	\$ 1,025.68	\$ -	\$ 1,025.68	\$ (6,216.32)	706%	706%
GRAND TOTAL	\$ 15,279.00	\$ 96,000.00	\$ 111,279.00	\$ -	\$ 111,279.00	\$ 96,000.00	\$ 15,279.00	\$ 111,279.00	\$ (6,660.04)		100%

MAXIMUM AMOUNT PAYABLE: \$ 111,279.00

NOTES:

CONSULTANT'S PROGRAM MANAGER

Seth D. Kaeuper

NAME: Seth D. Kaeuper, P.E.

TITLE: Regional Transportation Manager

DATE: 9/25/2022

FOR D.O.T. USE ONLY

REVIEWED BY

DATE

ACTION NEEDED

**FIN 421LL(05/12)
FEDERAL-AID PROJECT
SPONSOR CONSULTANT REIMBURSEMENT REQUEST**

PAYEE ID (Federal ID) 13-5318940	NYS Comptroller's Contract No. Est. No. 12
Current Completion Date	Work Period (this est.) FROM 11/27/2021 TO 12/3/2021
Payee Name C&S ENGINEERS, INC.	MIR Date (completed by SPONSOR)
Street Address 499 COL. EILEEN COLLINS BLVD.	FOR Approved M.A.P.
	Original Contract Amount \$192,000.00
City SYRACUSE	Current Contract Amount \$303,279.00
State NY	(includes thru approved S.A. NO. 2)
Zip 13212	RRDA NO. (if applicable)

	Consultant Prepares	Sponsor Use Only
1. Total work reported on previous estimates	288,000.00	
2. Work reported on this estimate	15,279.00	
3. Total work reported to date (must equal page 2)	303,279.00	
4. Adjustments (NYSDOT use only) Reason		
5. Retainage thru current estimate		
6. Total work reported less retainage	303,279.00	
7. Previous payments	288,000.00	
8. Payment requested or processed	15,279.00	

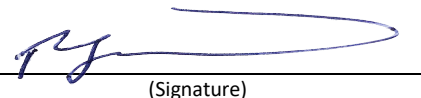
CERTIFICATION BY CONSULTANT

I, Randy P. Tuthill (name), do hereby certify that I am the Assistant Treasurer (title) of C&S Engineers, Inc. (firm),

consultant for the work referred to in the forgoing payment request; that I am the person in whose name the foregoing account against the State of New York is rendered; that the labor, materials, expenses or services charged for were actually delivered, incurred or rendered, as named heretofore, and that the prices charged are just and reasonable; that no percentage or compensation has been paid or promised to be paid to any manager, trustee, officer or employee of said institution, department, board or commission, by reason of the claimant having been allowed to sell to, incur expense for, or render services to, said institution; and also, that to the best of my knowledge and belief, no manager, trustee, officer or employee of said institution, department, board or commission has, or has had, any interest directly or indirectly in said articles, materials, expenses or services; and that no part of the foregoing account has been paid, and that the above statement is true and correct.

By my signature I further certify that all partial payments due to subconsultants or subcontractors in accordance with Article 5 of the subject consultant agreement have been paid.

10/11/22
(Date)


(Signature)

CERTIFICATION BY THE SPONSOR

I, _____ (name), do hereby certify that I am the _____ (title) employed in the supervision of the work described in the attached Consultant's Payment Request; that the materials, labor and services have been furnished and the work properly performed in accordance with the contract; and that payment in the sum of \$ _____ can be made on this contract without detriment to the interests of the State, to the best of my knowledge and belief.

(Date)

(Signature)

VILLAGE OF PERRY
RESOLUTION REGARDING THE APPROVAL OF A BOND ANTICIPATION NOTE
OF \$45,000.00 FOR THE FORD EXPLORER HYBRID

Adopted: _____

WHEREAS, the Village Board of the Village of Perry met at a regularly scheduled meeting at the Perry Village Hall at 46 North Main Street, Perry, New York 14530 on the ____ day of _____, 2023, commencing at __:____ p.m., at which time and place the following members were:

Present:	Mayor	_____
	Trustee	_____
	Trustee	_____
	Trustee	_____
	Trustee	_____
Absent:	_____	_____

WHEREAS, all Board Members, having due notice of said meetings, and that pursuant to Article 7, Section 104 of the Public Officers Law, said meetings were open to the general public and due and proper notice of the time and place whereof was given as required by law; and

WHEREAS, the Village Board of the Village of Perry seeks authorization to refinance the purchase of a 2022 Ford Explorer Hybrid through a Bond Anticipation Note (BAN No. 1 of 2023) for \$45,000.00; and

WHEREAS, the Village Board of the Village of Perry now wish to pay down BAN No. 1 of 2023 by \$45,000.00 as principal and interest accrued at 3.95% per annum and seeks authorization to re-finance the amount of \$59,730.80 for the 2022 Ford Explorer Hybrid through Bond Anticipation Note No. 1 of 2023

WHEREAS, the Village Board of the Village of Perry seeks to retain the services of Village Attorney David DiMatteo to request bid proposals for BAN No. 1 of 2023 from Five Star Bank, the Bank of Castile, Community Bank, N.A., M & T Bank, and Greene County Commercial Bank; and

WHEREAS, the note date of the \$45,000.00 BAN No. 1 of 2023 shall be the 14th day of July, 2023.

NOW ON MOTION OF _____ which has been duly seconded by _____, now therefore be it

RESOLVED, that the Village Board of the Village of Perry hereby authorizes the financing of a Bond Anticipation Note to finance the purchase of a 2022 Ford Explorer Hybrid, known as Bond Anticipation Note No. 1 of 2023 for \$45,000.00 dated the 14th day of July, 2023; and be it further

RESOLVED, that the Village Board of the Village of Perry will retain the services of Village Attorney David DiMatteo to request bid proposals for BAN No. 1 of 2023 from Five Star Bank, the Bank of Castile, Community Bank, N.A., M & T Bank, and Greene County Commercial Bank.

Ayes _____

Nays _____

Quorum Present: ☐ Yes ☐ No

Dated: _____, 2023

(SEAL)

Christina Slusser, Clerk
Village of Perry

Village of Perry
Village Board Meeting
7/6/2023

Clerk/Deputy Treasurer Report

FY 2023-2024

Abstract # 3

Vouchers # 60 - 148

General Fund	\$	59,967.86
Special Grant Fund	\$	40.00
Water Fund	\$	63,039.41
Sewer Fund	\$	14,226.03
Capital Projects Fund	\$	25,306.70
Trust & Agency	\$	3,903.93
Silver Lake Watershed Comr	\$	37.99
Total	\$	166,521.92

- Vouchers were audited by Trustee Draper
- Prepaid to avoid late fees \$ 55,802.79
- Breakdown of Capital Projects:
 - Silver Lake Trail \$ 12,223.20
 - I&I Study \$ 140.00
 - WWTP \$ 12,943.50