

**VILLAGE OF PERRY
SPECIAL VILLAGE BOARD MINUTES
APRIL 8, 2019**

A special board meeting of the Village of Perry was held at the Village Hall, 46 North Main Street, Perry, New York at 7:00 pm on the 8th day of April 2019.

PRESENT:	Rick Hauser	Mayor
	Dariel Draper	Trustee
	Jacque Billings	Trustee
	Eleanor Jacobs	Trustee
	Arlene Lapiana	Trustee

ALSO PRESENT:	Matt Jensen	Village Administrator
	Gail Vosburg	Village Clerk
	Meghan McGinnis	Attorney – DiMatteo & Roach Inc.

Mayor Hauser called the meeting to order at 7:00 pm and led in the pledge to the flag.

2019-20 TENTATIVE VILLAGE BUDGET

Administrator Jansen confirmed that the AIM funding has been restored in the NYS Budget. He reviewed the 2019-20 Tentative Village budget. He proposes adding the AIM revenue of \$30,000 (A3001); adjust the YMCA contract to \$5,500 (A7310.4); reduce Other Economic Opportunity to \$5,000 (A6989.4) and reduce Appropriated Fund Balance (A9090) to \$18,500.

Board members questioned where several items are located within the budget.

Administrator Jansen reported that there is not a legal reserve fund that can be marked for dredging. There are a couple of options that the board can explore.

Rezone Application

Meghan McGinnis, from DiMatteo & Roach Inc., was present to review the next steps in the rezone application, specifically, the SEQR form. The Board has to determine if it will be a positive declaration or a negative declaration. There are several factors to consider in making the declaration. A positive declaration can mean studies will have to be done to satisfy concerns that the board has. If the board makes a negative declaration, we cannot have any environmental studies done. The board reviewed Part II on the SEQR that the applicant completed. The Village will complete Part III with assistance from the attorney. Once the board makes the determination, then a notice to prepare an impact study can be done. Administrator Jansen stated that both parties can mutually agree to extend the timeframe.

Resolution for Commencement of Action

**VILLAGE BOARD OF THE VILLAGE OF PERRY
RESOLUTION TO DIRECT COMMENCEMENT OF ACTION
ON BEHALF OF MUNICIPALITY**

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, it appears that JMD Infinity Inc. is in violation of Chapter 465 - §490-14(A)(B) of the Zoning Code of the Village of Perry relative to their property located at 205 South Main Street, Perry, New York; and

WHEREAS, it appears to be in the best interest of the Village of Perry to prohibit JMD Infinity Inc. from continuing to be in violation of said Section of Chapter 465 - §465-14(A) "Maintenance Standards of Exterior of Premises" and Chapter 465 - §465-14(B) – "Maintenance Standards of Structural Soundness" of the Zoning Code of the Village of Perry ; and

WHEREAS, the Village Board of the Village of Perry feels it is in the best interest of the Village of Perry to retain the services of Village Attorney, David M. DiMatteo, to pursue the enforcement of Chapter 465 - §465-14(A) "Maintenance Standards of Exterior of Premises" and Chapter 465 - §465-14(B) – "Maintenance Standards of Structural Soundness" of the Zoning Code of the Village of Perry against JMD Infinity Inc. to ensure that this property is brought into compliance with said Law.

NOW ON MOTION OF Trustee Jacobs, and seconded by Trustee Lapiana, be it

RESOLVED, that the Mayor of the Village of Perry, be and he hereby is authorized and directed to retain the services of David M. DiMatteo, Attorney for the Village of Perry in this matter, upon such terms as he deems proper and advisable, and Mayor of the Village of Perry shall authorize David M. DiMatteo on behalf of the Village of Perry to take such action as may be deemed advisable to prevent any continuation of the violation of Chapter 465- §465-14(A) "Maintenance Standards of Exterior of Premises" and Chapter 465 - §465-14(B) – "Maintenance Standards of Structural Soundness" of the Zoning Code of the Village of Perry by JMD Infinity Inc.

Ayes 5
Nays 0

LaBella Proposal for Funding Applications

LaBella Associates presented a proposal for the preparation of funding applications:

DRI	\$ 5,500
CDBG – Public Facilities	\$ 5,500
Storm Sewer income surveys	\$ 1,250

If the Village chooses to accept all three, the cost would be \$11,000.

The CDBG – Public Facilities grant would be to make ADA improvements at the Village Hall (to utilize the third floor).

LaBella Proposal accepted – Motion by Trustee Billings, seconded by Trustee Jacobs, to accept the proposal from LaBella Associates in the amount of \$11,000 for the three funding applications. Motion carried with all voting aye.

Motion by Mayor Hauser, seconded by Trustee Draper, to adjourn the meeting and enter into executive session to discuss negotiations at 8:36 pm. Motion carried with all voting aye.

Motion by Mayor Hauser, seconded by Trustee Draper, to exit executive session and resume the regular meeting at 9:02 pm. Motion carried with all voting aye.

Motion to adjourn the meeting at 9:02 pm was made by Trustee Draper, seconded by Trustee Billings and carried with all voting aye.

Gail I. Vosburg

Gail I. Vosburg

Village Clerk