

Town of Ellisburg
Regular Monthly Meeting Minutes
December 1, 2022

Members of the board present: Doug Shelmidine, Mike Hubbard, Don Goodnough, Joel Bovee, Kurt Gehrke

Member of the board absent:

Others present: Debbie Payne, Bob Corron, Cindy Shaw

Public: (per sign in sheet): Lynn Shaw, Ernest Villareal, Tonya Nutting, Frank & Cheri Spallane, Corey Reid-Bernier, Carr & Associates

Regular Meeting called to order in the meeting room of the Town Hall at 7:00 pm by Supervisor Shelmidine.

Mike Hubbard made a motion to accept the minutes from the previous meeting, Joel Bovee seconded, and all board members present voted in favor –Shelmidine, Goodnough, Hubbard, Bovee, Gehrke (5-ayes)

Supervisor and Town Clerk monthly reports were submitted to the board for review.

Floor opened to the public:

Frank Spallane inquired as to the progress of the water feasibility study.

Ernest Villareal addressed the board pertaining to the building that he owns in Pierrepont Manor that is the subject of the unsafe building/structure.

With nothing further, floor closed to the public.

Kurt Gehrke made a motion to bring the “unsafe building/structure” resolution back to the table, Don Goodnough seconded and all board members present voted in favor. (5-ayes)

RESOLUTION #27

RESOLUTION AND ORDER FOR REMOVAL OF UNSAFE BUILDING/STRUCTURE LOCATED AT 15750 CTY RTE 91.

WHEREAS, the Town Board of Ellisburg has familiarized itself with buildings and/or structures located at 15750 Co Rte 91, Town of Ellisburg and considered an investigation report conducted by the Town’s Enforcement Officer, with exhibits, pertaining to the same pursuant to Local Law No.: 1 of 2021 (Unsafe Building and Structures); and

WHEREAS, the Town Board has conducted a Public hearing to determine whether the building and/or structure located at 15750 Co Rte 91, Ellisburg is in violation of the Unsafe Building and Structures Law and is so dangerous and/or unsafe that it should be demolished and removed to protect the health, safety and welfare of the public in accordance with the Unsafe Building and Structures Law; and

WHEREAS, the Town Board has considered comments provided at the Public Hearing, together with the Official Record and determines as follows:

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1. The building/structure has been found to be dangerous and/or unsafe in that the current structural stability of existing building from fire that compromised the structural integrity of the building significantly. It is recommended that the building be demolished entirely as it is not structurally stable as provided by the Unsafe Building and Structures Law Section 4.
2. The Town Board adopts the Inspection Report of the Enforcement Officer and the recommendation in respect thereto.
3. The building and/or structure shall be demolished and removed by persons having interests in the property and/or their designated agents, starting with seven (7) calendar days from date of the close of the Public Hearing and shall be completed within thirty (30) days thereafter, unless extended in writing by the Enforcement Officer.
4. The Town;s Enforcement Officer shall monitor all progress in regard thereto and report his/her findings, as needed, to the Town Supervisor and Town Clerk.
5. In the event that the Enforcement Officer shall determine e that persons having interests in the subject property have neglected and/or refused to comply with this Resolution and Order, then the Enforcement Officer shall take steps for demolition and removal of the offending building or structure with the use of Town employees, if available or with the use of a third-party.
6. The town Enforcement Officer shall document all costs and expenses incurred in connection with this matter and coordinate efforts with the Town Clerk to assess all costs and expenses thereof against the owners, and to require repayment/reimbursement of all costs and expenses of demolition and removal, including administrative, engineering and legal costs and expenses from persons having interest in the subject property.
7. In the event that repayment/reimbursement of costs and expenses of demolition and removal, including administrative, engineering, and legal costs and expenses are not paid to the Town Clerk with thirty (30) days from billing, then Town Officers and/or agents and/or employees shall take all steps reasonably necessary to assess all costs and expenses and levy the same upon the real property from which such dangerous/unsafe building/condition has been removed/abated.
8. This Resolution and Order shall take effect immediately.

The foregoing Resolution and Order was offed by Board Member, Kurt Gehrke, and seconded by Board Member, Mike Hubbard, and upon roll call vote of the Board was duly adopted as follows:

Supervisor Doug Shelmidine – aye
Joel Bovee – aye
Kurt Gehrke – aye
Michael Hubbard – aye
Donald Goodnough – aye

Dated: 12/1/2022

Debra L. Payne – Town Clerk

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Corey Reid from Bernier, Carr and Associates addressed the board with an update on the water feasibility study. Mr. Reid also gave an update on the Route 289 Watermain replacement.

Building Infrastructure: Hyde-Stone is scheduled tentatively to be here on Monday to begin the heating system. Joel Bovee is still working on the lights for the building.

Supervisor's Report:

- Reported on insurance policy for hydrants.
- Attended a Budgeting/Accounting seminar.
- The Bookkeeper has asked about the possibility of paying the highway crew for clothing allowance in a lump sum in June.
- Discussed the new truck that was ordered may not get here until the fourth quarter of next year.
- Discussed the paying of utility bills.

Mike Hubbard made a motion that utility bills can be paid prior to voucher signature, to allow for on time payment. The vouchers for bills paid prior to approval, are to be presented at the next Board meeting for approval. Seconded by Don Goodnough and all board members present voted in favor. 5-eyes.

Highway Superintendent's Report:

- Gave update on Equipment, salt status, and manpower.
- Gave Supervisor a quote for a new 93M Caterpillar Loader.

Assessor/Zoning Officer Report:

- Update on Dollar General-did not put in a leach field for the septic yet.
- Gave update on beach/dune area with vehicles, ATVs, etc. on the dunes.

The board audited and signed the prepared vouchers for:

Abstract No. 2022-12
Voucher # 524-570 \$ 127244.47

With nothing further, Supervisor Shelmidine made a motion to adjourn at 8:20 pm. Seconded by Councilman Hubbard, all those present voting in favor-Shelmidine, Hubbard, Goodnough, Bovee, Gehrke (5 ayes)

Respectfully submitted,

Debbie Payne

Debbie Payne, Town Clerk