

August 7th, 2008

The Town Board met as a Board of Health on Thursday, August 7th, 2008 at 7:15 PM with the following members present: Richard Rowland, Supervisor; Daniel Pemrick, Peter Coseo, Thomas Kinsella and Daniel Cochran, Councilman.

Unsafe Building – 4000 Route 9N – Chwaz - Mr. Chwaz stated that he has been working on cleaning out the inside of the building, however the weather has not been very cooperative. His engineer has stated that the outside wall has a crack. The proper way to fix it would be to remove the wall. Mr. Chwaz added that he was trying to get everything out of the inside so that he can get someone in there with a bigger machine to knock that wall down. Kinsella, C. asked if it was the wall that was in the part of the building where the roof had collapsed. Mr. Chwaz stated that it was the back wall furthest away from Route 9N. Pemrick, C. asked if Mr. Chwaz had a copy of the engineer's report. He believed that the engineer had already given a copy to the Code Enforcement Officer. Supervisor Rowland reviewed the 8/7/08 report from the Code Enforcement Officer and added that it did not indicate that he had received a copy of the report. Coseo, C. felt that Mr. Chwaz was in agreement that the outer part of the building with the double white door had to come down. Mr. Chwaz agreed. Kinsella, C. asked what the engineer had stated about the part where there were some trusses that failed and the roof looked like it has collapsed. Mr. Chwaz stated that the engineer indicated that they could be raised back up and rebuild the trusses or else remove them and put in pre-fabricated trusses from that point out. Mr. Chwaz agreed that that was an area that also needed to be repaired and he would do that during the process of putting the roof back on. Cochran, C. asked if the engineer talked about the safety of the building at this time. Mr. Chwaz stated that the engineer indicated that the actual building that was still there was safe. Cochran, C. asked Mr. Chwaz to provide the Board with a copy of the letter from the engineer. Pemrick, C. asked how much Mr. Chwaz thought he would be able to have done by the September meeting. Mr. Chwaz hoped that he would have all of his belongings out of the building and have the wall down. Pemrick, C. asked if the debris would be removed from the property. Mr. Chwaz stated that he would move his equipment, etc. that was still good to the other side and the remainder of the stuff would wind up going to the dump. Supervisor Rowland stated that he realized that some vehicles were allowed there, however there were a few that were in very bad shape. Mr. Chwaz stated that he has been in contact with Cornell's and they are coming to pick up at least two vehicles. He added that the vehicles behind the building he discussed with the Code Enforcement Officer and he stated that they would be okay. They are located within the 50' x 50' area. There are 7 vehicles back there. Mr. Chwaz is to provide the Board with a copy of the letter from his engineer for the 8/14/2008 meeting.

Unsafe Building – 40 Mill Street – Thibodeau/Hoffman – Mr. Hoffman was not present. Supervisor Rowland reviewed the 8/7/08 report from the Code Enforcement Officer. The mobile has been dismantled, however there was still a large amount of junk and debris on the property. The floor and the frame of the mobile home are still in place. Work was continuing to take place. Coseo, C. suggested that the Board give the owner notice that the work must be completed by Sept. 11, 2008 or the Board will direct the Highway Department to remove the structure. Pemrick, C. felt that the Board should be very specific as to what the Board expected to be done, ie. junk piles

August 7th, 2008 continued

removed. Coseo, C. added that the Board is talking about an unsafe building. We do not have an ordinance that talks about unsightly property. He questioned what was left of the building or if there was just debris left on the property. Supervisor Rowland stated that the pictures looked like there was some sort of hole or crawl space open around the frame. Kinsella, C. suggested that the letter indicate that by Sept. 11th, the work must be completed to the satisfaction of the Code Enforcement Officer or the Town will take action. Coseo, C. noted that the statute talks about any building or structure and not junk. If there is an open hole or something that is a safety issue and it was still unsafe, then send the letter. He felt that it was not as clear when you were just talking about debris. Cochran, C. stated that the Code Enforcement Officers report indicates that the building is still unsafe. Coseo, C. suggested that the Board send a letter that indicates that the Code Enforcement Officer feels that the building is still unsafe and that it needs to be taken care of to the satisfaction of the Code Enforcement Officer by Sept. 11th, 2008 or the Town will take action.

Unsafe Building -14 Lake Desolation Road – Mercier – The property owners were not present. Supervisor Rowland reviewed the 8/7/08 report from the Code Enforcement Officer which indicates that the building has been removed and the property is now in compliance with the unsafe building notice. There is still some junk and debris on the property. Coseo, C. stated that based on the information that was reported to the Board by the Code Enforcement Officer indicating that the property was no longer unsafe, he would make a motion to cancel the Lis Pendens. Kinsella, C. seconded the motion. All Board members in favor.

On motion of Coseo, C. and seconded by Cochran, C., the Board of Health meeting was closed at 7:35 PM.

Following the regular monthly agenda session, the Board opened a Special Meeting at 8:05 PM with all Board members present.

On motion of Pemrick, C. and seconded by Cochran, C. the Board adjourned to Executive Session at 8:06 PM to discussion litigation. Clerk was not present for session and no minutes were filed. On motion of Pemrick, C. and seconded by Kinsella, C., the Board returned to regular session at 8:25 PM.

2008 Budget Costs – Highway Supt. Barss submitted a report to the Board which outlined the total funds available for the year, projects that had been completed and paid for, estimates of bills outstanding, etc. which would leave approximately \$30,000. in the current years budget. They have some priority repairs that really need to be completed this year that total about \$103,220. There is about a 1000' section of Daketown Road that is in very poor shape. A section of Ormsbee Road was washed during a recent storm. A good portion of one lane and all the ditch work was washed out. They are working with the Town Engineer regarding culverts, etc. to try and correct this from happening again. The last project is to replace a section of Porter Road that is in terrible shape. Highway Supt. Barss stated that last month the Board had talked about him saving \$100,000. out of his budget to cover possible winter expenses. He would rather be able to use the money from his 2008 budget to make these priority repairs.

August 7th, 2008 continued

Hopefully we will not have a bad Fall and the cost they are estimating that they need for salt, etc. this Fall will not be as much. Highway Supt. Barss stated that they have removed approximately 4 miles of road from their 2008 Paving Plan. In order to complete those other projects it would probably cost \$500,000. They are just looking to take care of priorities at this time. Highway Supt. Barss noted that asphalt prices had increased 80% over what was budgeted. Fuel is up 44% and salt is up \$18.00 per ton from this past winter season. He is estimating that they will need approximately 1000 tons for November-December. Pemrick, C. asked if the \$103,000. would cover the winter costs. Highway Supt. Barss stated that it would be for the winter costs. If they did not have to use money from their budget to cover the shortfall in the winter costs, they would have enough money in the current budget to cover the remaining priority projects that they would like to complete. Highway Supt. Barss noted that if we have a mild start to the winter, then they might not need the entire \$103,000. and there will be money left over at the end of the year. Board members were in agreement to fund up to \$100,000. out of the unappropriated fund balance for shortages in the Highway Budget. Kinsella, C. asked that the Supervisor have the Bookkeeper put together a list of the appropriate budget amendments and transfers that will be necessary for the next meeting.

On motion of Pemrick, C. and seconded by Cochran, C, the meeting was adjourned at 8:40 PM.

Town Clerk