

Cases to open:

- Farmers Mill – rodent problem

Prior shed question – elaborated:

- Enquiries into permits for sheds: any shed 144 sq ft or larger requires a permit, all sheds regardless of size are required to follow set back requirements; NYS regulation – Dave Heckman (CEO)
- Village of Sherman Zoning Law 2009 Section 640 Storage – permit must be obtained for an accessory structure when **120 square foot** is surpassed. – Greg Gormley (ZEO)

Property Cleanups:

- Denise Hannold, Kipp St. – is making slow progress, will continue to monitor
- Dennis Kulpa, Main St. – no improvement

Moved by Trustee Ayers Seconded by Trustee Reyda
Ayes: 3 Nays: 0 Carried

RES 2019-07-10.4 PROPERTY CLEAN UP

Motion to approve the clean-up of listed properties found in non-compliance after 07/22/2019: The properties listed were first presented at the hearing held June 26th, 2018, additional hearing held May 1st, 2019 and continue to be unresolved:

Hannold – ZEO continuing to monitor status of property.

Kulpa – No improvement, Village clean as property dries and allows for Village access.

Moved by Trustee Ayers Seconded by Trustee Reyda
Ayes: 3 Nays: 0 Carried

In response to Trustee Reyda’s question as to why we require vacant houses to register, Mayor Meeder said the law requires that we know if the house has been properly weatherized; is it locked and secure; and if there are any chemicals, carbon monoxide or fire hazards on the property i.e. does it pose any risk to neighbors. In order to avoid unsightly signs stating “vacant property” we have chosen to have signs with the contact information placed on the side of the buildings so that neighbors and officers have contact information should it be necessary since these property owners are not readily accessible.

Trustee Reyda questioned the cost of the vacancy registration and projected that it would not be paid by the property owners. Mayor Meeder explained that this is a deterrent because other communities have zombie houses which are empty, neglected and left to decay. There is a difference between empty and vacant houses. Vacant houses usually have maintenance issues, and signs of the start of decay. If left unchecked, these properties typically get so bad that they are abandoned. The only path available will be demolition which will remove the house from the tax roll, burdening taxpayers further. This law is a tool to help preserve the infrastructure and help improve the community. There are exemptions, for example, if a property owner begins repairing the building or rectifying the issues the inspection officers have noted, then with a building permit the vacancy registration can be avoided. The properties listed here have ignored the inspection officers’ communications and we are trying to prevent them from getting worse. This motion is not an approvable but an acceptance of the list of properties. This is covered by the law and this motion is simply to accept it into the minutes i.e. to formally record which properties are being charged. We are increasing the accounts receivable in an auditable way. If circumstances were to change for any of the properties, the clerk would have to bring it back before the Board.

RES 2019-07-10.5 VACANT PROPERTY LAW - INVOICES

Motion to accept the following accounts receivable invoices into the record for Vacant, Abandoned, Boarded, or Foreclosed Property Registration, LL 01-2019, (first year fee is \$750.00). The following properties were sent notification of LL 01-2019 and their responsibility to register the property or show proof of exemption after having been identified as a vacant property by the Code and Zoning Officers as described by LL 01-2019.

6/13 Hannold, Chandra – certified mail – unclaimed, regular mail also sent (not returned)

6/13 Winton, Scott – certified mail – unclaimed, regular mail also sent (not returned)

6/19 Reinken, Michelle – certified mail – unknown address, regular mail also sent (not returned)

6/13 Winton, Jeff - acknowledged receipt of request to register

6/3 Meeder, Sidney & Rebecca - acknowledged receipt of request to register INV 17041

6/19 Sands, Amy – spoke with Deanna Sands and gave copy of LL 01-2019, 6/18/2019

Note: Attorney advised Zoning Officer to send mail certified and regular first-class mail. Post office clerk verified that if only certified mail is returned, then the recipient has received the regular first-class copy.

Moved by Trustee Ayers

Seconded by Trustee Reyda

Ayes: 3 Nays: 0 Carried

RES 2019-07-10.6

Motion to close the Municipal Zoning Board Meeting and resume the Regular Meeting of the Board.

Moved by Trustee Ayers

Seconded by Trustee Reyda

Ayes: 3 Nays: 0 Carried

REGULAR MEETING OF THE BOARD RESUMED

PUBLIC PARTICIPATION

Nina Coyle presented pictures of Neil Miller's Pallet Shop on July 3rd and July 5th, saying it shows he must have been building pallets on July 4th. She said on the 3rd she walked over to the pallet shop and Mr. Miller wasn't there, only a man and a young boy working in the workshop. She told Mr. Miller's wife she was coming into the Village office to report the noise. Since the office was closed, she left a note on the mayor's door but instead of a response from the village, the police showed up. Mayor Meeder responded that on finding the note she immediately called the Zoning Enforcement Officer (ZEO). The ZEO was then contacted by Mr. Miller and after meeting they called the police. Nina Coyle also said when she came into the office on Monday, July 9th, to find out why the mayor called the police, that the mayor said she did not know about any of the events that followed. The mayor explained that she had not known about the police being called until after the fact when the ZEO reported it to her. Ms. Coyle ended by saying that Mr. Miller couldn't be trusted to stick to his hours; a child shouldn't be working there; and that she feels a man and child could not have built all those pallets without working on the public holiday or longer hours than allowed.

FINANCIAL REPORT FROM CLERK-TREASURER:

General Checking Account: Balance (07/10/2019) is \$211,107.68 – book balance \$24,621.20

Special Bank Account: Balance (07/10/2019) is \$2,500.00 – book balance (\$200.00)

CD Account: Balance (06/05/2019) is A\$112, 256.54, B\$105,000.00

CD Transfer: N/A

Unpaid Taxes: N/A

Account Adjustments: PENDING #193 previous resolution RES 2019-06-19.6

Tax Foreclosure Property, closes 7/26/2019, current tenants responsible for water and sewer bill; per law the new owners are not

reproducing a record. In determining the actual cost of producing a record, an agency may include only:

- an amount equal to the hourly salary attributed to the lowest paid agency employee who has the necessary skill required to prepare the requested record(s), if at least two hours of agency employee time is needed to prepare a copy of the record(s) requested;
- the actual cost of the storage devices or media provided to the person making the request in complying with such request; and
- the actual cost to the agency of engaging an outside professional service to prepare a copy of a record, but only when an agency's information technology equipment is inadequate to prepare a copy, if such service is used to prepare the copy.

Records are available for inspection, by appointment.

Moved by Trustee Ayers Seconded by Trustee Reyda
Ayes: 3 Nays: 0 Carried

Motion to adjourn the meeting at 7:00 p.m.

Moved by Trustee Ayers Seconded by Trustee Reyda
Ayes: 3 Nays: 0 Carried

Respectfully submitted
Jeanette Ramm
Village Clerk-Treasurer

Notes:

Public Hearing – Zoning Board of Appeals
Regular meeting

Thurs, July 11th, 6pm
Wed, Aug 7th, 6pm