

Regular monthly meeting of March 27, 2024

Present: Mayor Mark Falsone, Trustees: Gail Harrington, Mike Didas, Marco Falsone, David Poole. Others present: Clerk: Donna Wollschleger, DPW Supervisor: Dan Whittaker, Village Attorney Curtis Johnson and CEO: Kimberly Rayburn
Community members: Tracy Hammond, Glenda Barkckolow, Carol Altemus, Jim & Joyce Bellis, Mark Case and Jeff and Kathy Smith.

The meeting was opened at 5:31 with the pledge to the flag.

5:32-Public Hearing: Mayor Falsone opened the public hearing pursuant to the Chapter 59 of the Village Code requiring the owner of 19 State Street, Bloomfield, NY 14469 (the “Premises”), Lucas Living Trust (the “Owner”), to show cause why an order should not be entered compelling the Owner to make the Premises safe by demolishing and removing all derelict buildings located at the Premises and removing all debris resulting from the demolition of those buildings, and all other debris and items on the ground at the Premises. The Mayor waived reading the notice.

Trustee Poole made a motion, seconded by Trustee Falsone to approve the following resolution:

RESOLUTION 2024-001
VILLAGE OF BLOOMFIELD
UNSAFE STRUCTURE LOCATED AT 19 STATE ST

ORDER OF THE VILLAGE OF BLOOMFIELD

WHEREAS, pursuant to Village Code Chapter 59 regarding Unsafe Buildings, the Code Enforcement Officer investigated the condition of buildings at 19 State Street, Bloomfield, NY 14469 (the “Premises”) and submitted a written report with her findings and recommendations to the Village of Bloomfield;

WHEREAS, the Code Enforcement Officer recommended demolition and removal of the buildings at the Premises in a report dated January 23, 2024 which was presented to the Village Board on January 24, 2024;

WHEREAS, on January 24, 2024 the Village Board scheduled a public hearing to hear public comment, and comment from the owner of the Premises concerning the question of an order requiring the buildings on the Premises to be demolished and removed which hearing was scheduled for March 27, 2024;

WHEREAS, Notice of the Hearing Pursuant to Village Code Chapter 59 (the “Notice”) was posted pursuant to Village Code and served on Judy Judy, trustee of the Lucas Living Trust, owner of the Premises, which notice required the Lucas Living Trust to show cause why an order should not be entered compelling the Owner to make the Premises safe by demolishing and removing all derelict buildings located at the Premises and removing all debris resulting from the demolition of those buildings, and all other debris and items on the ground at the Premises, requiring demolition and removal to commence within thirty days of its entry;

WHEREAS, a public hearing was held on March 27, 2024 where residents of the Village of Bloomfield expressed their health and safety concerns regarding the buildings at the Premises;

WHEREAS, no representative of the Lucas Living Trust appeared at the public hearing; WHEREAS, the Village Board considered and approved a motion to issue an order, with language substantially similar to that set forth in the Notice, compelling the Lucas Living Trust to make the Premises safe by demolishing and removing all derelict buildings located at the Premises and removing all debris resulting from the demolition of those buildings, and all other debris and items on the ground at the Premises, requiring demolition and removal to commence within thirty days of its entry; it is hereby

ORDERED that the Lucas Living Trust, owner of 19 State Street, Bloomfield, NY 14469 (the "Premises"), must make the Premises safe by demolishing and removing all derelict buildings located at the Premises and removing all debris resulting from the demolition of those buildings, and all other debris and items on the ground at the Premises; and it is further

ORDERED that demolition and removal to commence within thirty (30) days of service of notice of entry of this Order; and it is further

ORDERED that if demolition and removal have not commenced within thirty (30) days of notice of entry of this Order, the Village will solicit bids, retain a contractor, and undertake demolition and removal of buildings and debris from the Premises, the cost of which, including legal costs and fees, will be assessed against the Premises or collected through a special proceeding pursuant to Gen. Mun. Law § 78-b.

Discussion was held.

Motion Adopted: Ayes 5 (Harrington, Trustee Falsone, Trustee Didas, Trustee Poole, Mayor Falsone) Nays 0

I, Donna Wollschleger, Village Clerk of the Village of Bloomfield, hereby certify the foregoing resolution to be a true and exact copy of said resolution as contained in the official minute's book of said Village.

Donna Wollschleger
Village Clerk
Dated April 1, 2024