

A Special Town Board Meeting of the Town of Hamburg, County of Erie and State of New York was held at the Town Hall, S-6100 South Park Avenue, Hamburg, New York on the 13th day of August, 2007.

TOWN BOARD MEMBERS

PRESENT:

Steven J. Walters	Supervisor
D. Mark Cavalcoli	Councilman
Joan A. Kesner	Councilwoman

ABSENT:

Thomas Quatroche, Jr.	Councilman
Richard A. Smith	Councilman

OTHERS PRESENT: Catherine A. Rybczynski, Town Clerk; Richard Boehm, Town Attorney; Kurt Allen, Supervising Code Enforcement Officer.

1.

On a motion of Supervisor Walters, seconded by Councilman Cavalcoli, the following resolution was

ADOPTED	Ayes 3	Walters, Cavalcoli, Kesner
	Noes 0	

WHEREAS, a residence in the Town of Hamburg as located at 1748 Schoellkopf Road, having suffered substantial fire damage more than a year ago, subsequently vacated and left in a n abandoned state along with other vacated structures (namely two rental cottage units and a barn) on the premises, and

WHEREAS, as the result of long term neglect due to the abandonment, the fire damaged residential structure along with three vacant structures have become an attractive nuisance to the contiguous neighborhood and the general public, and

WHEREAS, the Town Code Enforcement Official has made repeated written notifications and directives to the owner (as listed on the Town Tax assessment records) to correct the unsafe conditions associated with the vacated structures, without any response whatsoever, and

WHEREAS, due to the owners lack of compliance and despite efforts by the Town to render the premises safe, the property continues to be an endangerment to the public, and

WHEREAS, in accordance with the provisions of Local Law No. 5-1972, Sections 80-3, the Town Code Enforcement Official has submitted a report of his findings to the Town Board based on his formal inspections of the subject properties, and

WHEREAS, the Town Board has reviewed the Town Code Enforcement Official's recommendations and report have concluded that the fire damage structure is unsafe and dangerous in addition to the three remaining vacant structures being a hazard to the general public.

NOW, THEREFORE BE IT RESOLVED, that the Town Board based on their determination, order the demolition and complete removal of the fire damaged structure and secure the remaining vacant buildings on the premises with the appropriate enclosures.

BE IT FURTHER RESOLVED, in order to effectuate the demolitions, that the Town Board direct the Town Attorney to notify the respective property owners or their designated legal representative of the actual costs of said demolition in accordance with the local law provisions.

Kurt Allen comments that at 1748 Schoellkopf Road, the property could be characterized as three cottages and a barn structure . On May 7, 2006 the one cottage sustained heavy damage from a fire. The house was abandoned and boarded up at that point. There were two complaints after the fire, with regard to an unsafe building. The house is beyond repair and requires demolition, the other issues are the remaining cottages, they are abandoned, not necessarily neglected. The large barn needs to be secured.

Councilwoman Kesner questions if the owner is alive.

Kurt Allen has not had any contact with the owner, but has made numerous attempts. There isn't a fixed cost as of yet. A cost estimate will be drawn up and a letter will be sent to the owner establishing a hearing date within five days.

2.

On a motion of Supervisor Walters, seconded by Councilwoman Kesner, the following resolution was

ADOPTED	Ayes 3	Walters, Cavalcoli, Kesner
	Noes 0	

RESOLVED, that the Town Board adjourn at 8:17 a.m.

Catherine A. Rybczynski