

**VILLAGE OF DEXTER  
BOARD OF TRUSTEE EVIDENTIARY HEARING  
DEXTER OFFICE BUILDING  
CONFERENCE ROOM  
MAY 15,2018  
509 LIBERTY ST 4:00pm**

**4pm EVIDENTIARY HEARING**

To consider whether the structure at 303 E Bronson St in the village is in fact a dangerous and unsafe within the meaning in Chapter 47 of the village code. The hearing is not open to the public.

**PRESENT**

Mayor James Eves, Trustees Bruce Nutting, Richard Stevenson, Daniel O Connell and Renee Stano.

**ALSO PRESENT**

Village Manager Stephen Lane, Deputy Clerk Charlene Mannigan, Clerk Treasurer Patricia Lamon, Historian John Stano. Zoning & Code Officer James Millington, and Village Attorney Mark Gebo.

**ABSENT**

**Owner of 303 E Bronson St, Helen Garvin did not attend this hearing. No one attended to represent owner.**

**Evidence Presented**

Attorney Gebo read the letter dated 4/30/18 that he sent by certified mail to owner Helen Garvin on behalf of the village. The letter was signed for and received.  
( See attached letter.)

**Attorney Gebo called and swore in James Millington the Village Code and Zoning Officer .**

**Mr. Millington Testimony**

Mr. Millington has been the village code officer for 9 years.  
The house burned March 20, 2018. The tax records show Helen Garvin as the owner.  
On 3/22/18 Mr. Millington contacted the owner by mail. Mr. Millington gave the owner 5 days from receipt of the letter to stabilize and board up the building and 30 days from receipt of the letter to inform the village office of future plans to repair or tear down the building.

In April the owner had the windows boarded up. The metal roof was broken and coming off

April 17 a large piece of metal roof fell into the yard. A wind storm happened that day, and more of the roof was in danger of falling off.

The village took pictures of the property before and after the large piece of metal roof fell off.

April 18 the village sent a letter to Mrs. Garvin informing her that the remaining metal roof is in danger of falling off and the village would hire a contractor to remove the roof.

The village did hire a contractor to remove the rest of the roof. Mr. Millington was at the site was the roof was removed.

On 4/23/18 pictures were taken of the property after the roof was removed.

Debris continued to come off on to the property, and parts of the chimney fell on to the sidewalk.

Mr. Millington stated the building is in danger of collapsing.

All the siding is gone. The roof is gone rain is getting in. The wind is causing more damage. The debris is spreading from the house and yard to the neighboring properties and on to the village public sidewalks and streets.

The Building is not repairable and needs to be removed. The structure is dangerous and unsafe within the meaning of village code chapter 47.

Mayor James Eves comments

A contractor representing Mrs. Garvin contacted the village. The contractor plans to tear the building down, remove all the material, and fill in the basement by this weekend. The contractor must cap the sewer. The water is shut off at the street. The contractor will be held responsible to repair any damage to village property.

The neighbors fear windy days, and the debris that would blow onto their property. John Garvin would not give the name of his insurance company. An insurance adjustor did look at the property.

The village will give Mrs. Garvin 7 days (May 22, 2018) from the date of this hearing to have the building down and removed. The property needs to be cleared and the cellar filled in.

**The hearing Closed AT 4:15PM**

**VILLAGE OF DEXTER  
BOARD OF TRUSTEE MINUTES  
DEXTER OFFICE BUILDING  
CONFERENCE ROOM  
MAY 15, 2018  
509 LIBERTY ST  
DEXTER, NY 13634**

**THE REGULAR MEETING MAY 15, 2018 WAS CALLED TO ORDER AND PLEDGE OF ALLEGIANCE AT 4:20 PM BY MAYOR JAMES EVES**

**PRESENT**

Mayor James Eves, Trustees Bruce Nutting, Richard Stevenson, Daniel O Connell and Renee Stano.

**ALSO PRESENT**

Village Manager Stephen Lane, Deputy Clerk Treasurer Charlene Mannigan, Clerk Treasurer Patricia Lamon, Historian John Stano. Village Code and Zoning Officer James Millington and Village Attorney Mark Gebo.

**Evidentiary Hearing for 303 E Bronson St Village Board determination**

**Motion** Trustee Stevenson second Trustee Nutting to declare the structure at 303 E Bronson St dangerous and unsafe within the meaning in Chapter 47 of the village code. The owner has until May 22, 2018 or 7 days from this hearing date to have the house taken down and taken away and the basement filled in. After 7 days have passed on May 23, 2018 the Village will have the legal right to take the structure down, take away the debris and fill in the cellar. The village will bill the owner. Ayes 5 Mayor Eves, Trustees Nutting, Stevenson, O Connell and Stano. Nays 0.

**4:25pm Village Attorney Mark Gebo left the meeting.**

**MINUTES**

**Motion** Trustee Stevenson Second Trustee O Connell approving the regular monthly minutes of the Village of Dexter Board meeting held on 4/17/18, and the Emergency meeting minutes held 4/18/18. Ayes 5 Mayor Eves, Trustees Nutting, Stevenson, O Connell and Stano. Nays 0.

**REVIEW AND APPROVAL OF TREASURER'S REPORTS**

**Motion** Trustee Stevenson second Trustee O Connell approving the bank statements, Treasurer's Report for Revenue and Appropriation Account Balances and abstracts and transfers for period ending 4/30/18 and the abstracts for 5/15/18. Ayes 5 Mayor Eves, Trustees Nutting, Stevenson, O Connell and Stano. Nays 0.

**TRANSFERS**

**General Fund**

To	A1325.41	From	A1325.4	\$240.72
	A3650.4		A1990.4	\$4,200.00
	A5110.4		A5110.2	\$2,654.40
	A5110.41		A5110.2	\$ 316.08

**Water Fund**

To	F8340.2		F9060.8	\$1,438.45
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**Transfer Sewer Capital Project checking Account**

**Motion** Trustee Stano second Trustee O Connell approving closing the checking account and transfer the balance of \$1,680.33 to the Sewer Savings Account. Ayes 5 Mayor Eves, Trustees Nutting, Stevenson, O Connell and Stano. Nays 0.

## **BILLS AND ABSTRACT OF WARRANTS**

4/30/18	General fund Abstract #17	Vouchers 470-475	\$4,701.49
	Water fund	88-89	\$4,589.35
5/15/18	General fund Abstract #18	Vouchers 476-520	\$ 11589.53
	Water fund	90-98	\$21,807.61
	Sewer fund	111-126	\$ 7,070.43

**Motion Trustee Stevenson second Trustee Stano** to set the date of 5/31/18 at 10 AM for the Mayor and or Trustee Nutting to review and pay the end of the village year bills. Ayes 5 Mayor Eves, Trustees Nutting, Stevenson, O Connell and Stano. Nays 0.

## **VILLAGE POLICE**

**Motion Trustee Stano second Trustee O Connell** approving the Police Report and time sheets for April. Ayes 5 Mayor Eves, Trustees Nutting, Stevenson, O Connell and Stano Nays 0.

## **JUSTICE COURT**

**Motion Trustee Stevenson second Trustee O Connell** approving the April Report and Town & Village Justice Training July 18 & 19 for Melba Ellingsworth and NYS Magistrates & Court Clerks annual meeting September 23-26 in Niagara Falls. Ayes 5 Mayor Eves, Trustees Nutting, Stevenson, O Connell and Stano Nays 0.

## **INSPECTION REPORTS**

Mayor James Eves Sewer treatment plant  
Sewer Capital Project

Lawman will be back in September to redo some lawns. Falter will redo some work at the treatment plant. The village is holding 10% of their total payment until work is corrected, and final inspection is done.

Trustee Bruce Nutting- Water Plant

The chlorine analyzer has been installed. Limerick had another break in the water pipes.

Trustee Richard Stevenson -Streets, sidewalks and ditches

The village will black top some streets and intersections, grinding has started.

Trustee Renee Stano – Buildings & grounds

The Fox building is vacant and privately owned. The village does not know the owners plans for the building.

## **MAYORS REPORT-INFORMATION AND DISCUSSION**

### **Tax Warrant**

**Motion Trustee O Connell second Trustee Nutting** to approve the 2018-2019 tax warrant. Ayes 5 Mayor Eves, Trustees Nutting, Stevenson, O Connell and Stano. Nays 0.

### **Canal St Bridge to Fish Island/and Temporary Bridge**

Enel has not been in contact with the village. No progress made.

### **Feher Rubbish**

The company abruptly had its doors shut by Solvay Bank May 10, 2018. The last village pick up by the company was done 5/3/18.

Spring Cleanup scheduled for 5/19/18 has been cancelled.

Village residents cannot take trash to the Town transfer site. No exceptions for this circumstance. The village will not put in a dumpster for cleanup.

Residents can go the County site on Rt 12 to take there cleanup items, but they will pay a fee.

### **Cumoletti Letter Open burning**

Mr. Cumoletti was upset that he cannot continue to open burn on his village property. Mr. Cumoletti told the mayor of several loaded pistols and long guns that he has in his home. He told the Mayor he was not afraid to use them. The DEC Officer gave him a warning. The Village police, and DPW employees, and the Sherriff department were made aware of the guns in his home. Mr Cumoletti is being investigated.

### **CODE ENFORCEMENT OFFICER**

The Board reviewed his April report. Mr. Millington thanked the Board paying for ½ of his codes and legal training this year.

### **BOARD MEMBERS DISCUSSION AND ACTION**

#### **Theta Corliss Former Clerk for 22 years passed away 5/7/18**

**Motion** Trustee Stevenson second Trustee O Connell approving Memorial Resolution #5 2018 Recognizing Mrs. Corliss for her dedicated service to the village and community. Ayes 5 Mayor Eves, Trustees Nutting, Stevenson, O Connell and Stano. Nays 0.

#### **Sewer rate increase for outside users**

##### **DEC contract**

2018-19 \$750 to \$850 for 5,000 gallons and overage increase \$4.00 to \$5.00 per 1,000 gallons

2019-20 \$850 to \$900 for 5,000 gallons and overage increase \$4.00 to \$5.00 per 1,000 gallons

2020-21 \$900 to \$950 for 5,000 gallons and overage increase \$4.00 to \$5.00 per 1,000 gallons

#### **Breezy Knolls Trailer Park**

Increase 2018-19

Flat fee \$41.50 per month per quarter remains the same

Total overage fee per 1,000 gallons increase from \$2.50 to \$3.50

#### **There are 3 homes outside the village with village sewer**

2018-19

Flat fee \$41.50 per month per quarter remains the same

Total overage fee per 1,000 gallons increase from \$2.50 to \$3.50

**Motion** Trustee Nutting second Trustee Stevenson approving the rate increases for the outside sewer users. Ayes 5 Trustee Nutting, Stevenson, O Connell and Stano. Nays 0.

#### **Village Historian**

Village of Dexter 1899-1902 Odd Fellow records

The Odd Fellows in Chaumont merged with the Dexter Odd Fellows. Presently the Odd Fellows no longer exists in Dexter. Chaumont will have a 150year celebration.

**Motion** Trustee Stevenson second Trustee O Connell to give the Odd Fellows records from Dexter to Chaumont. Ayes 5 Mayor Eves, Trustees Nutting, Stevenson, O Connell and Stano.

Nays 0.

### **INFORMATION**

Surprise party for retiring Village Attorney Mark Gebo 6/28/18 .

Memorial Day- Parade will start at 10:30 am in Dexter.

Memorial Day Flowers

The 4<sup>th</sup> graders will plant flowers on May 24, 2018 rain day May 25,2018

Thank you

Charlene & I want to thank the Board for the Flowers.

Thanks for your thoughtfulness, on administrative day.

### **CORRESPONDENCE AND COMMUNICATIONS**

**File is available for review**

**ADJOURNMENT – Motion** Trustee Stano second Trustee Nutting to adjourn at 5:50pm. Ayes 5 Mayor Eves, Trustees Nutting, Stevenson, O Connell and Stano. Nays 0.

