

**SPECIAL MEETING OF THE
VILLAGE OF MARCELLUS
HELD AT THE VILLAGE HALL
ON JANUARY 25, 2016**

PRESENT: John Curtin, Mayor See List
Sara Tallman, Trustee
Jeff Brown, Attorney

ABSENT: Patrick Cox, Trustee

Mayor Curtin asked for a motion to open the public hearing at 7:00 p.m. Trustee Tallman made a motion to open the hearing, seconded by Mayor Curtin. All board members voted aye, and the public hearing was opened.

The Village Clerk read the legal notice of the public hearing to those in attendance.

Mayor Curtin explained that the purpose of the public hearing was to allow all interested parties the opportunity to be heard regarding Local Law #1, which will identify and register vacant residential and vacant residential and vacant commercial buildings, to determine payment of registration fees, to determine the responsibilities of owners of vacant buildings and structures, and to speed the rehabilitation of vacant properties.

Mayor Curtin made the following points about the proposed law:

- a. The Village Board finds that the proliferation of vacant and abandoned buildings, structures and dwellings in the Village of Marcellus causes a deterioration of neighborhoods and areas within the Village of Marcellus and has a negative impact on the value of property in close proximity to the vacant and abandoned buildings, structures and dwellings.
- b. The Village Board finds that vacant and abandoned buildings, structures and dwellings have caused a serious threat to the safety and welfare of the residents of the Village and eroded the quality of life of all who live and work in the village. Abandoned and vacant buildings, structures and dwellings are places of infestation of rodents, vermin, insects, wild animals and other health-threatening creatures and diseases, provide shelter to criminals and vagrants who use such places to evade the police and to conduct illicit activities, and are an attractive nuisance to children and adults alike.
- c. Local Law #1 of 2016 proposes that any owner of any building or structure, which has been vacant for more than 120 consecutive days, shall file with the Code enforcement Officer a vacant building registration. Said registration shall be in a form prescribed by the Code Enforcement Officer and shall be notarized.
- d. The law also calls for the owner to submit a vacant building plan which must meet the approval of the Code Enforcement Officer and must contain information from one of three proposals for the property: if the building is to be demolished, if the building is to remain vacant, or if the building is to be returned to appropriate occupancy or use.
- e. The owner(s) of the vacant property shall be responsible to register and pay the non-refundable annual registration fee as established by the Village Board. Thereafter, the owner shall be responsible to register the vacant property annually and pay the nonrefundable registration fee. The fee shall increase each year, for each year that the property remains vacant, and shall be billed by the Village Clerk annually on March 1st of each year. The fee shall be charged to the owner(s) as long as the building remains vacant.
- f. Appeal – the owner shall have the right to appeal the imposition of the registration fees to the Village Board of Trustees, upon filing an application, in writing, to the Village Clerk no later than 30 calendar days from the date of the billing statement. On appeal, the owner shall bear the burden of providing proof that the building is occupied.
- g. Waiver of Registration Fee – a waiver of the fee for up to 90 days may be granted by the Code Enforcement Officer upon application by the owner and upon review and advice of the Village Attorney. This waiver may be given provided that the owner provides information that indicates the owner is actively pursuing mitigation/ rehabilitation of the

funding. The waiver can also be renewed, if the owner provides proper documentation to the Code Enforcement Officer. If denied by the CEO, the property owner can make an appeal to the Village Board of Trustees.

- h. If the owner of the vacant property fails to pay the registration amount due within 30 days, this obligation shall constitute a lien and a charge on the real property concerned until paid or otherwise satisfied and shall be collected by the Village Treasurer in the same manner provided by law for delinquent taxes.
- i. It shall be the duty of the property owner and any subsequent owner, to keep vacant buildings or structures secured and safe and the building and grounds property maintained as provided in the NYS Property Maintenance Code.
- j. This Local Law shall be effective upon filing with the office of the Secretary of State, and the Village Clerk is directed to immediately file a copy of this Local Law with the New York State Secretary of State as required by law.

After informing the public about the proposed local law, Mayor Curtin asked for questions or comments from the public. There were no comments for or against the proposed local law. Trustee Tallman made a motion to adjourn the public hearing at 7:07 p.m.. The motion was seconded by Mayor Curtin. Mayor Curtin called for a vote. All board members voted aye and the public hearing was closed.

Dawn M. O'Hara, Village Clerk