

TOWN OF URBANA
Special Board Meeting
August 12, 2015

The Urbana Town Board held a special meeting on Wednesday, July 12, 2015 at 5:00p.m., at the Town Hall, 8014 Pleasant Valley Rd., Bath, New York.

PRESENT:	John Webster	Supervisor
	Edward P. Stull	Councilman
	Tom Chadwick	Councilman
	Jim Presley	Councilman
	Alzina Turner	Councilwoman
	John Ryan	Attorney
	Mary Farmer	Town Clerk

OTHERS PRESENT: Mike Slowinski, Marietta Nye, Donna Gallagher, Sandra Niles, Peg and Craig Wilson.

Councilman Stull and Councilman Presley requested, in writing, an emergency meeting of the Board to discuss a public health matter, property maintenance and environmental concerns. Councilman Stull and Councilman Presley felt there was no other way to make sure this comes before the Board and the Towns resident's but to call an emergency meeting due to the serious nature.

Code Enforcement Officer Michael Slowinski has been working diligently on the issue for over nine months. Mr. Slowinski has contacted DEC, DOT, DOH, Adult Protective Services and the Steuben County Animal Cruelty Officer but has had little or no help and support. Last fall Mr. Slowinski, Dr. Cranmer, Town of Urbana Health Officer, a sheriff's deputy, Bob Magee, Zoning Officer and Diane Davis, Dog Control Officer visited the property. Dr. Cranmer submitted a report on the conditions and to date nothing has been done other than the property being posted 'DO NOT OCCUPY' as the residents continue to reside in the house.

There have been numerous complaints by neighbors regarding this matter. One neighbor in attendance asked how long it's been since the septic failed, Mr. Slowinski said according to the Towns records it's been since 1999.

Mr. Slowinski and Attorney Ryan met on August 7th to review what has gone on and how to move forward. Attorney Ryan has advised the Town to repost the 'Do Not Occupy' notice, send a vacate notice by certified mail and to collect affidavits from neighbors within the next 30 days to supply the court. The court will require evidence and affidavits. There is a new NYS Law that requires a 30 day notice to an owner to take care of an existing problem. Mr. Ryan said this is Executive Law and that it needs to proceed before the Supreme Court. Attorney Ryan noted 'Private Nuisance Laws' which the neighbors could use to proceed with an attorney.

On motion by Councilman Stull, seconded by Councilman Presley and carried, to give Attorney Ryan the authority to move forward all voting as follows:

Councilwoman Turner	Aye
Councilman Chadwick	Aye
Councilman Stull	Aye
Councilman Presley	Aye
Supervisor Webster	Aye

By a request made by Councilman Stull at the August 18, 2015 regular board meeting, the emails regarding this meeting are below.

August 4, 2014 at 2:44pm

All Attached,

I am again calling for an Emergency Meeting on Wednesday 12 August 15 at 5:00pm.

This meeting will be for Q&A on what is happening with the Petersons Property. I can no longer give "lip service" to property owners. I am receiving calls daily with "nothing to say" except were working on it!

That is no longer an acceptable answer.
Working on it, is talking to each other with our Building Inspector present.

Per Law, if two or more board members call for a meeting, a meeting will be held.

Therefore this is a notification that myself and board member James Presley have agreed that a meeting must take place to discuss this violation of law on the Petersons property.

All parties attached are requested to be at this meeting.

Signed copies of this request will be available at the Town Hall.

Edward P Stull

James Presley

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: John Webster <supervisorurbana@roadrunner.com>
Date: 07/29/2015 4:27 PM (GMT-05:00)
To: 'mudmonkee' <mudmonkee@roadrunner.com>, 'Jim Presley' <jpresley@clarkspecialty.com>, 'Tom Chadwick' <tlchadwick@frontier.com>, 'Mary Farmer' <clerkurbana@roadrunner.com>, codes@townofurbana.com
Cc: 'Atty John Ryan' <jjryan@stny.rr.com>
Subject: RE: Answers for Peterson Property

Hi Ed,

This had not been overlooked, it takes time to work through the issues. The problem is that we have received no help from any other agencies that we have contacted. Mike has certainly done most of the leg work and has not found a time effective solution. I know this is not what you want to hear but we are continuing to try and resolve this issue.

John

L. John Webster, Supervisor
Town of Urbana
Phone: 607-569-3743 ext. 3
Fax: 607-569-3743
supervisorurbana@roadrunner.com
P.O. Box 186
Hammondsport, NY 14840

From: mudmonkee [<mailto:mudmonkee@roadrunner.com>]
Sent: Tuesday, July 28, 2015 8:27 PM
To: Webster John; Jim Presley; Tom Chadwick; Mary Farmer; codes@townofurbana.com
Cc: Atty John Ryan; Edward P Stull
Subject: Answers for Peterson Property

All

I want answers and want them now.

For months I've been reassuring neighbors on the West Lake Rd (SR54a) that the Peterson Property was being handled by our Building Officer and he is on top of the situation.

Well guess what? I just had another neighbor question my integrity because, the Petersons moved back in the FILTH and the SHIT is going WHERE ? in the LAKE? NO SPEPTIC, I DRINK THE WATER so do my neighbors.

I spoke to our building inspector and low and behold we were supposed to discuss are options during our July meeting, unless I fell asleep I missed it. Had I know that Mike talked to the John Webster about this and we over looked it I certainly would have not closed the meeting until we had a resolve. This has been going on for months? Why?

Septic doesn't work and we still allow them to occupy the residence?

Here's the deal, if we don't act forthwith, I will call the Leader and do an Interview with WENY right on front of their house.

I am embarrassed for the Town for allowing this to carry on for so long without taking action and seeing it through.

EP Stull

With no further business, on motion by Councilman Stull, seconded by Councilman Chadwick, the meeting was adjourned at 5:43pm. Carried unanimously by all present.

Respectfully submitted,

Mary M. Farmer
Town Clerk