

ONEONTA, NEW YORK - MAY 3, 2012 - 4:00 P.M.

REGULAR MEETING OF THE BOARD OF PUBLIC SERVICE PG. 1

PRESENT: Chair Margery K. Merzig
Commissioner Louis Tisenchek
Commissioner David Hayes
ABSENT: Commissioner Joseph Temming
Commissioner Peter Friedman
Council Member Madolyn Palmer

Chair Merzig called the regular meeting to order and asked the Clerk to call the roll.

NEW BUSINESS

1. Unsafe Building Hearing: 128 Chestnut Street (rear) – Alan Rubin
2. Unsafe Building Hearing: 5 Frederick Street – David Freed
3. Unsafe Building Hearing: 39 Maple Street – Ralph Tomeo
4. Unsafe Building Hearing: 37 Church Street – Thomas O’Toole, Jr.

The following Memorandum, dated April 25, 2012, was received from Code Inspector Hester:

“Unsafe Building Hearings:

128 Chestnut Street Rear- (Alan Rubin: 138 Balford Drive, Oneonta)- The Code Enforcement Office declared this property unsafe on 4/23/12. This office is requesting that the Board declare this property unsafe and order this building vacated until such time as the owner can provide a structural assessment certifying that this building can safely accommodate all live and dead loads placed upon supporting members.

39 Maple Street- (Ralph Tomeo: 55 Otis Road, East Patchogue, NY 11772)- The Code Enforcement Office declared this property unsafe after failed attempts to collect the required documentation and gain access for the required housing inspection. We request that this building be declared unsafe and the owner be ordered to repair all outstanding “A” violations within 30 days.

37 Church Street- (Thomas O’Toole Jr.: 314 West Walnut Street, Long Beach, NY 11561)- This office request that this property be heard at the May 3rd meeting and declared unsafe and ordered vacated until such time that all housing code violations have been corrected.

5 Frederick Street- (David Freed: 83 Lower River Street, Oneonta)- The Code Enforcement Office would like to request that the Board declare this property unsafe for reasons listed in an unsafe letter dated April 16, 2012.

Unsafe Building Hearing: 128 Chestnut Street (rear) – Alan Rubin

Chair Merzig opened the Unsafe Building Hearing on 128 Chestnut Street.

The board reviewed the violations as written in the inspection report and the photographs presented of the property.

Chair Merzig stated the 1st floor apartment had significant water damage in the bathroom, it did not have smoke detectors, the floors were warped and the living room had an excess number of extension cords. She said this was one of those situations where because of the water damage it was uninhabitable. She said on the 2nd floor there was some damage and there were exposed electrical wires in the living room. She said there were issues about the building not having proper supports in the cellar for the floors. She said the roof leaks significantly. She said this particular property had extensive deterioration.

The board reviewed Code Inspector Hester’s letter to Mr. Rubin informing him of the unsafe conditions of the property and his recommendations based on Chapter 92 of Unsafe Buildings.

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(Unsafe Building Hearing – 128 Chestnut Street – Alan Rubin) continued

Commissioner Hayes asked if there was anyone living in the building.

Code Inspector Hester replied yes, college students.

Commissioner Hayes asked when last was that Code Enforcement was in the building.

Code Inspector Hester replied in April Ordinance Inspector Ferris and he did a walk-through of the building with Mr. Rubin's maintenance man Gary Richter.

Commissioner Hayes questioned if there was any evidence at all of their trying to mitigate this damage.

Code Inspector Hester responded he thought it was beyond Gary's expertise and that it needed an engineer.

MOTION, made by Chair Merzig and seconded by Commissioner Tisenchek, that based on the testimony heard and the evidence seen by members of the Board of Public Service, the board finds the following defects under Chapter 92, *Unsafe Buildings*, of the Code of the City of Oneonta, and declares the property unsafe of Alan Rubin at 128 Chestnut Street, (300.05-1-39) Oneonta, NY under Section 92-1 sections B, C, D, E, H and I, as follows:

- B. Those which, exclusive of the foundation, show 33% or more of damage or deterioration of the supporting member or members or 50% of damage or deterioration of the nonsupporting enclosing or outside walls or covering.
- C. Those which have improperly distributed loads upon the floors or roofs or in which the same are overloaded, or which have insufficient strength to be reasonably safe for the purpose used.
- D. Those which have been damaged by fire, wind or other causes so as to have become dangerous to life, safety, morals or the general health and welfare of the occupants or the people of the City of Oneonta.
- E. Those which have become or are so dilapidated, decayed, unsafe, unsanitary or which so utterly fail to provide the amenities essential to decent living that they are unfit for human habitation, or are likely to cause sickness or disease, so as to work injury to the health, morals, safety or general welfare of those living therein.
- H. Those which have parts thereof which are so attached that they may fall and injure members of the public or property.
- I. Those which, because of their condition, are unsafe, unsanitary or dangerous to the health, morals, safety or general welfare of the people of this city.

Voting Ayes: Chair Merzig
Commissioner Tisenchek
Commissioner Hayes

Noes: None

Absent: Commissioner Temming
Commissioner Friedman

MOTION CARRIED

MOTION, made by Chair Merzig and seconded by Commissioner Tisenchek, the Board of Public Service, upon declaring the property unsafe at 128 Chestnut Street, Oneonta, NY, orders that the property be vacated within 30 days, any exterior safety issues to be cleaned up, the porch posted for safety reasons and there be an assessment of the property by a licensed engineer.

Voting Ayes: Chair Merzig

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(Voting) continued

Commissioner Tisenchek
Commissioner Hayes
Noes: None
Absent: Commissioner Temming
Commissioner Friedman

MOTION CARRIED

Unsafe Building Hearing: 5 Frederick Street – David Freed

Chair Merzig opened the Unsafe Building Hearing on 5 Frederick Street.

Chair Merzig reviewed with the board Code Enforcement's Inspection Report and said some of the violations on this property were that it needed a heating and smoke detector inspection and had electrical issues with exposed light fixtures and unsafe electrical fixtures.

Commissioner Hayes asked about the number of type "A" violations listed in the inspection report.

Chair Merzig replied there were approximately 45 type "A" violations.

Code Inspector Hester stated he did not have photographs of the property. He said 7 family members of 2 separate families lived in this property causing it to be over occupied. He said there were numerous animals and boa constrictors in the house less than 10' from a 1-year old baby living in the house. He said there were no operable smoke detectors and when he was leaving the property he told the residents that it was their responsibility to maintain the smoke detectors as a tenant and that he saw the smoke detectors were there but off the wall. He asked them to put them back for the baby's sake. He said when the police officers went into the property over a week later none of the smoke detectors had been put up and they said there was animal feces all over the floor. He said at this point he believed all of those people had been incarcerated and did not believe either of the families were in the house anymore.

Chair Merzig stated there were significant electrical violations, stored combustibles, a lot of electrical violations upstairs and a water leak that had seriously damaged the kitchen ceiling and the light fixture. She said the inspection report was recently done in 2012 but thought the old violations went back to 2003.

Commissioner Tisenchek questioned if the outside electrical box was involved in the violations.

Code Inspector Hester stated that the property had a current electrical inspection until 2012, which was on a 9 year cycle, but also since that previous inspection there were electrical violations that were never cleared and had continued to get worse.

Commissioner Hayes questioned if Code Enforcement saw on recent visits any efforts to clear any of the violations.

Code Inspector Hester responded none at all.

MOTION, made by Chair Merzig and seconded by Commissioner Tisenchek, that based on the testimony of the Code Enforcement Office, the documents presented and the board member's own knowledge of the property, the Board of Public Service declares the property owned by David Freed located at 5 Frederick Street, (300.07-4-94) Oneonta, NY as unsafe based on Chapter 92, *Unsafe Buildings*, of the Code of the City of Oneonta, Section 92-1 sections D, E, F and I, as follows:

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(Motion on 5 Frederick Street) continued

- D. Those which have been damaged by fire, wind or other causes so as to have become dangerous to life, safety, morals or the general health and welfare of the occupants or the people of the City of Oneonta.
- E. Those which have become or are so dilapidated, decayed, unsafe, unsanitary or which so utterly fail to provide the amenities essential to decent living that they are unfit for human habitation, or are likely to cause sickness or disease, so as to work injury to the health, morals, safety or general welfare of those living therein.
- F. Those having light, air and sanitation facilities which are inadequate to protect the health, morals, safety or general welfare of human beings who live or may live therein.
- I. Those which, because of their condition, are unsafe, unsanitary or dangerous to the health, morals, safety or general welfare of the people of this city.

Voting Ayes: Chair Merzig
Commissioner Tisenchek
Commissioner Hayes
Noes: None
Absent: Commissioner Temming
Commissioner Friedman

MOTION CARRIED

MOTION, made by Chair Merzig and seconded by Commissioner Hayes, that based on the unsafe declaration of the 5 Frederick Street property by the Board of Public Service, the board orders the property vacated immediately, the property repaired within 30 days and a plan for correcting the violations submitted to the Code Enforcement Office.

Voting Ayes: Chair Merzig
Commissioner Tisenchek
Commissioner Hayes
Noes: None
Absent: Commissioner Temming
Commissioner Friedman

MOTION CARRIED

Voting followed this discussion.

Commissioner Hayes stated that this was just a case where nobody cared, the tenants or the property owner.

Code Inspector Hester stated he agreed especially with the smoke detectors and the safety of the baby in the house.

Unsafe Building Hearing: 39 Maple Street – Ralph Tomeo

Chair Merzig opened the Unsafe Building Hearing on 39 Maple Street.

Code Inspector Hester reviewed the inspection report with the board. He said basically this property was being declared unsafe due to the lack of forms being submitted to Code Enforcement. He said Mr. Tomeo lives in East Patchogue, NY and he had no local agent. He said at one point in time years ago Liz Rose was the agent and he asked her if she was his agent now and she said “well, maybe, sort of.” He said that did not count unless that information was filed in the Code

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(Unsafe Building Hearing – 39 Maple Street – Ralph Tomeo) continued

Enforcement Office. He said he came to find out when he posted the property that one of the parents of the upstairs tenants called and said they thought the owner was deployed. He said he had no idea because Code Enforcement had no military documents. He said he contacted Liz Rose about it and she said she had Mr. Tomeo's deployment papers and that he was in Iraq. He said Mr. Tomeo's had been deployed since last July but the house was not being maintained, had been on Administrative Fees since 2010 and had not been deployed that whole time. He said now Code Enforcement was the trash removal service for the property. He said the parents that called for the tenants upstairs said it was a mess inside. He said Code Enforcement declared the property unsafe and obviously nobody was taking care of the property. He said he discussed this with Code Enforcement Officer Chiappisi about how far they could go on this and what to do about the Administrative Fees.

Chair Merzig stated the board could order the property vacated and repaired. She said someone should be receiving Mr. Tomeo's mail at the home address but if not it should not stop the city from trying to get people out of an unsafe situation. She said there were electrical violations that were noted before this recent inspection, which Code Inspector Hester could not get into the property to do.

Code Inspector Hester stated the electrical inspection expired in 2004, making the last inspection 9 years prior to 2004 because that was on a 9-year cycle.

Chair Merzig stated she thought it was a fine time to declare the property unsafe and order it vacated.

Commissioner Hayes stated he respects Mr. Tomeo's service but that was why the city required local agents to deal with properties in these situations. He said the city had to give responsibility to the tenants who could die in an electrical fire. He said Mr. Tomeo had some basic responsibility as a property owner that supersedes his service.

Chair Merzig stated based on the evidence that the Code Enforcement Office had she thought the board could go farther and say that the outstanding electrical violations alone were enough to declare this property unsafe.

MOTION, made by Commissioner Hayes and seconded by Commissioner Tisenchek, that based on the evidence presented by the Code Enforcement Office and the outstanding electrical violations alone, the Board of Public Service declares the property unsafe owned by Ralph Tomeo located at 39 Maple Street, (288.18-3-40) Oneonta, NY based on Chapter 92, *Unsafe Buildings*, of the Code of the City of Oneonta, Section 92-1 sections E and J, as follows:

- E. Those which have become or are so dilapidated, decayed, unsafe, unsanitary or which so utterly fail to provide the amenities essential to decent living that they are unfit for human habitation, or are likely to cause sickness or disease, so as to work injury to the health, morals, safety or general welfare of those living therein.
- J. Those buildings existing in violation of any provision of Chapter 300, entitled "Zoning," and any other provisions of the Code of the City of Oneonta.

Voting Ayes: Chair Merzig
Commissioner Tisenchek
Commissioner Hayes
Noes: None
Absent: Commissioner Temming
Commissioner Friedman

MOTION CARRIED

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(Unsafe Building Hearing – 39 Maple Street – Ralph Tomeo) continued

MOTION, made by Chair Merzig and seconded by Commissioner Hayes, that upon the Board of Public Service’s unsafe declaration of Mr. Tomeo’s property located at 39 Maple Street, the board orders the property vacated immediately, the property repaired within 60 days and a local agent be designated and the information filed with the Code Enforcement Office.

Voting Ayes: Chair Merzig
Commissioner Tisenchek
Commissioner Hayes

Noes: None

Absent: Commissioner Temming
Commissioner Friedman

MOTION CARRIED

Unsafe Building Hearing: 37 Church Street – Thomas O’Toole, Jr.

Chair Merzig opened the Unsafe Building Hearing on 37 Church Street. She said the property was owned was Thomas O’Toole, Jr. who lived in Long Beach, NY.

Code Inspector Hester stated the owner had done inspections of this property numerous times and he did not think Mr. O’Toole had corrected one violation in years. He said Mr. O’Toole has continued to let the property deteriorate. He said Code Enforcement has received calls from homeowners and Council Members because the property was an eyesore.

Commissioner Tisenchek asked if people were living in the property.

Code Inspector Hester replied there were people living there. He said when he was at the property last he could hear a significant amount of running water in the cellar but could not get access because there were no lights however he saw there was standing water. He said there was a sewer line problem at one point. He said this was one of the houses Code Enforcement Officer Chiappisi and he talked about and he said to keep it vacated until the owner fixes everything. He said Cricket Keto was the local agent and when she came to the Code Enforcement Office he told her about this. He said Ms. Keto argued the fact that the city would maintain a house vacant even if the inside was repaired but the outside was not. He said he told her this had been going on for years and it was time to do something about it.

Chair Merzig reviewed with the board the violations listed in Code Enforcement’s inspection report from 2011. She said some of the type “A” violations included in the report was that there were no carbon monoxide detectors, the electrical power was off in the downstairs apartment and there were no smoke detectors, trash everywhere, failure to have self-closing doors in all apartments, broken windows and holes in the wall.

Commissioner Hayes asked if there were people living in the downstairs apartment.

Code Inspector Hester replied there were people in the downstairs apartment. He said the report was from 2011 and Code Enforcement has not been able to gain access. He said he was sure there was electricity because he saw a TV on.

Chair Merzig stated this was a tough for the board because there were few things it could do to secure this house although she agreed it needed to be vacated.

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(Unsafe Building Hearing – 37 Church Street – Thomas J. O’Toole, Jr.) continued

MOTION, made by Commissioner Hayes and seconded by Commissioner Tisenchek, that based on the evidence presented by the Code Enforcement Office, the Board of Public Service declares the property unsafe owned by Thomas O’Toole, Jr. located at 37 Church Street, (288.17-4-79) Oneonta, NY based on Chapter 92, *Unsafe Buildings*, of the Code of the City of Oneonta, Section 92-1 sections E, F, I and J, as follows:

- E. Those which have become or are so dilapidated, decayed, unsafe, unsanitary or which so utterly fail to provide the amenities essential to decent living that they are unfit for human habitation, or are likely to cause sickness or disease, so as to work injury to the health, morals, safety or general welfare of those living therein.
- F. Those having light, air and sanitation facilities which are inadequate to protect the health, morals, safety or general welfare of human beings who live or may live therein.
- I. Those which, because of their condition, are unsafe, unsanitary or dangerous to the health, morals, safety or general welfare of the people of this city.
- J. Those buildings existing in violation of any provision of Chapter 300, entitled "Zoning," and any other provisions of the Code of the City of Oneonta.

Voting Ayes: Chair Merzig
Commissioner Tisenchek
Commissioner Hayes
Noes: None
Absent: Commissioner Temming
Commissioner Friedman

MOTION CARRIED

Chair Merzig stated there did not seem to be an issue with having a local agent on this property.

Code Inspector Hester stated there was an issue with that because the local agent form had expired. He said there was no Certificate of Compliance, the housing inspection and smoke detector inspection was overdue and the furnace inspection was good until 2013.

Chair Merzig stated the standing water in the cellar was not going to do the furnace any good.

MOTION, made by Chair Merzig and seconded by Commissioner Hayes, that upon declaring the property unsafe at 37 Church Street, the Board of Public Service orders the property vacated immediately and secured, a plan to repair the property submitted within 30 days to the Code Enforcement Office and all type “A” violations corrected within 60 days. The local agent be included in all of the board’s communications.

Voting Ayes: Chair Merzig
Commissioner Tisenchek
Commissioner Hayes
Noes: None
Absent: Commissioner Temming
Commissioner Friedman

MOTION CARRIED

CORRESPONDENCE

City Clerk Koury reported that the following correspondence was received and would be entered into the record as written.

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(Correspondence) continued

•The following letter was received from David S. Burnsworth, 89 Elm Street, Oneonta, dated April 23, 2012:

*“Public Works Committee
Oneonta City Hall*

To Whom It May Concern,

I received my water bill recently and noticed that my fee was significantly higher than usual. I called and spoke with Debbie in the water department. She set up an appointment for some city employees to come and see if we could find the source of the problem. We found the leak. However, in speaking with the two water department employees as well as with Debbie, I was informed that I have one service from the street, but have been billed for two meters. I own the houses at 89 and 91 Elm Street. The service supplied from the box in the street comes into the meter at 89 Elm Street (serial #27906350) where it supplies water service to that house. Additionally, a line runs out to 91 Elm (carriage House behind) where it goes into another meter there (serial #28196841).

In speaking with Debbie we discovered that the way the water bill is determined for both properties is that the metered reading for 91 Elm Street is subtracted from the reading taken at 89 Elm Street. My issue is that for the time I've owned these properties, I have been billed for two meters when in fact, the meter inside 91 Elm Street is unnecessary. Today was the first time that I became aware of this situation, and I feel that I have been unfairly charged for the meter at 91 Elm Street for the minimum annual amount of \$305/year for the past nine years. I feel that I have been overcharged and am requesting that the city reimburse me for the cost of this unnecessary meter inside 91 Elm Street.

Additionally, I would like to eliminate the meter inside 91 Elm Street and am requesting permission to do so.

I respectfully ask that you decide on this issue at your May 3rd meeting. Please let me know as soon as possible as I would like to hire a plumber to fix my issues very soon.

Sincerely”

•The following letter was received from Emily VanLaeys, 21 Brook Street, Oneonta, dated April 24, 2012:

*“Board of Public Service
City Clerk's Office*

Dear Board Members,

Many Oneonta residents received a rude surprise when their water bills arrived in the mail this month. The new minimum of \$305 is grossly unfair to small families and people who are making an effort to conserve water. My elderly father, living on a fixed income, paid \$145 for water last year and now he's expected to pay more than twice that amount.

Perhaps the Board is not aware that there is a limited amount of fresh, clean water in the world. Responsible citizens are making efforts to conserve water, and a responsible government should encourage more people to do so. Rather than charging the same amount for everyone, residents could be taxed for the amount of water they actually use.

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(Correspondence) continued

Please reconsider the wisdom and justice of this new mandate.

Sincerely,"

City Clerk Koury stated that water meter readings were received from Debbie at Public Service for Mr. Burnsworth's properties at 89 and 91 Elm Street.

Chair Merzig stated she received Mr. Burnsworth e-mail and distributed it to the board. She said it was against Health Department rules to have more than one property served by a single lateral, the line that connects the main to the house. She said at this particular property there were 2 meters on the same line with a meter at the 1st house and then the line runs through the 1st house and enters the 2nd house and there was a meter there. She said what the Water Department has been doing was taking both readings and subtracting and then letting the 2nd house get whatever their meter reading was and the 1st house gets whatever their meter reading was minus whatever was read for the 2nd house. She said both houses were using over the minimum.

Chair Merzig stated she did some research on this and talked to people in the Water Department and the City Assessor. She said there were several situations in the city where there was a 2nd house on the same lot divided by a driveway. She said some of them had been disconnected and there were 4 where there were actually 2 residences on the same property owned by the same person and in each one of those cases there were 2 laterals serving that house. She said she talked to the City Engineer about why there were 2 laterals and he said probably back in the 1980s it was determined that there could not be a 2nd lateral put in down the driveway because it would be crushed and that was the only access from the main to the 2nd structure. She said so this arrangement was allowed and it had been going on for a long time.

Chair Merzig stated that the board could do two things and order Mr. Burnsworth to put in a lateral to the back house and say it was 2 services or say no change to the service and continue just what has been happening, which would be her recommendation because she thought there was a reason for not allowing a 2nd service. She said while it absolutely violates the city's and the Health Department's rules she thought it would be a burden to Mr. Burnsworth to have to run a lateral all the way to the back house and also dangerous to the city because there was likely to be a water leak when cars drive over that an crush the pipe, which was why the city did not allow parking in front yards.

Chair Merzig stated she would like the board to certify not making any changes on Mr. Burnsworth part.

Commissioner Hayes stated commonsense would talk about grandfathering since this situation had been going on long enough.

MOTION, made by Chair Merzig and seconded by Commissioner Tisenchek, that after review of the request from David S. Burnsworth, 89 Elm Street, to eliminate the meter at 91 Elm Street, the board denies the request and agrees that no changes will be made on Mr. Burnsworth's part.

Voting Ayes: Chair Merzig
Commissioner Tisenchek
Commissioner Hayes
Noes: None
Absent: Commissioner Temming
Commissioner Friedman

MOTION CARRIED

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(Correspondence) continued

Chair Merzig stated regarding the letter from Emily VanLaeys indicating that she thought \$305 was grossly unfair for a water bill. She said she would like permission from the board to write Ms. VanLaeys telling her that the city has conservation pricing and that her actual water bill was less than that.

Commissioner Hayes stated they should address Ms. VanLaeys' second paragraph because the city's policy directly addressed that people are encouraged to save water and she may not be aware that it was city policy.

Commissioners Tisenchek and Hayes indicated they had no objection to the Chair responding to Ms. VanLaeys' letter,

OLD BUSINESS

1. Administrative Fee Appeal/Unsafe property matter: 9 Gardner Place – Edward Whaley
2. Follow-up on Unsafe Building declaration/remedy: 30 Church Street – Frank Piazza

Administrative Fee Appeal/Unsafe property matter: 9 Gardner Place – Edward Whaley

Chair Merzig asked Code Inspector Hester to report on Mr. Whaley's interactions with the Code Enforcement Office since the board's April meeting.

Code Inspector Hester stated that Mr. Whaley came in the day after the board's April 5th meeting and sat down with Code Enforcement Officer Chiappisi and Mr. Whaley said he was going to get on top of everything. He said Mr. Whaley scheduled a housing inspection and Ordinance Inspector Ferris did an inspection. He said the house obviously was not very bad because Ordinance Inspector Ferris issued an In-Lieu Of statement and Code Enforcement did not have to go back as long as Mr. Whaley signs the statement that he completed things. He said he recently learned from Code Enforcement Officer Chiappisi that apparently Cornerstone has done the furnace inspection but Code Enforcement did not have any documentation of that and the smoke detector form has still not been submitted.

Chair Merzig stated she would like to recommend that the board send Mr. Whaley a letter telling him that the board had not vacated the current charges because the board was waiting for him to submit the proper paperwork and when he does that the board would be happy to take action. She asked the board for permission to write that letter.

Commissioners Tisenchek and Hayes granted the Chair permission was requested.

Follow-up on Unsafe Building declaration/remedy: 30 Church Street – Frank Piazza

Code Inspector Hester stated the board declared that property unsafe at the April 5th meeting and ordered it vacated and items repaired within 15 days. He said the items were not repaired within 15 days. He said he had posted the property vacated. He said he was under the impression from the students living there that everybody was moving out the end of the semester. He said this will be kept vacated.

Chair Merzig asked if Code Enforcement was looking for any further action from the board at this time.

Code Inspector Hester replied no.

62 Elm Street – Unsafe property

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(Old Business - 62 Elm Street) continued

Chair Merzig stated the item of old business regarding 62 Elm Street fraternity house was not on the agenda but because she thought the board created a catch-22 situation for them and she would like the board to discuss this now.

Chair Merzig stated that the fraternity had actually applied for a Special Use Permit to use 62 Elm Street as a fraternity house and could not have the permit as long as it was declared unsafe. She said she thought it would be good for the board to lift the unsafe declaration so they could get the Special Use Permit application in. She said the board had delayed lifting the unsafe. She said the board needed to take action so the fraternity could take action.

MOTION, made by Commissioner Hayes and seconded by Commissioner Tisenchek, that the Board of Public Service lifts the unsafe declaration issued to Alpha Delta Omega for 62 Elm Street, Oneonta based on the successful past repairs and their need to get a Special Use Permit.

Voting Ayes: Chair Merzig
Commissioner Tisenchek
Commissioner Hayes
Noes: None
Absent: Commissioner Temming
Commissioner Friedman

MOTION CARRIED

APPROVAL OF MINUTES

The board approved the minutes of the regular meeting held April 5, 2012, as written, without benefit of a motion.

There being no further business to come before the board, Chair Merzig adjourned the regular meeting at 5:00 p.m.

JAMES R. KOURY, City Clerk

JRK/pab