

The Town of Moriah Town Board held a Public Hearing on Thursday October 19, 2023 at 5:30pm (a continuance of Public Hearing from June 8, 2023) at the Town of Moriah Court House, 42 Park Place, Port Henry, NY on Local Law #7 of 2019 regarding Unsafe Structure; 19 Rice Lane.

Present:	Thomas Scozzafava	Supervisor
	Tom Anderson	Councilman
	Matt Brassard	Councilman
	Paul Salerno	Councilman (arrived late)

Absent:	Nathan Gilbo	Councilman
---------	--------------	------------

Others Present: Bill Trybendis, Robert Stevenson and Rose French-Town Clerk

Supervisor Scozzafava called the public hearing to order at 5:30pm; he then read the legal notice calling for the public hearing.

He noted that the owners of the property were not present.

1. Owners were given notice of public hearing on:

- a. February 9, 2023
- b. May 11, 2023

2. At the Public Hearing held on June 8, 2023 we heard testimony from a neighbor describing the damage sustained to her property due to the fire at 19 Rice Lane. The Hearing was postponed because, at the time of the hearing the property located at 19 Rice Lane was under contract. The buyer told the Hearing that he would tear the structure down and clean up the property.

3. The sales contract for 19 Rice Lane was subsequently canceled.

4. Another Notice was issued and served reconvening this public hearing. The owners Dustin J. Thompson and Abigail Smith were properly served on September 26, 2023.

5. Testimony from the Building Inspector includes "Not to be occupied" order dated January 9, 2023; proceedings which were started before the fire. They include Section 302-Exterior Property Areas, Section 304-Exterior Structure, Section 305-Interior Structure, Section 307-Handrails and Guardrails, Section 308-Rubbish and Garbage and Section 601-General.

6. No objections or evidence from owners due to the fact that they were not present.

7. This Board; Supervisor Scozzafava, Councilman Brassard, Councilman Anderson and Councilman Salerno find the structure located on 19 Rice Lane to be unsafe and in a dangerous condition:

- a. the structure is damaged by fire
- b. the exterior walls list, lean and buckle
- c. there is 33% or more of damage or deterioration of the supporting members, or 50% of damage or deterioration of non-support enclosing or outside walls
- d. the structure was damaged by fire and has become dangerous to the life, safety or general welfare of the occupants of the Town of Moriah
- e. the owners were given Notice of the unsafe nature of the structure, and were given over 45 days since February 9, 2023 to make the structure safe or safe to be removed
- f. the owners have failed to make the structure safe, and based upon the evidence presented at this hearing have made minimal efforts to make the structure safe

8. The Town of Moriah will commence to make the premises safe and remove the structure.

9. The Owner of the property, Dustin J. Thompson and Abigail Smith shall be liable to pay all costs associated therewith and such costs shall be assessed against the land on which the structure is located.

The meeting adjourned at 5:36pm.

Town Clerk