

**TOWN OF BRUNSWICK
PUBLIC HEARING
MAY 9, 2019, 6:30 P.M.
TOWN HALL**

Board Members Present: Supervisor Herrington, Councilman Christian, Councilman Sullivan and Councilman Casale and Councilman Balistreri.

Board Members Absent: None.

Also Present: Town Attorney, Thomas Cioffi and Town Clerk, William J. Lewis.

Supervisor Herrington called the meeting to order at 6:30 p.m. and instructed the Town Clerk to read the Notice of Public Hearing. The notice had been published in The Record and posted at Town Hall and on the Town website. The hearing was for the purpose of accepting public comment on Introductory Local Law No. 3 entitled “A Local Law Establishing a Registry for Vacant Buildings and Property Maintenance Requirements for Lots Containing a Vacant Building”.

Supervisor Herrington explained briefly that the proposed law was in response to the problem of vacant buildings becoming unsafe/unsecured and the property not being even minimally maintained. Also, tracking down the owner of record can be time consuming and even if they are found it does not necessarily mean they would correct the conditions. He asked Mr. Andrew Gilchrist, attorney for the planning and Zoning Boards, to update everyone on the proposed Local Law.

Mr. Gilchrist explained that Local Law No. 1 and No. 2 had previously been introduced and a Public /Hearing held on both. Local Law No. 1 would have established a vacant property registration and Local Law No. 2 would have established regulations regarding property maintenance. In response to public comments, revisions were made and the two laws were consolidated into Local Law No. 3 which makes it clear that,

1. Property maintenance provisions only apply to properties containing a vacant building;
2. Maintains the vacant building registry and fee structure;
3. Allows for unpaid registration fees to be levied onto the property tax;
4. Clarifies the definitions of what is a vacant building;
5. If maintenance notices are ignored, maintains the Town’s right to enter the property to clear brush, grass etc. and to bill the owner of record for labor/equipment used. Allows for unpaid maintenance fees to be levied onto the property tax.

He also clarified that the State has vacant building laws that exempt lenders from registration. However, this law applies to the owner of record and as provided, any delinquent fees would be levied onto the property taxes.

Supervisor Herrington opened the public hearing on Introductory Local Law No. 3.

VISITORS WHO WISH TO SPEAK:

Mr. Jim Tkacik, 383 Brunswick Rd., was concerned that the notification period was too short and that even though “vacant” had been clarified, he could still envision circumstances where a property should be exempt. He cited a possible long term hospitalization/rehabilitation or a home being on sale for a long period of time as examples. Attorney Gilchrist and Town Assessor Steven Rooney felt this was covered and spoke with Mr. Tkacik about this.

Mr. Gilchrist advised the Town Board that in combining the two previous Local Laws, he had erroneously omitted an enforcement provision which was contained in the original vacant building registration law, and had therefore prepared Introductory Local Law No. 3 as Amended, which included these provisions. Procedurally, if the Town Board agreed that the provisions should be included, Local Law No. 3 as Amended would need to be introduced and noticed for a public hearing. The Town Board members agreed to include the enforcement provisions. Councilman Sullivan introduced Local Law No. 3 as Amended and a public hearing was scheduled for June 13, 2019 at Town Hall, to commence at 6:30 p.m.

Mr. Selmer Bringsjord, 18 West Road, apologized for being late. He noted there were a few properties in his neighborhood which could probably qualify as Zombie properties. His main concern was that he felt the fines as presented in the proposed law were too low and would not be an incentive for some of these institutions that hold the properties. Councilman Christian advised that the fines increased annually and added up to quite a sum. Steven Rooney, Town Assessor said he had met with several towns with similar programs for input in order to come up with the numbers and of course they could be adjusted at a later date if it seemed necessary.

Supervisor Herrington closed the public hearing.

ADJOURNMENT:

Councilman Christian made a motion to adjourn, which was seconded by Councilman Sullivan. Unanimously approved. The meeting adjourned at 6:45 p.m.

Respectfully submitted,

William J. Lewis
Town Clerk