

VILLAGE OF GENESEO  
BOARD OF TRUSTEES

December 15, 2008

PUBLIC HEARING to consider Local Law 2, 2008: Amending wording contained within  
Chapter 87, Section 7 of the Nuisance Abatement legislation

PRESENT:

Richard B. Hatheway, Mayor                      Marsha B. Merrick, Clerk/Treasurer  
Sandra F. Brennan, Deputy Mayor      J. Thomas Reynolds, Attorney  
John Fox, Jr., Trustee  
Bradley R. Hill, Trustee  
Thomas J. LaGrou, Trustee

PUBLIC PRESENT:

Howard Appell                                      Dawn Aprile

1. HEARING OPENED:

Mayor Hatheway opened the public hearing at 7:15PM, stating that the appropriate notification of the public hearing had been published.

Contained within Chapter 87: Nuisance Abatement Law section 87-7 is a stipulation that reads: *If there is or has been a violation of any code of statutory violations listed under Section 4 or Section 5 of this chapter, the Village Clerk, or designee, shall give notice of such violation and potential consequences to the person, persons or entities responsible under this chapter, including occupant(s) and, if separate, property owner(s). The section also stipulates: *Such notice shall be deemed to be properly and sufficiently served if a copy thereof is sent by certified mail, with return receipt requested, to the person, persons or entities responsible, including occupant and, if separate, the property owner(s), as shown by the most recent tax roll of the Village.* The Village Board seeks to remove the underscored wording in the law, as the responsibility ultimately rests with the property owner not the tenant. The tenant and property owner are currently notified when a *potential violation* has occurred.*

Trustee Hill presented the Board with a short list of violators at the present time. He anticipated many more than has been reported.

The Board discussed the procedures in place and cited examples of instances where the law would apply.

2. HEARING CLOSED:

Hearing no comments, Deputy Mayor Brennan moved and Trustee LaGrou seconded the motion to close the public hearing. The vote was as follows: Deputy Mayor Brennan-Aye, Trustee Fox-Aye, Trustee Hill-Aye, Trustee LaGrou-Aye, and Mayor Hatheway-Aye. The motion passed and the hearing closed at 8:16PM.

Marsha B. Merrick, Village Clerk