

TOWN OF LLOYD
TOWN BOARD SPECIAL MEETING
MARCH 31, 2021

WEB EX 5:00 PM

Present: Supervisor Frederick Pizzuto
Councilmember Leonard Auchmoody
Councilmember Michael Guerriero
Councilmember Claire Winslow
Councilmember Joseph Mazzetti

Also present: Sean Murphy, Attorney
Wendy D. Rosinski, Town Clerk

Also present: Mahadevan Venkatraman (Ali) Respondent
Anthony Giangrasso, Building Inspector

5:00 PM – Supervisor opened meeting with Pledge of Allegiance led by Councilmember Auchmoody

OPEN Public Hearing; 9 Commercial Ave., in the Town (SBL: 88.69-10-26.110).

**TOWN OF LLOYD TOWN BOARD
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that a public hearing will be held in the Town Hall, Thomas Shay Square, 12 Church Street, Highland, New York on the 31st day of March, 2021, at 5:00 o’ clock in the p.m., to consider the matter of an alleged unsafe or dangerous building located at 9 Commercial Ave., in the Town (SBL: 88.69-10-26.110).

This Hearing is to address the premises located at 9 Commercial Ave., and the building located thereon which the Town Board has deemed unsafe and to be a public nuisance and has directed the owners thereof to repair or secure or demolish and remove said unsafe structure pursuant to the Code of the Town of Lloyd Chapter 44.

ALL PERSONS INTERESTED and citizens shall have an opportunity to address the Town of Lloyd Town Board and shall have the opportunity to be heard on said matter at the time and place aforesaid.

Dated: March 19, 2021

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF LLOYD

By:

Wendy D. Rosinski
Town Clerk

WHEREAS, The Town Board has determined that the building situated at 9 Commercial Avenue, in the Town of Lloyd, (SBL: 88.69-10-26.110) has been deemed unsafe and is in imminent danger of collapsing from a failing roof system and presents the risk of falling into Meadow Street; and

WHEREAS, on March 10th, 2020 the building department of The Town of Lloyd issued an Order to Remedy Violation to the owners of said premises and building and directed the owners to comply with the law and remedy the condition; and

WHEREAS, on November 23, 2020 the Building Department placarded the building located at 9 Commercial Avenue as a “unsafe structure” as per §1203 of the Uniform Fire Prevention and Building Code of the State of New York, issued a Notice of Complaint and by correspondence dated December 8, 2020 notified the owners that the structure was placarded as an “unsafe structure”, served the Notice of Complaint and advised the owners that the Town of Lloyd Building Department was directing them to either remove all damaged structural elements and secure the building or demolish all sections that are deemed in failure; and

WHEREAS, to date the owners of the structure have failed to comply and or respond to the multiple Orders/Notices from the Building Department; and

WHEREAS, Pursuant to the code of the Town of Lloyd Chapter 44 “Buildings, Unsafe” when the Building Inspector of the Town or such other person appointed by the Town Board to enforce the provisions of said Chapter 44 have determined that a building is dangerous or unsafe to the general public or is unfit for the purposes for which it may lawfully be used, he shall cause or make an inspection thereof and shall report in writing to the Town Board his findings and recommendations in regard to which repair or demolition and removal; and

WHEREAS, Anthony Giangrasso as Deputy Building Inspector of the Town of Lloyd has made such inspection and reported his findings and recommendations in regard to the premises and structure located at 9 Commercial Avenue in the Town of Lloyd by correspondence dated February 19, 2021; and

WHEREAS, the Town Board has considered such report and desires by Resolution to declare that such building is unsafe and dangerous and to order its repair if the same can be safely repaired or its demolition and removal and further order that a Notice be served upon the owners and set a date for a hearing to be held before the Town Board in regard to said Building; and

WHEREAS, the Town attorney at the direction of the Town Board has prepared such a Notice, a copy of which is attached hereto and made apart hereof.

NOW, THEREFORE, it is resolved as follows:

1. That the Order attached hereto and made apart hereof be approved and served upon the owners of the building located at 9 Commercial Avenue, Highland, NY 12528 and that a hearing be held in this matter on the 31st day of March 2021 at 5:00 O'clock in the afternoon of that day, on the repairs, removal and or demolition of the building which is subject to said Notice.

Sean Murphy, Town Attorney, addressed Mr. Venkatraman and asked him if he was comfortable with us calling him Ali.

Mr. Venkatraman replied yes then stated his full, formal name.

Murphy said the reason he is here tonight is because the Building Department has determined that his building at 9 Commercial Ave. is dangerous or unsafe and needs to be repaired or demolished.

Murphy said he had a discussion with Mr. Giangrasso today, who stated that you have a plan in place to remedy.

Mr. Venkatraman said he does not have a plan; he has only spoken with contractors. He is asking the Town Board to give him a month to prepare all the documents because everyone he has called is backed up 8 weeks. He said they have to remove the cork from the walls so they can inspect the inside. They will need to demolish the wall and then reconstruct it.

Mr. Venkatraman said he is planning on reconstructing the wall but he is not sure what type of wall he will do; wood, brick or metal.

Mazzetti said he is concerned the wall is going to collapse. He does not feel we have a lot of time to deal with this.

Murphy said a month does seem like a long time.

Giangrasso said he spoke with an architect today; Ken Lytle who is going to work with Ali.

Giangrasso said if he has a plan, we can work with him. By law, he has 30 days to come up with a plan, tell us how he is going to fix the wall, and start. It is important to set a time line.

Mazzetti asked if he can shore the wall so it doesn't fall down. We now have knowledge of this hazard and there needs to be a plan.

Giangrasso said an engineer or architect must come up with a design for shoring and that needs to be in our files.

Venkatraman stated there is a beam holding the ceiling up and it held through all the snow and ice this winter. The people that came to look at the wall said it could fall tomorrow or in 20 years. The wall is secured by two steel plates.

Murphy asked if he is going to be working with Mr. Lytle

Venkatraman said if he is the first to formulate a plan then he will go with him.

Murphy asked if any engineers have been on the site. If you can get an engineer out there before next Wednesday, then possibly they could give us their recommendation.

Venkatraman said he needs 30 days to get a plan together.

Supervisor said he was at the site and he would like to ask the board to close Meadow St. by this building.

MARCH 31, 2021

Murphy asked Ali if he would have something to report by the Workshop meeting on April 7th.

Venkatraman said he needs 30 days to put a plan together.

Giangrasso said he has to start within 30 days and complete within 60 days.

Murphy said work must commence within 30 days and be completed within 60 days, but the board can give an extension if necessary.

Auchmoody said we have all dealt within engineers and it takes time to get them to stamp a plan.

Mazzetti asked what happens if at the 30-day mark, work has not commenced.

Murphy said the Town would need to get a confirmation from a professional that it needs to be demolished, he would not recommend the town make that determination to take it down without the recommendation of an engineer. Any expense would be passed onto the owner. After 30 days, you can't just go take it down.

Mazzetti asked Venkatraman to hire an engineer and report back to us next week with your plan.

MOTION made by Auchmoody, seconded by Guerriero, to close Meadow St. from Commercial Ave. to the property line of 9 Commercial Ave. and instruct the Highway Department to use barriers, signage and flashing lights.

Five ayes carried

The Town Board has requested Mahadevan Venkatraman to come to the workshop on Wednesday, April 7th at 4:00 with an Engineers plan and schedule. The 30-day timeline, commences today, March 31, 2021. Sean Murphy will send him a certified letter to remind him.

5. MOTIONS AND RESOLUTIONS

A. RESOLUTION made by Auchmoody, seconded by Winslow, to authorize the Supervisor to sign the contract for Lt. Phillip Roloson for a contract term of June 2020 through December 31, 2023.

Five ayes carried

MOTION made by Winslow, seconded by Guerriero, to adjourn at 5:32 PM

Respectfully submitted,

Wendy D. Rosinski
Town Clerk

