

MINUTES OF A PUBLIC HEARING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF
WELLSVILLE HELD ON SEPTEMBER 23, 2019 AT 5:30 PM AT THE MUNICIPAL BUILDING, TRUSTEES
BOARD ROOM, 156 NORTH MAIN STREET, ALLEGANY COUNTY, WELLSVILLE, NEW YORK.

PRESENT: Mayor: Randy Shayler
Deputy Mayor: Jeremy Cole
Trustees: Ed Fahs, Jeff Monroe, Mike Roeske
Dir. DPW: Bill Whitfield
Treasurer: Earl Johnson
Police Chief: Tim O'Grady
Attorney: Rich Buck

ABSENT: Fire Chief: Barney Dillie

VISITORS: Michael Mickle, Karney Mickle, Katie Hamlin, Brian Hamlin
Heather Weimer, Morgan (Heather's daughter), Jordan (Morgan's boyfriend)
Jo Fenske, Code Enforcement Officer and Dustin Quinn, Department of Health

Mayor Shayler opened the Public Hearing – Unsafe Building Hearing at 5:30pm, with the pledge to the flag led by Trustee Monroe.

Mayor Shayler announced the purpose of this meeting is to hold an Unsafe Building Hearing for SBL# 239.14-1-16.1, at the address of 86 East Hanover Street, to determine if it is an unsafe building. He indicated that Code Enforcement Officer Jo Fenske and members of the SPCA, with an administrative search warrant, inspected the property which has led to this hearing. He then described the steps of the hearing.

Officer Jo Fenske introduced pictures and documents and read from Local Law #6 of 2016. Officer Fenske described her obtaining the search warrant after multiple attempts to serve court appearance papers. On order of the search warrant, Officer Fenske accompanied members of the SPCA on August 31, 2019 to the residence, when the SPCA members confiscated fifteen cats and two dogs. At that time, it was found that the location had numerous issues, i.e. unsafe egress, sanitation, fire safety codes and requirements, no heat or means to inspect the electric.

Village Attorney Richard Buck added that not only is the residence unsafe to the members of the house, but also for emergency responders. The waste and debris, animal feces and incendiary materials cause Mr. Buck to recommend to the Board to find this location to be an unsafe building.

Homeowner Heather Weimer described the condition of the house being so bad due to her work hours, her children moving in and out, being a single mother and not having the energy to do all that's needed by herself. She indicated she has owned the residence since 2003.

Dustin Quinn of the Department of Health also discussed his concerns with Ms. Weimer. He stated that it is so far gone that it is uninhabitable. The conditions attract rodents, as well as the incapacitating smell of animal urine and waste. He stated he didn't want her to die there and sees it will take an extraordinary amount of money to clean up.

Neighbors Brian and Katie Hamlin were present to share their experiences living behind this location in question. Years of offering to assist by hauling scrap metal waste and cleaning animal waste is supposedly shrugged off by Ms. Weimer. The Hamlins have done such cleaning on their own, as they could, but are greatly affected by the situation. Friends of the Hamlins are

also present indicating they stay away due to it being so disgusting, having to hold their breath as they walk by, trying not to look at the property.

Trustee Cole made a motion to declare the house of Heather Weimer located at 86 East Hanover Street an unsafe structure. Trustee Fahs seconded the motion. Carried.

Dustin Quinn of the Department of Health added he understands Ms. Weimer wants to keep her home, but has the opinion that only a professional should do the clean-up. It is a very unhealthy environment.

Trustee Cole made a motion to allow Heather Weimer 30 days to remedy the present condition of the house. She must agree to allow the Village, between the hours of 8:00am and 6:00pm, to monitor her good faith efforts and progress throughout the month. After Ms. Weimer signed the required notice, acknowledging her agreement and understanding, the case is set for one month from today, October 23, 2019. Trustee Monroe seconded the motion. Carried.

Respectfully submitted,

Wendy Seely
Village Clerk