

# **TOWN OF BARTON**

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**DONALD FOSTER, SUPERVISOR**

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**SPECIAL AGENDA –JUNE 26, 2024 @ 6:30 PM**

**Via In-Person**

**1. PLEDGE OF ALLEGIANCE**

**2. NEW BUSINESS**

- a. Public Hearing @ 6:30pm - Declare Properties of 311 and 313 Norris Road Waverly, NY 14892 a Public Nuisance Requiring Abatement by the Town of Barton
- b. Resolution 29-2024\_ A Resolution to Declare Properties of 311 and 313 Norris Road Waverly, NY 14892 a Public Nuisance Requiring Abatement by the Town of Barton

**3. OTHER BUSINESS**

**4. ADJOURNMENT**

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CERTIFIED COPY OF RESOLUTION ADOPTED BY THE BARTON TOWN BOARD

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ADOPTED

RESOLUTION NO 29-2024

A RESOLUTION TO DECLARE PROPERTIES OF 311 AND 313 NORRIS ROAD WAVERLY, NY 14892 A PUBLIC NUISANCE REQUIRING ABATEMENT BY THE TOWN OF BARTON

**WHEREAS**, the Town of Barton tax assessment records show Elena Cella as the owner of real property at 311 and 313 Norris Road, Waverly, NY 14892, and;

**WHEREAS**, on multiple occasions, Town of Barton officials have attempted to compel real property owner Elena Cella to remedy the substandard condition of the two properties in question, and;

**WHEREAS**, the Town of Barton Code Enforcement Officer, Chris Robinson, has issued numerous appearance tickets to Elena Cella to appear before the Town of Barton Town Justice regarding this issue, and;

**WHEREAS**, on May 13, 2024, numerous residents and home owners from Norris Road, Waverly, NY turned in a petition containing ten signatures requesting immediate action to clear and remove accumulated trash and unregistered motor vehicles by the Town of Barton Town Board and Town of Barton Code Enforcement Officer, Chris Robinson, and;

**WHEREAS**, notice of time, place, and date of public hearing was posted conspicuously on Elena Cella's 311 and 313 Norris Road Waverly, NY 14892 properties at least 15 days prior to the scheduled public hearing; and

**WHEREAS**, same notice of time, place, and date of public hearing was mailed to Elena Cella by certified mail/return receipt requested at least 15 days prior to the scheduled public hearing; and

**WHEREAS**, a public hearing was held on this matter on June 26, 2024, at 6:30 pm before the Town of Barton Town Board upon public notice provided by law; and

**NOW THEREFORE** upon a motion by Councilperson \_\_\_\_\_, seconded by Councilperson \_\_\_\_\_, and carried; be it

**RESOLVED**, that on this day, \_\_\_\_\_, the Town Board of the Town of Barton, County of Tioga, State of New York declare properties located at 311 and 313 Norris Road Waverly, NY 14892 a public nuisance requiring abatement by the Town of Barton, and be it;

**FURTHER RESOLVED**, that the abatement and removal of the public nuisance shall be performed by a designee or agent, including private contractors, lawfully engaged and authorized by the Town of Barton; and be it

**FURTHER RESOLVED**, that the Town Board of the Town of Barton shall ascertain the cost of abatement and removal and assess such expense against the record owner of the properties (Elena Cella); and be it

**FURTHER RESOLVED**, that the expense so assessed shall constitute a lien in charge on Elena Cella's real property on which it is levied until paid or otherwise satisfied or discharged and shall be collected in charges; and be it

**FURTHER RESOLVED**, that the foregoing shall not be construed as a limitation on the Town of Barton's potential remedies to recover its costs; and be it

**FURTHER RESOLVED**, that this resolution be in effect immediately.