

**VILLAGE OF PORT DICKINSON**  
**Village Board Meeting Agenda**  
**April 23, 2019**  
**5:00 pm**  
**Port Dickinson Village Hall**

***Please take a moment to ensure that your cellphones are OFF or SILENCED.***

**PUBLIC HEARING:**

**AUDIT & PAYMENT OF CLAIMS: Abstract #18 (2018-2019)**

1. Abstract of Unaudited vouchers for the General Fund for \$23,055.61
2. Abstract of Unaudited vouchers for the Water Fund for \$13,760.46
3. Abstract of Unaudited vouchers for the Sewer Fund for \$363.41

**RESOLUTIONS FOR APPROVAL:**

**Unresolved Code issues:**

1. 2 Kirkwood Ave: extremely dangerous side walk, the owner has been served, promised to fix it, has been extremely rude to the CEO numerous times and has essentially refused to correct this situation. it has been going on for 3 years. I have been informed by previous counsel that because we the VOPD are aware of this dangerous situation and do not take action we may be liable for and injury resulting from this sidewalk.

Attorney response: 2 Kirkwood Ave – we served an order to remedy in July of 2018. At this point the Village can obtain a private contractor to fix the sidewalk and assess the total cost against the real property, which will be a lien on the real property. We should get a quote for services from a contractor in accordance with the Village's procurement policy (copy of procurement policy attached).

2. O' Connor Property on Beacon St. - the walls are caving in and they tried to install a 4th roof and Bill Broderick served a stop work order last year. The neighbors have been extremely patient but this situation needs to be resolved ASAP. The neighboring property will most likely be put up for sale in the near future and this dangerous, extremely unsightly and quickly deteriorating property needs action ASAP.

Attorney response: 10 Beacon Street (structural issues)– do we have details on when exactly the stop work order was served and whether the roof was built? Bill Broderick – can you provide an update? If there are other issues aside from the roof, such as the walls caving in, we will need to commence an unsafe structure process for this property much like the 758 ½ Chenango Property.

3. We passed a code enforcement revision regarding the hedges at the O'Connor property that block the vision for the Peters family driveway next door.

Attorney response: 10 Beacon Street (trimming hedges) – I would start with a friendly letter requesting compliance within fifteen days. If the property owner does not comply, I would issue an order to remedy, which allows 15 days to remedy. If the order to remedy does not work, we would have to take this matter to court as a property maintenance violation under the PD Code. I don't believe our law allows for a contractor to fix the issue and charge it to the property for hedges (which is different from sidewalk violations).

4. 754 Chenango St. ( I believe this is the correct address) the rear structure was scheduled for demolition but I believe we are waiting for either Bill Broderick or Ron Lake to inspect and issue the legal requirement to proceed in court. I believe the CEO has chased this as far as he can go and needs some assistance to bring this forward... From past emails the owner has disregarded court order

Attorney response: 758 ½ Chenango – I sent some emails about this around last year when we were looking to declare this an unsafe structure and have it demolished. I will forward my e-mails again for your review. When we left off with this matter, however, Ron Lake was supposed to put together a report regarding why the property is unsafe and why it should be demolished rather than repaired, complete with photos. As of Nov. 13, 2018, Ron was drafting a report. See the e-mails which I will forward. I'm thinking that this process was never completed...

We don't need to go to court to demolish the structure, but we can. If we do that, we can ask the court to require the property owner to do the demolition at his cost so the village doesn't have to pay for it. However, I expect the owner will claim he does not have the money, in which case the Village may have to pay for the demolition and then seek a court judgment awarding it the costs of the demolition. We'll have to address that when the time comes. Please note that this process will take longer than proceeding under the process which we've already started, but it is most-likely safer (meaning less-subject to challenge).

**NEW BUSINESS/DISCUSSION:**

1. Discussion of yard waste
2. Charge for returned checks
3. 9/21/19 Park event – following from email from Giordi DeAngelo.

We're checking in to see if we can reserve the park for the FestiFall? Saturday September 21st 2019. We have a backup location but ideally we'd like to have it there. Any profits would go to a local animal rescue, so it wouldn't be for profit. We'd have craft vendors, pumpkin painting and food vendors. We'd like to work with PD police and fire to ensure all proper measures are in place for the event.