

Draft

MINUTES
For the
Village of Dryden
Public Hearing and
Special Board of Trustees Meeting
Held on Tuesday November 9, 2021 at 7:00 PM

MAYOR:	Michael Murphy
TRUSTEES PRESENT:	Dan Wakeman, Deb Fisher, Jason Dickinson
TRUSTEE EXCUSED:	Stephanie Mulinos
DEPUTY CLERK/TREASURER:	Rotha Marsh, also recording Secretary
ATTORNEYS:	Peter Grossman, Natalie French
CODE ENFORCEMENT:	Shelley Knickerbocker, Dave Sprout
GUESTS:	Eric Allen, Keionzie Clements, Troy Washington, Christopher Hyer, Alissa Hull, Mason Wilson, P.S. Dort, Angel DeVivo, Katie Sims, Charles Tipling, Kyle Carpenter, Eric Hodge, Susan Rose, Carolyn Headlam, Arien Frinarydy

| The Pledge of Allegiance was recited.

The Mayor opened the Public Hearing concerning Orders to Vacate and Secure at 7:05 p.m.

The Mayor introduced Village Code Enforcement Officer Shelley Knickerbocker and asked her to address the Board and Public with the reason for the orders to Vacate and Secure and why we are having this public hearing.

8-10 West Main Street

Shelley Knickerbocker briefly explained what has led to this hearing. In April of 2021 Code Enforcement attempted to do a fire inspection at 8-10 W. Main St. owned at that time by Blue Waters Legacy LLC., located in North Carolina. All correspondence came back returned. The company was being foreclosed on and they were trying to sell. They finally sold in August and the new owner was contacted to do a fire inspection. This was on September 28, 2021. Numerous fire and code violations were found. The owner was given 30 days to rectify. The violations were not corrected and a notice to vacate and secure was posted October 28, 2021. Some of these violations include egress and separate up and down stairs are not up to code. **See notices**

Public Comments:

The mayor addressed the public, let them know that any tenants wishing to speak had three minutes each and would start with 8-10 W. Main St. then 12& 14 W. Main St.

Mr. Dort- Apt. 3C rents store, tattoo shop. He has seen no holes in the doors, there are no fire extinguishers or detectors in his office. Since there is a rent moratorium it is a problem finding housing.

Note- Mr. Dort is the only tenant from 8-10 W. Main St present.

Attorney representing 5 tenants: Alissa Hull- is concerned with the amount of time given the tenants to find new housing. She understands the conditions are not good but feels because of the rent moratorium that they should be given at least 90 days. DSS services are not available to all the tenants. DSS and Section Eight stopped paying rent because the conditions did not meet their qualifications for several apartments. Some tenants have issues with unemployment so have no resources to obtain new housing. She suggests that the Village allow the tenants to stay in their apartments while repairs are being done. Mr. Dort has nowhere to go.

12&14 West Main Street

Shelley Knckerbocker again briefly went over the Notice of Violation and Notice to Vacate and Secure 12 & 14 W. Main St. 12 and 14 W. Main Street are two separate buildings. The electrical system needs to be evaluated, there are wires hanging, flickering lights, inoperable, broken, and "open ground" tested receptacles throughout both buildings. The building lacks smoke and carbon monoxide detectors. Tenants notified code enforcement in June of 2021 of maintenance issues. Because there has been ongoing landlord tenant dispute, code enforcement was told that several tenants would not let maintenance in.

Public Comments:

Keionzie Clements spoke first, she said that her and Troy Washington moved into her apartment during the pandemic, they were homeless, knew the apartment was not great but was promised by Judith Johnson(property manager) that things would get taken care of. She told the property manager that she would be a child care provider. She didn't know that there were pedophiles living in the building and accordingly, no children under 16 were allowed on the property. She never denied maintenance to come into her apartment. She wanted a 24 hr. notice. She believes her apartment is a sick house. There is no carbon monoxide detector, the stove doesn't work correctly. She used to be heavy and has lost a lot of weight since living in the apartment. She believes this is due to the living conditions. She has been sick probably because of mold and fungus in the walls. She thinks that she is poisoned by carbon monoxide because when she went to the hospital, she tested positive for carbon monoxide. Troy would fall asleep when heating noodles on the stove that only take five minutes. They had to install their own bathroom, have been called racial slurs by people in the community and do not feel safe there. She does not feel that the Dryden Police protect them.

Christopher Hyer spoke next. He lives at 14 W. Main St. He started out in 12 W. Main St. on the first floor commercial area, then when that was too small moved to the first floor commercial area of 14 W. Main St. He can't argue with Code Enforcement findings, he believes Judith Johnson has disregarded the law and the landlord's responsibility. He noted law 235B and Executive order 382.

Eric Allen lives at 14W. Main St. has had to repair both his back door and front door. At times he has gone without heat, his bathroom has mold and has had a broken window for 4 years. He did get behind in his rent but even when he paid \$1500.00 to get caught up he still received no repairs. He has tried the Red Cross, DSS and Catholic Charities but no help. He bought his own smoke detector.

Keionzie asked to add that she started withholding rent when an upstairs apartment leaked into hers ruining her stuff and Judith Johnson refused any maintenance. The Salvation Army furnished her whole apartment and as a result of the leak their bed was ruined. She believes Judith Johnson was using addicts and mentally ill people for low-cost maintenance.

Angel Devivo works in Tompkins County for the Ithaca Tenants Union. Christopher Hyer called her, and she posted the video on Facebook about the toxic conditions. She reiterated that there is no housing available, that there have been racial slurs made to tenants by community members and there has been no response from owner Linda Bruno.

No other tenant asked to speak so the Mayor closed the public hearing at 7:37 p.m. and opened the special board meeting. He then asked the public to step out and wait downstairs if they choose as the Board was going to move into Executive Session to discuss the possible litigation. Shelley Knickerbocker, Dave Sprout and Rotha Marsh were asked to stay. All guests left the room and there would be no minutes.

Move to Executive Sessions to discuss possible litigation Issues -to reconvene:

On a motion by Trustee Wakeman and seconded by Trustee Dickinson the following was passed: Vote Murphy- Aye, Dickinson-Aye, Wakeman-Aye, Fisher-Aye,

Resolution No 11.09.1-2021

Move to Executive Sessions to discuss possible litigation issues to reconvene

Resolved, that the Board of Trustees of the Village of Dryden hereby moves to Executive Session at 7:39 p.m. to discuss the possible litigation Issues to reconvene.

The Board reconvened at 8:14p.m. on a motion by Trustee Fisher and seconded by Trustee Wakeman, the guests were asked to come back to the Board meeting.

Mayor Murphy addressed the public. The Board listened to all of their comments and believes that they are living in horrible conditions but the Board could not risk letting them continue living this way. He knew this was a hardship for them but the Board's primary concern was for their safety and at this time the building was not safe for anyone to live in or do business. He expressed the Board's need to change Village Law that prevents Code Enforcement from entering apartments when doing Fire Inspections, if they had been able to them, it is possible that the conditions would not be to the point of vacating and securing the buildings to make them safe.

A few guests tried to speak out again and the Mayor politely let them know that the public hearing was over and Board action was taking place.

ITEMS FOR BOARD ACTION:

Emergency measures for the safety of 8-10 W. Main St.:

On a motion by Trustee Wakeman and seconded by Trustee Dickinson the following was passed: Vote Murphy- Aye, Dickinson-Aye, Wakeman-Aye, Fisher-Aye,

Resolution No. 11.09.2-2021

Emergency measures for the safety of 8-10 W. Main St.

Resolved, that the Board of Trustees of the Village of Dryden due to the unsafe conditions authorize the Mayor to sign, and Village code enforcement to repost a 5 day Notice to Vacate and Secure in accordance with the "NYS Uniform Code" and the "Village of Dryden Code Article 315, Section 31501, subsection I" on 8-10 W. Main St. on November 10, 2021. The Board also authorizes the Village attorneys to take such action as they deem necessary to assure the building is vacated and secure.

Emergency measures for the safety of 12 W. Main St.:

On a motion by Trustee Wakeman and seconded by Trustee Fisher the following was passed: Vote Murphy- Aye, Dickinson-Aye, Wakeman-Aye, Fisher-Aye,

Resolution No. 11.09.3-2021

Emergency measures for the safety of 12 W. Main St.

Resolved, that the Board of Trustees of the Village of Dryden due to the unsafe conditions authorize the Mayor to sign, and Village code enforcement to repost a 5 day Notice to Vacate and Secure in accordance with the "NYS Uniform Code" and the "Village of Dryden Code Article 315, Section 31501, subsection I" on 12 W. Main St. on November 10, 2021. The Board also

authorizes the Village attorneys to take such action as they deem necessary to assure the building is vacated and secure.

Emergency measures for the safety of 14 W. Main St.:

On a motion by Trustee Wakeman and seconded by Trustee Dickinson the following was passed: Vote Murphy- Aye, Dickinson-Aye, Wakeman-Aye, Fisher-Aye,

Resolution No. 11.09.4-2021

Emergency measures for the safety of 14 W. Main St.

Resolved, that the Board of Trustees of the Village of Dryden due to the unsafe conditions authorize the Mayor to sign, and Village code enforcement to repost a 5 day Notice to Vacate and Secure in accordance with the “NYS Uniform Code” and the “Village of Dryden Code Article 315, Section 31501, subsection I” on 14 W. Main St. on November 10, 2021. The Board also authorizes the Village attorneys to take such action as they deem necessary to assure the building is vacated and secure.

Authorize unpaid 2021 Village Taxes to be turned over to the County:

On a motion by Trustee Dickinson and seconded by Trustee Fisher the following was passed: Vote Murphy- Aye, Dickinson-Aye, Wakeman-Aye, Fisher-Aye,

Resolution No. 11.09.6-2021

Authorizing unpaid 2021 Village Taxes to be turned over to Tompkins County

Resolved, that the Board of Trustees of the Village of Dryden hereby authorizes the unpaid 2021 Village Taxes in the amount of \$29,689.33 to be turned over to Tompkins County Budget and Finance to levy onto the 2022 Town and County taxes

Adjourn:

Trustee Dickinson addressed the guests. He wanted them to know that Carbon Monoxide is a silent killer, odorless and tasteless. You fall asleep and don't wake up. He doesn't wish this on anybody so for their safety there is no other solution

On a motion by Trustee Fisher and seconded by Trustee Dickinson the following was passed: Vote Murphy- Aye, Dickinson-Aye, Wakeman-Aye, Fisher-Aye,

Resolution No. 11.09.7-2021

Adjourn

Resolved, that the Board of Trustees of the Village of Dryden hereby adjourns at 8:28 pm not to reconvene.

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