

Sr. Code Enforcement Officer Ward Dailey reviewed his attached report

Ward had investigated and proposed his findings to the Committee in regard to a dwelling located in the Town of Diana that was destroyed by fire last fall, while also claiming the life of its owner. Local Law No. 2 of 2007 provides for the repair or removal of unsafe equipment and collapsed structures. Accordingly, Ward recommends that the remains of the burned structure be removed and the site be remediated. The respective costs are to be charged to the property taxes.

The Committee indicated general agreement to recommend the Board authorize removal of the remains of the structure and remediate the site. Legislator King asked that Highway Superintendent David Becker be informed so that he could plan to schedule the work.

Legislator King then inquired whether the property owner had a fire insurance policy that may offset the cost. Ryan Piche relayed being involved in similar municipal actions in Ohio and Michigan, whereby the insurance payment would be held in escrow until the property had been totally remediated. However, he is unaware of relative New York laws. He would ask County Attorney Joan McNichol and Real Property Tax Director Candy Akin to research the insurance issue and determine whether there are existing property liens against the Town of Diana property.

Ryan will research and develop a County Ordinance to define and outline the process to address these types of property situations that would include holding insurance companies responsible to the full extent of the law.

Action was deferred on the Diana property until conclusive research.

There are two other blighted properties located in Lyons Falls. Ryan will coordinate a joint meeting with Ward Dailey, Bob MacKenzie and Atty. McNichol to discuss factual information about these properties, and report to the Committee.
