

## **LEGAL NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE, the Building Department of the Town of Poughkeepsie has pursuant to Town Code §71-5 submitted an Unsafe Building Investigation Report dated January 27, 2022 to the Town Board of the Town of Poughkeepsie regarding 195 Vassar Road, Town of Poughkeepsie, County of Dutchess, State of New York, Tax Grid No. 6159-01-469860 ("the Premises"), and the current Building Inspector has reiterated the prior status of the structure and complaint, the owner of record being Kenneth Walters, 195 Vassar Road, Poughkeepsie, New York 12603, showing that the house, attached garage, enclosed porch/breezeway, rubbish, garbage and downed trees on the Premises are dangerous and unsafe to the general public, open at the doorways and windows, infested with insects and animals, accessible to and a haven for vagrants, trespassers, crime suspects, and illegal activity, and that they are unsanitary and present a health, fire and public health hazard; now therefore after holding Public Hearing on March 23, 2022 the owner has failed to take any remedial action to commence or complete the repair or demolition of the building; so

PLEASE TAKE FURTHER NOTICE, that a Public Hearing on the Order and Notice, including the recovery, levy and collection of Town expenses as an ad valorem levy will be held before the Town Board on December 6, 2023 at 7:00 p.m. at the Town Hall, Town of Poughkeepsie, One Overrocker Road, Poughkeepsie, NY. At which time the Town Board in accordance with Chapter 71-10 authorizes and directs the Building Department to demolish and remove the Building

Felicia Salvatore, Town Clerk  
Town of Poughkeepsie  
November 17, 2023

**RESOLUTION 11:15 - # 1 OF 2023**

WHEREAS, by Resolution 2:16- #2 of 2022 adopted on February 16, 2022, the Town Board of the Town of Poughkeepsie has determined that the Premises and the buildings located at 195 Vassar Road, Poughkeepsie, County of Dutchess, State of New York, bearing Grid No. 6159-01-469860 (the "Premises"), the owner of record being Kenneth Walters, are dangerous, unsafe and dilapidated, and an imminent threat to the general public; and

WHEREAS, the Town Board has adopted the Building Department's Unsafe Building Investigation Report dated January 27, 2022 regarding the Premises and directed the issuance of an Order and Notice requiring the demolition or repair of the Premises and the setting of a Public Hearing regarding the Order and Notice; and

WHEREAS, a Legal Notice of Public Hearing was posted on February 17, 2022 and published in the Poughkeepsie Journal on March 9, 2022; and

WHEREAS, a Public Hearing for this matter was held on March 23, 2022; and

WHEREAS, by Resolution 3:26-#1 of 2022 adopted on March 23, 2022, the Town Board of the Town of Poughkeepsie authorized and directed the Building Department to demolish and remove the Building in accordance with Town Code § 71-10, and to thereafter assess against the Premises and levy and collect the expenses of same as provided in Article 15 of the Town Law for the levy and collection of a special ad valorem levy in the event that the owner has not timely commenced or completed the repair or demolition of the Building; and

WHEREAS, the owner has failed to take any remedial action to commence or complete the repair or demolition the Building; and

WHEREAS, the Premises remains dangerous, unsafe and dilapidated, and an imminent threat to the general public; and

WHEREAS, as reflected in the annexed affidavit of the Building Inspector, the Premises remains dangerous, unsafe and dilapidated, and an imminent threat to the general public; and

WHEREAS, in order to assure that any unpaid expenses incurred by the Town to demolish the Premises, which must be performed at prevailing wage rates, may be added to the tax rolls, the Town Board of the Town of Poughkeepsie in accordance with § 71-10 authorizes and directs the Building Department to demolish and remove the Building in accordance with § 71-10 of the Town Code; and

WHEREAS, the Town Board has authorized bids which are being provisionally procured in accordance with Chapter 71.

NOW THEREFORE BE IT RESOLVED, that a Public Hearing on the Order and Notice, including the recovery, levy and collection of Town expenses as an ad valorem levy will be held before the Town Board on December 6, 2023 at 7:00 p.m. at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY.

BE IT FURTHER RESOLVED, that this work is an enforcement proceeding and is therefore a Type II Action which is exempt from environmental review under 6 NYCRR 617.5(c)(29).

Dated: November 15, 2023

Moved: Ann Shershin

Seconded: Anne Burger

Motion passes/ fails: Ayes 7 Nays 0

MC/mem  
t-11/9/2023  
m-11/15/2023

|                       |                       | AYE      | NAY   | ABSTAIN |
|-----------------------|-----------------------|----------|-------|---------|
| <u>PRESENT/ABSENT</u> | Councilman Renihan    | <u>✓</u> | _____ | _____   |
| <u>PRESENT/ABSENT</u> | Councilman Carlos     | <u>✓</u> | _____ | _____   |
| <u>PRESENT/ABSENT</u> | Councilwoman Burger   | <u>✓</u> | _____ | _____   |
| <u>PRESENT/ABSENT</u> | Councilman Cifone     | <u>✓</u> | _____ | _____   |
| <u>PRESENT/ABSENT</u> | Councilman Krakower   | <u>✓</u> | _____ | _____   |
| <u>PRESENT/ABSENT</u> | Councilwoman Shershin | <u>✓</u> | _____ | _____   |
| <u>PRESENT/ABSENT</u> | Supervisor Baisley    | <u>✓</u> | _____ | _____   |