

Town of St. Armand  
Special Board Meeting and Public Hearing  
Tuesday, March 23, 2021  
6:15 PM

*These Meeting Minutes were approved by the St. Armand Town Board on April 13, 2021.*

A Special Board Meeting and Public Hearing of the Town of St. Armand was held on the above date and time via a webinar conducted from the Town Hall, Bloomingdale, NY. The webinar Special Board Meeting and Public Hearing was advertised and made available to the public.

**BOARD MEMBERS PRESENT:**

Town Supervisor Davina Winemiller, Deputy Supervisor D. Joseph Bates, Councilperson Donald Amell, Councilperson Jennifer Fuller and Councilperson Karl Law.

*A quorum of the Board was in attendance.*

**TOWN EMPLOYEES PRESENT:** Code Enforcement Officer Derrick Martineau and Town Clerk Barbara Darrah.

**GUEST SPEAKERS:** Craig Michaels, Town Attorney for the Code Enforcement action.

**GUESTS FROM THE COMMUNITY:** Justyna Babcock, Josh Colby, Monroe Gladd, Seth Jones, Shannon Madden, Adam Mayville, Warren McCarthy, Alicia Perry, Ashley St. Dennis, Heather Wood, all from the community and 2 unidentified callers.

Public Notice was published in the Adirondack Daily Enterprise regarding the date and time of the Special Board Meeting and the Public Hearing, as well as being posted on the Town of St. Armand's outside marquis, the Town's Facebook page and the Bloomingdale Neighborhood Facebook Group page.

Supervisor Winemiller called the meeting to order at 6:15 p.m. and asked everyone to join in the Pledge of Allegiance.

**SPECIAL BOARD MEETING**

Winemiller: First on the agenda this evening is the Moody Pond Parking Attendant position description. (Winemiller displayed the description on the screen). I had previously emailed this to the Town Board members a couple of weeks ago. I am going to call on each of the Board members to see if they have any questions, comments, questions or concerns.

D. Joseph Bates: The only thing I've got is I'm not so sure that we want to include pedestrian traffic, direction, directing vehicles, and things of that nature. I think we just want to enforce local law.

Winemiller: Okay. Just trying to see where that was in the job description.

Bates: It is right in the essential functions, right after the Local law. They are volunteers so I think if they are going to volunteer, they don't need to be involved in that other stuff.

Amell: The only concern I have Davina is that section where it talked about reporting any irregular or hazardous circumstances to the Town Supervisor. I don't have any problem with the reporting to the Town Supervisor, but I think what we have to remember is we are really stepping in for the Essex County Sheriff's Department, so I think in addition, at least, they should also be notified of any irregular or hazardous circumstances.

Winemiller: I think what that was referring to is if there were a new pothole or something like that. So, maybe instead of "report any irregular or hazardous circumstances", maybe instead take circumstances out and make it "hazardous road or pavement issues".

Amell: None the less, somewhere in there I would like to see some reference of inclusion to the Essex County Sheriff's Department.

Winemiller: Right. But I think that would be the Town Supervisor's job.

Amell: Then that should be in there; some sort of disclaimer that the Town Supervisor will report to the Essex County Sheriff's Department.

Winemiller: Sure. Don, you wanted it to be in the Parking Enforcement Officer job description that the Town Supervisor will report to the Essex County Sheriff's Department?

Amell: Yes. Because there is no mention of them in this that I saw anywhere.

Winemiller: This is the job description for the Parking Enforcement Officer.

Amell: Anything pertinent, it should be noted in here that the Town Supervisor will keep in connection with the Essex County Sheriff's Department.

Winemiller: Okay. I just added that to the bottom, there.

Amell: Along those same lines, we should notify the Essex County Sheriff's Department who these people are that we hired that are in these positions. Somebody is going to get a ticket, go to the Essex County Sheriff's Department and ask who these guys are? I think we need to keep them well in the loop.

Winemiller: And probably the Village of Saranac Lake Police and the State Police as well.

Amell: You said that Saranac Lake claimed no jurisdiction at all, there. Maybe the State Troopers.

Winemiller: I was just thinking it would not be out of the realm that someone would go to the Saranac Lake Police Department if they were having a problem in that area. So, I think maybe just an FYI, these are the people that are authorized by the St. Armand Town Board to issue parking tickets at the Moody Pond area. Anything else, Don?

Amell: No. That's it for me.

Winemiller: Jen Fuller?

Fuller: No. I agree with both Don and Joe and other than that, I don't see any issues. Thank you.

Winemiller: Karl Law?

Law: Along with what Joe was saying, I highlighted as far as the direct vehicle and pedestrian traffic. That was really my only concern. A question I had was, we are going to have two appointed essentially constables, right?

Winemiller: No, they are not constables. They are Parking Enforcement Officers.

Law: Not Constables. Parking Enforcement Officers. But did we work out some sort of a schedule because I see in what we wrote up they were supposed to communicate back and forth as far as who is covering what days?

Winemiller: We are going to move onto the job announcement, but this would be something between myself and whoever we appoint, you know, between the three of us to work out the coverage.

Law: Perfect.

Winemiller: Karl, did you have anything else on the job description?

Law: No. I think it was very thorough. Great job.

Winemiller: Let's move on to the application. (Winemiller displayed the application on the virtual screen). Because it is a volunteer position, it's very simple, just who to contact in case of an emergency. Joe, did you have any issues with the application?

Bates: No. None whatsoever. Are we going to interview like a normal candidate or are they going to be picked?

Winemiller: This is a volunteer thing, so I personally don't see any need to interview them. It's not like we are hiring an MEO or something like that. I see absolutely no reason to go through an interview process with a volunteer. But that's just my feelings. But no problem, Joe, with the application?

Bates: No, it's fine.

Winemiller: Don?

Amell: I have no problem with it. To Joe's point, if we do have any issue with anybody, of course we could always contact them. As the Board is reviewing the applicants, if anything comes up, I guess we could track back.

Winemiller: Yes. For sure. Jen?

Fuller: I'm good with it. It looks good to me.

Winemiller: Karl?

Law: I am good as well. It is great that we have a few volunteers and I think it is going to work well.

Winemiller: Let's move on to the last section, which is the advertisement, so to speak, for the Volunteer Parking Enforcement Attendant. Because it is a volunteer position, we would do the same type of advertising that we would do for a seasonal job: We would put it on the Firehouse marquis, we would place it on the Town of St. Armand Facebook page, as well as the Bloomingdale Neighborhood Facebook page. I just typed up a little blurb. Joe, what do you think?

Bates: I'm good.

Winemiller: Don?

Amell: Yes, I'm good, too.

Winemiller: Jen?

Fuller: I'm good.

Winemiller: Karl?

Law: Yes. Same.

## PUBLIC HEARING

Supervisor Winemiller opened the Public Hearing at 6:30 pm and asked Town Clerk Barbara Darrah to read the Public Hearing Notice:

Darrah:

Notice of Special Board Meeting and Public Hearing  
Town of St. Armand

The Town of St. Armand Town Board will conduct a virtual Special Board Meeting on Tuesday, March 23, 2021, beginning at 6:15 pm for discussion regarding the Moody Pond Parking Attendant Position Description and application. A Public Hearing will also be held on March 23, 2021 beginning at 6:30 pm. The topic of the Public Hearing is regarding the determination of Unsafe Structures located at 10 School Street, Bloomingdale, NY. The Special Board Meeting will continue immediately following the Public Hearing. Due to COVID-19, the Special Board Meeting and Public Hearing will be held virtually, and all members of the community are welcome to attend:

Special Board Meeting & Public Hearing, Tuesday, March 23, 2021 - 6:15 pm

Please join my meeting from your computer, tablet or smartphone.  
<https://global.gotomeeting.com/join/377879877>

You can also dial in using your phone.

United States: +1 (408) 650-3123

Access Code: 377-879-877

New to GoToMeeting? Get the app now and be ready when your first meeting starts:

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For questions, please contact the Town of St. Armand at 518-891-3189. Written questions or comments are welcomed and may be submitted until March 22, 2021 at 11:00am. Please send to: Town of St. Armand, PO Box 338, Bloomingdale, NY 12913, or email: [info@townofstarmand.com](mailto:info@townofstarmand.com).

This Notice was published in the Adirondack Daily Enterprise on Tuesday, March 16, 2020.

Winemiller: Thank you, Barb. At this time, I see we have a few more callers. If you are a caller, could you please identify yourself? If you have called into the meeting, could you please identify yourself?

Those callers who chose to identify themselves, did so.

Winemiller: All right, it is now 6:30 pm and we are going to call the Public Hearing to Order.

We have Craig Michaels here with us. Derrick Martineau is going to call in. Monroe Gladd, are you with us this evening?

Gladd: Yes, I am.

Winemiller: Hello Monroe. Thank you for joining us.

Winemiller: As most of you know we have been dealing with the Local Law #2, regarding the unsafe structures from the Gladd property. I just wanted to start off this evening by giving a brief review of what brought this about and why we are here tonight. It is my understanding this was started before my tenure here. But this was undertaken for two reasons: The first and foremost being that the property that Mr. Gladd is living in now is unsafe. The goal of the Town Board was to get Mr. Gladd into a sound and safe structure. The second part of it was to bring his property back into the requirements of the Town's property maintenance rules. That is why we are here tonight. That is the goal moving forward is for those two things to be taken care of. At this point, I am going to turn this over to Code Enforcement Officer Derrick Martineau.

Derrick Martineau: Yes. Can you hear me now?

Winemiller: Yes. Thank you. Obviously, we have tons of documents and paperwork regarding this issue, but if you want to give us a synopsis in a nutshell, bring us up to today.

Derrick: As probably most everyone here at the meeting knows, this is in reference to the property at 10 School street which has had numerous violations for several years and has been in the legal process now for a while. Also, as Davina stated, we are not here to just throw someone out on the street. We are really looking at the safety for the people living and just visiting the residence as well as bringing things up to property maintenance codes. Monroe has been very good the last couple of months, working with us, letting us come in and go through his home so I could do inspections, showing us everything outside and explaining what everything was. Obviously, there are still many violations and safety concerns that at this point with the additions, porches, and other things that would need to be remedied. I don't feel it could be done safely or bring the current residence up to code. After a certain point of work on a residence, then you have to bring things up to the current codes and that is what we would do at this residence and I don't see where it is possible. I guess at this point I am just asking the Board to consider all of the findings that I have put in front of the Board over the last couple of months and think of it as a life safety issue. Other than that, that is about all I have and if anybody has any questions, I will try to answer them the best I can.

Winemiller: Thank you Derrick. Does anyone have any questions for Derrick?

Jen Fuller: No. Thank you, Derrick.

Karl Law: Thank you, Derrick. You have done a very thorough and great job!

Winemiller: At this time, Monroe (Gladd), can you hear me?

Gladd: Yes.

Winemiller: Monroe, do you want to make a statement and maybe tell the Board what you are doing to try and remedy this situation?

Gladd: I have a grant in place for a new trailer and everything that Derrick wants cleaned up is going to be cleaned up by May 1<sup>st</sup>.

Winemiller: Ok, Monroe. Thank you. Does anyone have any questions for Monroe?

Warrene McCarthy: I guess I would like to just ask; I understand that he has been in contempt of court for not following up doing what he was supposed to have done. I am just wondering if we can really believe that this will be done by the first of May? That is only a few days away.

Winemiller: Just so you know, Warrene, and I think Craig can back me up on this. We are not allowed to speak on about an ongoing criminal proceeding. Craig, am I correct in that?

Craig Michaels: That is a good question. Either way, I can tell you that that is completely independent of this. This is the Town Board acting pursuant to its Unsafe Building Law. That is another proceeding I am handling for the Essex County DA's office and it is really not relevant here. That is just a separate proceeding of a violation of a plea agreement.

Winemiller: Warrene, unfortunately we are not going to be able to address that part of your question, so I do apologize to you. Monroe, what do you have to say to Warrene? She is asking can we believe you that you are going to actually follow through?

Gladd: By May 1<sup>st</sup> everything will be done.

Winemiller: Does anyone else any other questions or concerns for Monroe?

Derrick Martineau: Davina, just one quick thing. With what Monroe has hopefully in place with his grant, I believe you will see him follow through with what he is saying with cleaning up vehicles and debris around the property and that kind of stuff because I believe that it is all contingent upon him getting his grant and moving forward with things.

Winemiller: Monroe, would you agree with that? That you have been told that if you don't comply with the grant requirements, that you could lose your new mobile home?

Gladd: Correct.

Winemiller: I just want to verify that you are willing, ready, able and happy to comply to move forward?

Gladd: Yes Ma'am. We are just waiting for the rest of the snow to melt.

Winemiller: All right. Thank you. I just wanted to give a little bit of information to everyone that has joined us here tonight. The Town Board does need to go into an Executive Session and in the Executive Session we will have the Town Board members, Code Enforcement Officer Derrick Martineau, our attorney Craig Michaels, and Barb Darrah, our Town Clerk. And, because this is a virtual meeting, it is a little strange. I just wanted to let you all know what is going to happen is we are going to make a motion to go into Executive Session. At that time, I am asking you to dismiss yourself from the meeting, and then once everyone except for the remaining people that I mentioned, I am going to put the lock on the meeting and that will prevent anyone else from joining us while we are doing our final discussion in Executive Session. So, I am going to ask you to do is give us about five minutes and then try to log back in. And, if we are still locked in the meeting, it will put you bring you to the "waiting room".

Shannon Madden: Excuse me? This is Shannon Madden. I was trying to get through.

Winemiller: Yes, Shannon.

Madden: I have a question about Monroe's property. I was wondering what happens when he doesn't follow through or if he doesn't follow through on May 1st? What then happens? And, how long after May 1st does he have? If May 1st he doesn't cooperate with what he is supposed to do, do you then go and tell him he has to or do you start charging him a fee?

Winemiller: Shannon, I absolutely want to answer your question, but that is why we have to go into Executive Session right now; for the Board to make that determination. So, if you wouldn't mind just holding on to that question until after we come back from the Executive Session.

Madden: Wonderful.

Warrene McCarthy: What is the Executive Session purpose?

Winemiller: The purpose of the Executive Session is to give the Town Board a chance to discuss exactly what they want to do. We had a Statement of Findings, and then an Order and then a decision. The Town Board is not allowed to meet unless it is in Executive Session and it has been posted. We couldn't do that before this evening. We have to go into an Executive Session in order for all the Board to make their final determination on how everyone feels about this and exactly what guidelines we are going to lay out. The Town Board by Town Law is not allowed to get together. If there are two of us having a cup of coffee at a coffee shop and a third one comes in, one of us has to leave because that is considered a quorum of the Board. We are not allowed to speak as a group unless it is in Executive Session.

#### MOTION TO ENTER EXECUTIVE SESSION:

Winemiller: At this point, can I please get a Motion to move into Executive Session?

Councilperson Karl Law made the Motion to enter into Executive Session. The Motion was seconded by Deputy Supervisor D. Joseph Bates. All in favor. The Executive Session began at 6:45 pm. The purpose of the Executive Session was ongoing litigation.

Winemiller: Audience, I need you to please excuse yourselves at this point. Barbara Darrah then took attendance of those present at the Executive Session.

Winemiller: I am going to stop recording at this point.

#### MOTION TO ADJOURN EXECUTIVE SESSION

Deputy Supervisor D. Joseph Bates made the Motion to adjourn the Executive Session. The Motion was seconded by Councilperson Donald Amell. The Executive Session adjourned at 7:22 pm. Winemiller re-opened the Special Board meeting and recorded the remaining session.

Winemiller: Monroe Gladd are you with us?

Gladd: Yes.

Winemiller: It is now 7:22 pm. We are now going to review the Town Board's Statement of Findings and Facts. I am going to scroll through these documents (on the screen) pretty quickly. This is basically just a synopsis of everything that has happened, all the documents that have been submitted to the Town Board, the agreements for defendants and Code Enforcement, letters, pictures, phone calls and all that kind of stuff. This will be part of the minutes and made available to anyone who wants to see it. But I am just going to get down to the nitty gritty and why we are here tonight:

Winemiller then read the St. Armand Town Board's Statement of Findings and Facts verbally and displayed the document on the screen

#### ST. ARMAND TOWN BOARD STATEMENT OF FINDINGS

Town of St. Armand  
PO Box 338, 1702 NYS Route 3  
Bloomingdale, NY 12913

March 23, 2021

St. Armand Town Board Statement of Findings –

Pursuant to Local Law #2 of 2020

Property owner: Monroe Gladd

Property address: 10 School Street, Bloomingdale NY 12913

The following documents are incorporated by reference into this Statement of Findings:

- Local Law #2 of 2020 – A Local Law providing for the repair or removal of unsafe buildings and collapsed structures. This Local Law was Adopted by Resolution #33 of 2020, April 14, 2020.
  - Code Enforcement Officer & Building Inspector Derrick Martineu’s report dated February 5, 2021 with attachments
1. Letter to Monroe Gladd dated July 14, 2015 from then CEO Robert Hammond
  2. Letter to Monroe Gladd dated July 17, 2015 from then CEO Robert Hammond
  3. Letter to Monroe Gladd dated August 26, 2015 from then CEO Robert Hammond
  4. Letter to Monroe Gladd dated December 20, 2015 from then CEO Robert Hammond
  5. Notice & Order to Monroe Gladd dated May 31, 2016 from then CEO Robert Hammond
  - i. Violation #1 - §302 – Exterior Property Areas: Sanitation. All exterior property and premises shall be maintained in a clean, safe and sanitary condition.
  - ii. Violation #2 - §302 – Exterior Property Areas: Accessory structures. All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.
  - iii. Violation #3 - §302 – Exterior Property Areas. Motor Vehicles. Except otherwise provided for in statute or other regulations, two or more inoperative or unlicensed motor vehicles shall not be parked, kept or stored on the premises, and no vehicle shall at any time be in a state of major disassembly, disrepair or in the process of being stripped or dismantled.
  - iv. Violation #4 - §303 – Swimming Pools, Spas and Hot Tubs. Swimming pools shall be maintained in a clean and sanitary condition and in good repair.
  - v. Violation #5 - §307 – Rubbish and Garbage. Accumulation of rubbish or garbage. All exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage.
  - vi. Violation #6 - §307 – Rubbish and Garbage. Dry vegetation, combustible waste and refuse. Combustible waste, refuse and large quantities of dry vegetation which by reason of their proximity to buildings or structures would constitute a fire hazard or contribute to the spread of fire shall be removed.
  - vii. Violation #7 - §307 – Rubbish and Garbage. Disposal of rubbish. Every occupant of a structure shall dispose of all rubbish in a clean and sanitary manner by placing such rubbish in approved containers.
  - viii. Violation #8 – Residential Code of NYS Appendix E. Manufactured Housing Used as Dwellings. §E102 Additions, alterations or repairs. Additions made to manufactured home shall be structurally separated from the manufactured home.
  - ix. Violation #9A & B – Appendix E – Manufactured Housing Used as Dwellings. §E504 – Structural Additions:  
9A – Front additions are in non-compliance  
9B – Rear addition is in non-compliance
  - x. Violation #10 – Chapter 3 – Building Planning and Appendix J – Existing Buildings and Structures, the Front Addition as non-habitable space, shall be designed, permitted, and constructed in full compliance with these requirements – No record of certificate of occupancy of any work.
  - xi. The existence of the above violations endangers the public health, safety and welfare.
6. Letter to Monroe Gladd dated July 18, 2017 from then CEO Robert Hammond
  7. Complaint - North Elba Justice Court - People of NYS v. Monroe Gladd dated August 7, 2018 from then CEO Joseph Amell (Listing Violations same as above – Notice & Order)
  8. Appearance Ticket & Certificate of Readiness Y 710:30 Disclosure – North Elba Justice Court – People of NYS v. Monroe Gladd dated August 27, 2018 from then CEO Joseph Amell
  9. Agreement to Adjourn Action in Contemplation of Dismissal – North Elba Justice Court – People of NYS v. Monroe Gladd dated March 22, 2019 – Executed by Defendant Monroe Gladd, Defendants’ Attorney Brian Barrett, Town Justice Dean Dietrich, St. Armand Attorney Matthew Norfolk. In this agreement, Defendant Monroe Gladd did agree to abide by the following terms within 12 months of the order:
    - i. No later than July 31, 2019, Defendant shall remedy all violations alleged in the attached complaint affirmed and executed on July 5, 2016 by Mr. Robert Hammond, Code Enforcement officer for the Town of St. Armand. Determining whether or not the violations have been remedied shall be in the sole discretion of CEO Robert Hammond.
    - ii. With the exception of having until July 31, 2019 to remedy the violations alleged in the Complaint, Defendant shall maintain and keep his real property at issue and the improvements thereon in-lawful condition, and compliant with the applicable Town of St. Armand local laws and ordinance and NYS Uniform Fire Prevention and Building Code.
    - iii. Upon two days’ notice from the CEO, each month during the adjournment, Defendant shall permit the CEO to enter upon Defendants’ real property at issue for the purpose of monitoring Defendant’s progress in remedying all of the violations alleged in the Complaint and to otherwise inspect the premises to determine whether or not it is in a lawful state and condition.
    - iv. Defendant shall lead a law abiding life
    - v. If any one of the conditions above is not satisfied, the adjournment automatically terminates and the criminal action shall resume immediately. In such event, where the adjournment is terminated due to the Defendant’s failure to satisfy the conditions set forth above, the Court, Defendant, and the People hereby agrees that Defendant shall enter a plea of guilty to all misdemeanor charges alleged in the Complaint and shall be sentenced to pay a fine of \$1000.00 for each misdemeanor charge, and Defendant will not be sentenced to serve jail time. By entering into this agreement, Defendant waives his right to all trial, appeal, and post-conviction remedies, including a right to appeal sentence as harsh and excessive.

10. Letter to Monroe Gladd dated March 4, 2020 from CEO Derrick Martineau
11. Letter to Monroe Gladd dated September 18, 2020 from CEO Derrick Martineau
12. Letter to Monroe Gladd dated September 18, 2020 from CEO Derrick Martineau
13. Letter to Monroe Gladd dated January 25, 2021 from CEO Derrick Martineau
14. Report to the St. Armand Town Board dated February 5, 2021, with attachments, from CEO Derrick Martineau

Major findings:

- The roof on the main mobile home is deteriorated, likely leaking and at risk of collapsing.
- Mr. Gladd attempted to put another roof over the existing mobile home roof several years ago, but that too has fallen apart.
- The main mobile home appears too deteriorated to be able to support any remediation efforts, and I could not, and would not permit any additions such as a new roof.
- Front and rear additions were made that were not permitted or built to code.
- The front addition that Mr. Gladd previously built without the required permit is dilapidated and at risk of collapsing at any time.
- As part of the addition, there is a stove pipe of some sort going through the roof that does not look like it was, or is, properly installed. It could therefore be a leak point or, even worse, a fire hazard.
- This stove pipe, a load bearing frame, appears to be against code because it is directly attached to the mobile home, which is not built to support it.
- The porch is rotting and appears ready to fall off completely.
- There are unlicensed and unregistered vehicles throughout the premises, in violation of the Towns' property maintenance code.
- There is garbage and construction debris all over the premises, including an old swimming pool and a camper, also violations of the Towns' property maintenance code.
- There is a shed and camper on the premises that are also dilapidated.

15. Report to the St. Armand Town Board dated March 9, 2021 from CEO Derrick Martineau

16. Tax Map and Deeds for the properties 8 & 10 School Street, Bloomingdale NY

Documented phone calls made by CEO Derrick Martineau to Monroe Gladd:

- 1) May 8, 2020 – No response from Monroe Gladd
- 2) June 3, 2020– No response from Monroe Gladd
- 3) June 19, 2020– No response from Monroe Gladd
- 4) August 12, 2020– No response from Monroe Gladd
- 5) August 13, 2020 – Monroe Gladd did answer this call and stated he was going to fix things up.
- 6) December 4, 2020– No response from Monroe Gladd
- 7) December 15, 2020– No response from Monroe Gladd
- 8) January 8, 2021– No response from Monroe Gladd
- 9) January 20, 2021– No response from Monroe Gladd

List of Vehicles on Gladd Property, 10 School Street, Bloomingdale

1. 2011 Chevy Suburban – Plate number HCY 2722 1GNLC2E09BR370717 – Inspection Sticker: October 2020
2. 2011 Nissan Pickup – Plate number HGD 6810 1N6ADOEV5BC431221 – Inspection Sticker: March 2021
3. 2005 Saturn – Plate number JFV 6689 1G8AJ52F75Z133030 – Inspection Sticker – Temporary December 8, 2020
4. 2003 GMC Suburban – Plate number JMG 6907 1GKDT13S732255222 – Inspection Sticker – September 2021
5. 1984 Ford Mustang– Plate number KGR 9322 1FABP28M1EF201066 – Inspection Sticker: unknown – under tarp
6. Ram Caliber – Plate number GNP 3523
7. Ford car – silver – buried under snow – no plate seen
8. 2007 Dodge IB3HB48B17D209827
9. Yellow snowmobile – 8593GS
10. Boat – no trailer – NY463668
11. Small Camper – Salem Lite – no plate
12. Large Camper – Sportsman – no plate
13. Lawn mower, ride on, buried under snow

St. Armand Town Board Actions:

- a. Public Hearing CDBG Wastewater Grant & Regular Board Meeting held on February 9, 2021 – photos were taken, incorporated into the Code Enforcement Officer's reports, and shared with the Board and general public. and report dated February 5, 2021 from CEO Derrick Martineau reviewed with the Town Board regarding Monroe Gladd, 10 School Street, Bloomingdale, NY 12913
- b. Resolution #34 of 2021 – Board Decision Regarding Procedure for Unsafe Property – Passed. Public Hearing scheduled for February 23, 2021. (Resolution attached)
- c. On February 12, 2021, Town Supervisor Davina Winemiller effected personal service of process on Mr. Gladd pursuant to Local Law #2 of 2020 and CPLR §308(2). (Affidavit of Service attached) Notice of Public Hearing February 23, 2021 at 6:30 pm
- d. Conducted Public Hearing on February 23, 2021 at 6:30 pm, virtually. Monroe Gladd and Ann LaPierre, residents of 10 School Street, Bloomingdale NY were in attendance. The report dated February 5, 2021, with photos that were incorporated into the Code Enforcement Officer's reports, and shared with the Board and general public. Monroe Gladd and Ann LaPierre also made statements during the Public Hearing. Monroe Gladd agreed to an interior and exterior site visit to be completed by CEO Derrick Martineau and Town Supervisor Davina Winemiller on March 1, 2021

at 1 pm. Monroe Gladd and Ann LaPierre were invited to attend the Regular Board Meeting on March 8, 2021 at 6:30 pm to review the findings from that site visit.

e. On March 1, 2021 at 1 pm, CEO Derrick Martineau and Town Supervisor Davina Winemiller conducted a site visit, interior and exterior of the property. Photos were taken, incorporated into the Code Enforcement Officer's reports, and shared with the Board and general public.

f. On March 8, 2021 at 3:45 pm, CEO Derrick Martineau and Town Supervisor Davina Winemiller conducted another site visit, interior and exterior of the property. Photos were taken, incorporated into the Code Enforcement Officer's reports, and shared with the Board and general public.

g. On March 9, 2021 at 6:30 pm at the Regular Town Board Meeting, held virtually, with Monroe Gladd and Ann LaPierre, residents of 10 School Street, Bloomingdale NY in attendance; CEO Derrick Martineau reviewed his findings from the site visits on March 1 and March 8, 2021 and photos were taken, incorporated into the Code Enforcement Officer's reports, and shared with the Board and general public. After the report and discussion by all parties, the Town Board decided to hold another Public Hearing on March 23, 2021 at 6:30 pm, to be held virtually. Town Supervisor Winemiller verbally notified Monroe Gladd and Ann LaPierre to attend, during which time the Town Board would render their decision regarding the property.

h. On March 12, 2021, Town Supervisor Davina Winemiller, served Notice of Public Hearing for March 23, 2021 at 6:30 pm, held virtually, to Monroe Gladd at his premises.

#### St. Armand Town Board Findings of Facts & Conclusions:

The Town Board has determined the following:

- The property owned by Monroe Gladd, 10 School Street, Bloomingdale, NY, has been a subject of discussion at Board Meetings for over 10 years. Many residents have voiced complaints and concerns regarding the debris and general state of disrepair of the property to Town Board members.
- Written notice to make corrections and repairs to the property was given to Monroe Gladd on 14 occasions, beginning in July 2015. Phone calls were made to Monroe Gladd on 9 occasions, with no response.
- Monroe Gladd has had over 5 years to bring the property into compliance with NYS Building Code requirements, Town Laws and Ordinances, since receiving the first written letter.
- Based on the previously mentioned reports and photographs, as well as testimony by Monroe Gladd, the Town Board had determined the following:
  - a. The property has three outbuildings, two of which are in unsafe condition: the small green shed and the natural brown shed located on the southeast side of the property.
  - b. The roof over the front porch was removed, without a demolition permit being issued.
  - c. Eight automobiles remain on the property, to date. Only one is in full compliance. Several automobiles do have registrations and license plates, but lack valid NYS Inspection stickers therefore only one vehicle is in compliance.
  - d. Monroe Gladd stated he has been trying for years to obtain a building permit, without submitting a building permit application, until February 2021.
  - e. There is a substantial amount of debris still on the property.
  - f. Only one of the outbuildings appear to be in salvageable condition, the other two outbuildings are in unsafe condition.
  - g. Monroe Gladd purchased the property on October 15, 2004 from Michelle Mills. Monroe Gladd stated the mobile home was on the property when he purchased it from Michelle Mills. It is believed that the mobile home is over 30 years old.
  - h. The front and rear additions to the mobile home were poorly constructed, remain unfinished, and were never permitted by the Town.
  - i. No certificates of occupancy have ever been issued for the front or rear additions of the dwelling.
  - j. The holes in the siding material of the mobile home are clearly visible, causing rot and mold to infiltrate the mobile home.
  - k. During the March 9, 2021 Regular Town Board Meeting, CEO Derrick Martineau stated that there was a water leak under the mobile home, under the front bathroom floor. Further, CEO Derrick Martineau noted a large amount of standing water on the ground, saturation of joists and floorboards, rot and mold. CEO Derrick Martineau estimated that this had been leaking for years. Monroe Gladd stated it had been leaking for two days. On March 11, 2021 Town Supervisor Davina Winemiller asked Water & Sewer Clerk Barbara Darrah about Monroe Gladd's water usage; Barbara Darrah stated he had been estimated for usage for many years, and she had sent him letters regarding this issue. Due to the doubling charge enacted last year for non-metered usage, the Board has reason to believe that the leak has been present for a long time.
  - l. During the interior inspections of the mobile home on March 1, 2021, CEO Derrick Martineau noted newly installed lauan on the ceiling of the bathroom and bedroom and newly installed plywood on the back bedroom floor.
  - m. During the interior inspections of the mobile home on March 1, 2021, CEO Derrick Martineau noted a tilt of several inches from the center of the floor in the front bedroom to the edge of the floor. This indicates a lack of foundational support, as well as rot and sagging.
  - n. During the interior inspections of the mobile home on March 1, 2021, CEO Derrick Martineau asked Monroe Gladd about the home's furnace. Monroe Gladd stated the furnace was out of kerosene and could not be turned on. During the interior inspections of the mobile home on March 8, 2021, CEO Derrick Martineau again asked Monroe Gladd about the home's furnace. Monroe Gladd again stated the furnace was out of kerosene and could not be turned on. There were several plastic cans on the front porch that Monroe Gladd stated were filled with kerosene. It is reasonable for the Board to determine that the home does not have a functioning furnace and must be using some type of stand-alone heat source. This is a carbon monoxide hazard, a fire hazard and a cause of great concern for the safety of the people living in the home.
  - o. The front porch is sagging and rotted and does not have appropriate hand rails.

p. The property has two RV campers present, neither of which is registered, inspected or insured. The smaller camper is completely full of belongings and/or debris. The larger camper presents a major cause of concern: there is a 150-gallon propane tank located adjacent to the camper and it is clearly hooked up to the camper. An electrical extension cord runs from the home to the camper as well as a television/internet cable from the home to the camper. The sewer drain had a pipe hooked up to it and is laying open on top of the ground. During the exterior inspection on March 1, 2021, CEO Derrick Martineau noticed the snow was melted off the roof and there was ice buildup on the outside that is conclusive of it being heated. There is concern that an individual may be staying in the camper.

q. In February 2021, for the first time since 2011, Monroe Gladd has submitted a Building Permit application. CEO Derrick Martineau has determined that a Building Permit cannot be issued for repairs due to lack of structural integrity of the mobile home.

St. Armand Town Board Decision & Order:

Based on the above findings, the Town of St. Armand Board hereby DECIDES AND ORDERS:

1. Vehicles and RV Campers:

All vehicles and RV campers must possess a valid NYS Inspection sticker, valid vehicle insurance and a valid NYS Registration sticker. All vehicles and campers that do not meet these requirements must be removed from the property by May 1, 2021. The smaller camper, Salem Lite, is in a state of dilapidation and must be removed from the premises. Based on the conditions observed, the Town will not issue a certificate of occupancy for the larger RV camper. Therefore, said camper cannot be occupied by any individual (s). If the camper remains occupied, the Town will remove the camper pursuant to this Order. There shall be no more than four fully legal automobiles on the property at any given time. Any vehicles or campers remaining on the property on May 2, 2021 that do not meet these requirements will be removed pursuant to this Order.

2. Debris/Trash/Construction Materials/Boat/Snowmobiles and Lawn Mowers:

All debris, trash, broken toys, construction materials, boats that are not seaworthy, inoperable snowmobiles and broken lawn equipment must be removed from the property by May 1, 2021. Any items remaining on the property as of May 2, 2021 will be removed pursuant to this Order.

3. Outbuildings:

There are two outbuildings on the property that must be removed: the small green shed and the natural wood brown shed located on the southeast side of the property. Both of these outbuildings must be removed by May 1, 2021. Either building remaining on the property on May 2, 2021 will be removed pursuant to this Order.

4. Primary Residence: Mobile home and Additions:

The primary residence is in a state of disrepair, with clear evidence of water damage, rot and mold. The foundation support system for the mobile home is failing, evidenced by the high point in the center of the mobile home with the drop to each outer edge of several inches. The heating system for the mobile home has not been proven to be operational. The water leak under the front bathroom has caused significant rot and mold. There are no functioning sinks in either bathroom. The mobile home and addition must be removed by May 1, 2021. If the mobile home and addition remain on the property on May 2, 2021, the mobile home and addition will be removed pursuant to this Order.

5. Compliance with all applicable laws:

Any part of the property or its structures that are not in compliance with all applicable laws by May 1, 2021 will be removed pursuant to this Order.

This represents the FINAL DECISION AND ORDER of the Town Board of the Town of St. Armand. If any one of these conditions described above are not remedied according to the above schedule, the Town will immediately commence remediation efforts.

RESOLUTIONS # 36 and # 37

RESOLUTION # 36 OF 2021

RESOLUTION TO DECLARE A BUILDING UNSAFE AND DANGEROUS AND TO ORDER ITS IMMEDIATE DEMOLITION PURSUANT TO THE TOWN OF ST. ARMAND UNSAFE BUILDINGS LAW

Councilperson Donald Amell, who moved its adoption, offered the following Resolution:

Upon the passage of a motion to consider from the floor, and the same appearing proper and necessary,

WHEREAS pursuant to the Town of St. Armand Local Law No. 2 of 2020, A Local Law Providing For The Repair Or Removal Of Unsafe Buildings And Collapsed Structures (hereinafter referred to as the "Unsafe Buildings Law"), the Town Board of the Town of St. Armand (hereinafter referred to as the "Town Board") having received and reviewed the Reports of the Building Inspector and Code Enforcement Officer of the Town of St. Armand (hereinafter referred to as "Code Enforcement Officer") dated February 5, 2021 and March 9, 2021 regarding the unsafe buildings located at 10 School Street, Town of St. Armand, County of Essex, State of New York, bearing the tax parcel number 13.65-1-5.000,

having the street address of 10 School Street, Bloomingdale, New York 12913 and owned by Mr. Monroe Gladd (hereinafter referred to as the “Gladd residence”); and

WHEREAS the Town Board incorporates by reference the Code Enforcement Officer’s Reports into this Resolution; and

WHEREAS the Reports describe the years-long history of problems with unsafe buildings at the Gladd residence and show that Mr. Gladd has failed to remedy any of these problem for at least six (6) years; and

WHEREAS the Reports details the increasingly unsafe building conditions at the Gladd residence, which are violations of the Town’s Unsafe Buildings Law, including: a deteriorated roof in risk of collapse; garbage, construction debris, and unlicensed and unregistered vehicles scattered throughout the residence; parts of buildings that are rotting and likely to fall off completely; additions to the buildings that were not permitted by the Town, nor built to code, and for which certificates of occupancy were never issued, among other violations; and

WHEREAS Mr. Gladd is the subject of a criminal matter in the Justice Court of the Town of North Elba for his repeated violations of the Town’s building and land use laws, the New York State Building Code and the New York State Building and Fire Prevention Code; and

WHEREAS Mr. Gladd entered into a plea agreement to remedy all violations no later than July 31, 2019, and has failed to do so; and

WHEREAS the Town Board adopted Resolution No. 34 of 2021 on February 9, 2021 providing for Notice to be served on Mr. Gladd for a Public Hearing to be held on February 23, 2021 on this matter, pursuant to the Town’s Unsafe Buildings Law; and

WHEREAS the Town Board held a Public Hearing on this matter on February 23, 2021, hearing testimony from the Town of St. Armand Code Enforcement Officer, from Mr. Gladd, and members of the public, including neighbors of Mr. Gladd; and

WHEREAS upon the request of Mr. Gladd, the Town Supervisor and Code Enforcement Officer visited and inspected the Gladd residence on March 1, 2021 and March 8, 2021 and observed and documented unsafe living conditions constituting an Emergency pursuant to section 11 of the Unsafe Buildings Law; and

WHEREAS the Town of St. Armand held a second meeting on March 9, 2021 to hear additional testimony from the Code Enforcement Officer and Mr. Gladd; and

WHEREAS the Town of St. Armand, pursuant to section 12 of the Unsafe Building Law has issued a Statement of Findings concluding, among other things:

- 1) The front and rear additions to the mobile home were poorly constructed, remain unfinished, and were never permitted by the Town;
- 2) No certificates of occupancy have ever been issued for the front or rear additions of the dwelling;
- 3) The holes in the siding material of the mobile home are clearly visible, causing rot and mold to infiltrate the mobile home;
- 4) The roof over the front porch was removed, without a demolition permit being issued;
- 5) The property has three outbuildings, two of which, the small green shed and the natural brown shed located on the southeast side of the property, are in unsafe conditions;
- 6) There is a substantial amount of debris on the property;
- 7) There is a water leak under the front bathroom floor of the mobile home that includes a large amount of standing water on the ground, saturation of joists and floorboards, rot and mold, and that this leak has been ongoing for an extended amount of time;
- 8) During the interior inspection of the mobile home on March 1, 2021, the Code Enforcement Officer noted a tilt of several inches from the center of the floor in the front bedroom to the edge of the floor, indicating a lack of foundational support, as well as rot and sagging;
- 9) Numerous uninsured, uninspected or unlicensed vehicles remain on the property;
- 10) Based on inspections, the Board has reason to believe that that the home does not have a functioning furnace and is instead using some type of stand-alone heat source which constitutes a carbon monoxide hazard, a fire hazard and a cause of great concern for the safety of the people living in the home;
- 11) The property has a small RV camper present, which is not registered, inspected or insured and is completely filled with belongings and debris;
- 12) There is a larger RV present on the property which is a major cause of concern because there is a 150-gallon propane tank located adjacent to the camper that is clearly hooked up to the camper; an electrical extension cord runs from the home to the camper as well as a television/internet cable from the home to the camper; the sewer drain had a pipe hooked up to it and is laying open on top of the ground; and there is concern that an individual may be staying in the camper; and
- 13) The Town’s Code Enforcement Officer has determined that a Building Permit cannot be issued for repairs due to lack of structural integrity of the unsafe buildings; and

WHEREAS the Statement of Findings is incorporated by reference herein,

Sufficient cause appearing therefor, THE TOWN BOARD OF THE TOWN OF ST. ARMAND HEREBY RESOLVES AS FOLLOWS:

BE IT RESOLVED that pursuant to the Town’s Unsafe Buildings Law, it is hereby DECIDED that: The primary residence is in a state of disrepair, with clear evidence of water damage, rot and mold; The foundation support system for the mobile home is failing, evidenced by the high point in the center of the mobile home with the drop to each outer edge of several inches; The heating system for the mobile home has not been proven to be operational; The water leak under the front bathroom has caused significant rot and mold; there are no functioning sinks in either bathroom;

BE IT FURTHER RESOLVED that pursuant to section 11 of the Town’s Unsafe Buildings Law, the premises described herein present a clear and imminent danger to the life, safety and health, and the Town authorizes the Code Enforcement Officer or another representative of its choosing to immediately cause the demolition of the unsafe buildings described herein, the expenses of which shall be charged against the land and assessed, levied and collected as provided in section 10 of the Town’s Unsafe Buildings Law;

BE IT FURTHER RESOLVED that pursuant to the Town’s Unsafe Buildings Law, this Resolution, the Town Board’s Statement of Findings and the Town Board’s DECISION, it is hereby ORDERED that:

1. The mobile home and addition must be removed by May 1, 2021. If the mobile home and addition remain on the property on May 2, 2021, the mobile home and addition will be removed pursuant to this Resolution and Order of the Town Board; and
2. All vehicles and RV campers must possess a valid NYS Inspection sticker, valid vehicle insurance and a valid NYS Registration sticker. All vehicles and campers that do not meet these requirements must be removed from the property by May 1, 2021, any vehicles or campers remaining on the property on May 2, 2021 that do not meet these requirements will be removed pursuant to this Resolution and Order of the Town Board; and
3. There shall be no more than four fully legal automobiles on the property at any given time and any additional vehicles remaining as of May 2, 2021 will be removed pursuant to this Resolution and Order of the Town Board; and
4. All debris, trash, broken toys, construction materials, boats that are not seaworthy, inoperable snowmobiles and broken lawn equipment must be removed from the property by May 1, 2021, any items remaining on the property as of May 2, 2021 will be removed pursuant to this Resolution and Order of the Town Board; and
5. There are two outbuildings on the property that must be removed: the small green shed and the natural wood brown shed located on the southeast side of the property, both of which outbuildings must be removed by May 1, 2021 and that if either or both buildings remain on the property on May 2, 2021, same will be removed pursuant to this Resolution and Order of the Town Board; and
6. Any other part of the property or its structures that are not in compliance with all applicable laws by May 1, 2021 will be removed pursuant to this Resolution and Order of the Town Board, and

BE IT FURTHER RESOLVED that the Town Board hereby authorizes the Town Supervisor or the Code Enforcement Officer, on behalf of the Town of St. Armand, to commence legal action in a court of competent jurisdiction, should such action be required by law, recommended by counsel, or deemed necessary for any reason by the Town Board to effect the demolition and removal Ordered herein.

This Resolution was duly seconded by Deputy Supervisor D. Joseph Bates, and adopted upon a Roll Call vote as follows:

Supervisor Davina Winemiller	AYE
Deputy Supervisor D. Joseph Bates	AYE
Councilperson Donald Amell	AYE
Councilperson Jennifer Fuller	AYE
Councilperson Karl Law	AYE

Dated: March 23, 2021

\_\_\_\_\_  
Barbara J. Darrah  
St. Armand Town Clerk

STATE OF NEW YORK  
County of Essex, Town of St. Armand

I, Barbara J. Darrah, Town Clerk of the Town of St. Armand, Essex County, New York, do hereby certify that I have compared the preceding resolution with the original thereof filed in my office at 1702 NYS Route 3, Bloomingdale, Essex County, New York, and that the same is a true and correct copy of the original and the whole thereof.

I further certify that all members of the Town Board had proper notice of the meeting at which the resolution was adopted.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the Town of St. Armand this ..... day of ....., 2021

.....  
Town Clerk of the Town of St. Armand, Essex County, New York

Winemiller: Monroe Gladd has applied for a mobile home replacement grant through the Housing Assistance Program through Essex County. I have been in contact and spoken with them. As it is not this Board's desire to make Mr. Gladd homeless, we are now going to discuss a Resolution to stay the condemnation for May 1<sup>st</sup> of the existing mobile home and what this Resolution basically states, is that the first four sections of our findings must be complied with by May 1<sup>st</sup>, but in lieu of the fact that Monroe Gladd has applied for a mobile home replacement grant through the Housing Assistance Program of Essex County (HAPEC) and based on Monroe's agreement not just with the Town to remedy the other items by May 1<sup>st</sup>, but also with the HAPEC, they are also requiring him to make these cleanups happen by May 1<sup>st</sup> in order for him to qualify for the new mobile home. This Resolution would give Monroe Gladd and HAPEC time to get a new mobile home installed on the property and it would have to be completed by September 15, 2021. If it is not completed, unless there is a reasonable explanation and a request for an extension from HAPEC specifically, Monroe Gladd will be required to vacate the current mobile home and have it demolished by October 1<sup>st</sup>, 2021. Basically, we are giving him and HAPEC the summer to install a new mobile home there, give him a chance to stay in his current mobile home while the new mobile home is being installed and then move his property into the new mobile home and then demolish the current mobile home. All of that must be completed by October 1, 2021 with this Resolution of voluntary stay. Does anyone have any questions at this time?

Shannon Madden: Yes, I do.

Winemiller: Go ahead.

Madden: If the premises is dangerous then how can you allow someone to live there? If the premises is dangerous, my property is right next to it. If it is dangerous and he has a fire, then my house catches on fire.

Winemiller: I understand what you are you saying. I will say, and I am going to defer to Craig (Michaels) on this, there is a moratorium on evictions right now. It would be difficult and more time consuming than this Resolution if we had to evict Mr. Gladd. By giving the few extra months, it would not make him homeless, which is not our intent. Craig, can you pop in here and maybe answer Shannon's question?

Craig: I do think it is an excellent question. I think it is a valid question. You have every right to be concerned and I am not downplaying those concerns at all. This is a tough question. It would likely take some time to affect all of this. To have him removed, have the demolition, clean up the property..... Davina and I did talk about this. I think the timeframe that the Board is setting forth tonight is reasonable and I don't think it is going to delay anything for that much longer. I am not trying to be evasive here. That is sort of the best I can answer right now, if that makes sense.

Madden: It doesn't really make sense because everybody is saying that this is an unsafe property. The Code Enforcer is saying that he is scared for the welfare of a young child that goes to this property on a regular basis. Has anyone called Child Protective Service to see if they think this house is appropriate for a child? My other thing is there is a fuel tank that is run to a travel trailer. It borders right on my property. You're giving him until May 1<sup>st</sup> to remove this giant fuel tank and this travel trailer that absolutely someone is living in? I can guarantee it without sitting there and videotaping his property that someone lives in there.

Winemiller: Are you saying that someone lives there full time, Shannon?

Madden: I'm sure there will be discrepancies in there. But there is definitely someone that lives there a large period of the time. I will correct myself. Monroe says he just goes in there and uses the computer once in a while, so maybe Monroe is living in there, too.

McCarthy: I have the same question. Derrick has been saying over and over how concerned he is about the child especially and yet you are going to allow them to live in that place that has been deemed unsafe until September? That doesn't make any sense to me either. This has been going on for twenty years. I just think the Town Board has made a very, very, bad mistake.

Winemiller: Hopefully, I am going to try to answer a couple of these questions, and Derrick can hopefully shed some light as well. One of the primary concerns that Derrick has said over and over is the snow load on the roof. We all know it is 95 pounds per square foot is considered the snow load for our area. Now that we are past the snow, there is no question that they need to get out of this mobile home. There is no question that this can't continue. But, we don't want to make someone homeless. If by giving a few extra months for HAPEC to go in there and install a new mobile home while they live in this mobile home. We are trying to meet the goal of getting Mr. Gladd into a safe home and getting the property cleaned up.

Madden: Why are we coddling an adult man to do this? This has been years. I'm sorry but this has been going on for years. I have been quiet for a very long time. I've watched for years and what has happened to it.... And for years, the Town has been after him for years. Have you guys charged him anything for any penalties? After you have approached him years ago? Has he had any penalties for this property?

Winemiller: That is part of the criminal case that we have right now.

Madden: Okay. I don't want or need to get into that. So, you do have penalties towards him. I don't understand why we keep giving him more and more and more time. He is an adult man. He has a job. I don't understand. I don't want him to be homeless. I don't want his family to be homeless. Absolutely not. But, I have been sitting at these Board meetings and they just keep getting pushed and pushed and pushed. And nothing is happening. I drove by there today and it is still a dump. This upsets me greatly. This is my property value. This is what I have to look at when I go to my property. The other thing he is in an area where if his house catches on fire, there are so many homes right next to him that are going to go right up. He is just in a super weird area where we are all so close to each other. It worries me. It worries my tenant. If his property is unsafe then my property is unsafe.

Winemiller: I am going to let Derrick answer the fire concern. Derrick do you feel there is a fire concern? Can you clarify that Derrick?

There was no response from Derrick. Derrick had to call in again.

Derrick: Can you hear me now, Davina? (The audience could then hear him.) So, you pretty much nailed it with my main concerns with the safety of the property were with snow weight issues, the weight on the trailer. I do understand Shannon's concerns with fire. But I will speak also as a firefighter for 20 years. There may be small concerns with some

things at the property fire related. My main concern to start a fire would have been the furnace, but the furnace isn't functional. Hasn't been when I have been there, anyway.

Madden: So, how is this place heated?

Derrick: Beyond me.

Madden: Well, that seems to be a fire hazard, doesn't it?

Derrick: Depending on what they are using, it could be, certainly. But, from what I have seen, I don't know. The other thing like Craig and Davina had said, and I am only saying this from experience from other issues that I am dealing with of the same type. If the Town right now says, "That's it, we are having you removed from the home or removing the home", by the time this gets through the court system, it could be January before we even get him out of there. From my point of view, it's going to be over faster going this route. And, if he at any point through this whole thing, doesn't follow through with any part of it, this Stay can be lifted and immediately that process will start. I feel the Town is doing everything they can at this point. Honesty, if I lived next door to him, I would be upset as well as you, but I wouldn't be concerned about my house burning.

Madden: Not even with the travel trailer and the fuel running out of it. That's not an issue?

Derrick: I wouldn't have a concern with it because even if he had the two 50-gallon tanks that normally are hooked to them, they are just as explosive, that part wouldn't bother me in the least. I would be more concerned with the eyesore of it all that you had to deal with the last twenty years or however many. That again, that is just my personal feeling.

Madden: I have one more question and then I'm done. Do we have proof that this grant is going to be accepted?

Because you can fill out paperwork all day long, it doesn't mean it's going to be accepted. Is there proof that he is actually going to get this grant to be able to replace the trailer?

McCarthy: That is what my question was going to be.

Winemiller: As of today, I do not have written proof that he is going to get this grant. I did personally speak with the director of HAPEC this morning. We discussed this situation for about 45 minutes. He assured me that this is something that they can do and that they can help with. I also want to point out to you, Shannon, that part of this Resolution states:

"Mr. Gladd agrees that should he not be provided with a new mobile home by HAPEC he will take any and all actions necessary to secure a new mobile home by other means and has agreed to keep Davina Winemiller updated on the progress of securing a new mobile home and further, whereas if a new mobile home is not installed on the property by September 15, 2021, Mr. Gladd agrees to move out of the current mobile home and into an apartment or other rental and provide for demolition and removal of the current mobile home by October 1, 2021". So, this isn't an open-ended thing, Shannon. I can get written proof from HAPEC once they are through their paperwork process. I could bring that to the Board when we get a yes, that he has been approved. I did get a verbal approval today. And, further, this Resolution provides for an acceptance by Mr. Gladd to move out if this doesn't go through. If HAPEC doesn't go through and he can't get one through other sources, he is agreeing that he will vacate the premises and provide for demolition and removal by October 1, 2021. It is not an open-ended thing. The whole goal of this is to get a Resolution and the Resolution being Mr. Gladd is in a safe and secure home and whoever lives with or visits Mr. Gladd is safe also, and the property is cleaned up and maintained and follows the Town's property maintenance guidelines. That is the goal.

Madden: I do greatly appreciate it. I appreciate all the work you have done. I appreciate all the work the Code Enforcement Officer has done and I can't wait to see results.

Winemiller: Me, too.

McCarthy: Me, too., Shannon. It's been years.

Madden: Thank you, Warrenne.

Winemiller: Monroe, are with us?

Gladd: Yes, I am.

Winemiller: Monroe, I want you to tell us here tonight, in front of everyone, tell us you are going to follow through with this.

Gladd: 100 percent.

Winemiller: By May 1<sup>st</sup>, your property is going to be cleaned up.

Gladd: Yes, Ma'am.

Winemiller: And you are going to keep your property cleaned up.

Gladd: Yes.

Winemiller: And you are going to be a better neighbor.

Gladd: Yes. And there is a stockade fence going up.

Madden: That is so funny. He just threatened me. Put it up. Put it up. Go ahead.

Winemiller: What are you talking about, Shannon?

Madden: He just said that he is going to put up a new fence. So, watch my property line. He just threatened me over the phone that he was going to put up a new fence. That is what he told me by my driveway one day when he was taking my driveway. If you drive by our property you can see that he uses my driveway now. He just threatened me over the phone that he is putting up a fence so I can't pull in my driveway. Thank you, Monroe.

Winemiller: Shannon, stay with me please.

Madden: I'm here. This is why I have never said anything. I don't trust that man. I don't trust you, Monroe. You are an unstable man. Period.

Winemiller: Shannon and Monroe, I am going to ask each of you to meet me tomorrow. Shannon, what time do you get done work?

Madden: What do you want from me? I want to know what this is about.

Winemiller: No, No. I want to come down there and I want to talk to you and Monroe.

Madden: You want to look at the property? That's fine. That's great.

Winemiller: Yes, if that is okay.

Madden: Absolutely. He hasn't built the fence yet. I don't think he can do it that fast. I think he will need a few months.

Winemiller: Shannon, what time is a good time tomorrow?

Madden: I will be available whenever you are.  
 Winemiller: Monroe, what have you got going on tomorrow?  
 Gladd: After 3:00.  
 Winemiller: Okay, can we say 3:30?  
 Gladd: 3:30 or quarter to four?  
 Winemiller: Did you say quarter to four, Monroe?  
 Gladd: That would be better. That will give me time to get back from Placid.  
 Winemiller: Okay. 3:45?  
 Gladd: Yes, that would be right.  
 Madden: I'll be there.  
 Winemiller: Okay. Shannon and Monroe, I am going to meet both of you there tomorrow at 3:45 pm, and we are going to get to the bottom of this and we are going to agree and we are going to be good neighbors.  
 Madden: Oh, isn't that what he just promised and then he threatened me?  
 Gladd: Davina asked me to put a fence up around the property and I agreed to it.  
 Madden: Isn't that funny? Didn't you (Gladd) have that conversation with me, too, at the end of my driveway?  
 Winemiller: Shannon, I promise you I am going to get to the bottom of this tomorrow in person. At 3:45 pm. I will be there and we are going to figure this out, okay?  
 Madden: Thank you very much.

RESOLUTION # 37 OF 2021

RESOLUTION TO VOLUNTARILY STAY  
 RESOLUTION AND ORDER NO. 36 FOR THE  
 IMMEDIATE DEMOLITION OF THE UNSAFE  
 BUILDINGS AT THE GLADD RESIDENCE OF  
 10 SCHOOL STREET, BLOOMINGDALE,  
 NEW YORK 12913

Deputy Supervisor D. Joseph Bates, who moved its adoption, offered the following Resolution:

Upon the passage of a motion to consider from the floor, and the same appearing proper and necessary,

WHEREAS the Town Board of the Town of St. Armand (hereinafter referred to as the "Town Board"), having resolved to declare unsafe buildings pursuant to the Town of St. Armand Unsafe Buildings Law and having resolved and ordered the immediate demolition of such buildings located at 10 School Street, Town of St. Armand, County of Essex, State of New York, bearing the tax parcel number 13.65-1-5.000, having the street address of 10 School Street, Bloomingdale, New York 12913 and owned by Mr. Monroe Gladd (hereinafter referred to as the "Gladd residence"); and

WHEREAS the Resolution and Order No. 36 is incorporated by reference herein; and

WHEREAS Mr. Gladd has applied for a mobile home replacement grant through the Housing Assistance Program of Essex County (hereinafter referred to as "HAPEC"); and

WHEREAS Mr. Gladd has agreed to promptly cooperate with any and all requests for documents or other required information in order to obtain the mobile home replacement; and

WHEREAS Mr. Gladd has agreed that if no mobile home replacement is issued from HAPEC, he will take immediate action to secure a new mobile home by other means, and has agreed to keep the Town Supervisor updated weekly on the progress towards a new mobile home; and

WHEREAS Mr. Gladd has agreed to the following conditions to be met or remedied:

- 1) A new mobile home will be installed and a certificate of occupancy has been issued; and
- 2) At such time as the new mobile home is installed Mr. Gladd will have two weeks to move all of his belongings into the new mobile home and the current mobile home will be demolished and removed; and
- 3) Mr. Gladd has agreed that no one else will move into the current mobile home at any time; and
- 4) Mr. Gladd has agreed to install a standard stockade fence around the perimeter of his property by October 1, 2021, in accordance with the conditions of any permit issued by the Town's Code Enforcement Officer; and
- 5) Mr. Gladd has agreed that the Town Supervisor and Code Enforcement Officer will be allowed to go to the property for periodic inspections until March 2023, with at least 24-hour prior notice of inspection via phone; and
- 6) Mr. Gladd has agreed to keep the property well maintained and free of trash and debris; and
- 7) Mr. Gladd has agreed to have four or less fully legal automobiles on the property at any given time; and
- 8) Mr. Gladd has agreed that, should he not be provided with a new mobile home by HAPEC, he will take any and all actions necessary to secure a new mobile home by other means and has agreed to keep Davina Winemiller updated weekly on progress towards securing a new mobile home, and

WHEREAS if a new mobile home is not installed on the property by September 15, 2021, Mr. Gladd has agreed to move out of the current mobile home into an apartment or other rental and provide for demolition and removal of the current mobile home by October 1, 2021,

Sufficient cause appearing therefor, THE TOWN BOARD OF THE TOWN OF ST. ARMAND HEREBY RESOLVES AS FOLLOWS:

The Town Board hereby unilaterally and voluntarily chooses to suspend enforcement of Resolution and Order No. 36, which provides for the demolition and removal of the unsafe buildings at the Gladd residence; and

BE IT FURTHER RESOLVED that the Town Board may unilaterally revoke or terminate the suspension of enforcement of Resolution and Order No. 36 at any time for any reason; and

BE IT FURTHER RESOLVED that should the Town Board decide to end the suspension of Resolution and Order No. 36, that Resolution and Order No. 36 remains in full force and effect, without the need for any additional notices, meetings or hearings, public or otherwise, thereby providing for the immediate demolition and removal of the unsafe buildings at the Gladd residence, the expenses of which shall be charged against the land and assessed, levied and collected as provided in section 10 of the Town’s Unsafe Buildings Law.

This Resolution was duly seconded by Councilperson Donald Amell and adopted upon a Roll Call vote as follows:

Supervisor Davina Winemiller	AYE
Deputy Supervisor D. Joseph Bates	AYE
Councilperson Donald Amell	AYE
Councilperson Jennifer Fuller	AYE
Councilperson Karl Law	AYE

Dated: March 23, 2021

\_\_\_\_\_  
Barbara J. Darrah  
St. Armand Town Clerk

STATE OF NEW YORK  
County of Essex, Town of St. Armand

I, Barbara J. Darrah, Town Clerk of the Town of St. Armand, Essex County, New York, do hereby certify that I have compared the preceding resolution with the original thereof filed in my office at 1702 NYS Route 3, Bloomingdale, Essex County, New York, and that the same is a true and correct copy of the original and the whole thereof.

I further certify that all members of the Town Board had proper notice of the meeting at which the resolution was adopted.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the Town of St. Armand this ..... day of ....., 2021

.....  
Town Clerk of the Town of St. Armand, Essex County, New York

QUESTION OR CONCERNS FROM GUESTS AND STAFF:

Winemiller: Does anyone have any questions or concerns for the Board?  
There were none.

MOTION TO ADJOURN SPECIAL BOARD MBEETING

Councilperson Karl Law made a Motion to Adjourn the Regular Board Meeting. The Motion was seconded by Councilperson Jennifer Fuller. The Special Board Meeting adjourned at 7:57 pm.

I, Barbara J. Darrah, Town Clerk for the Town of St. Armand, do hereby certify that the above is a true and correct transcript of the Regular Board Meeting minutes held on the above-referenced date.

\_\_\_\_\_  
Barbara J. Darrah  
St. Armand Town Clerk

Dated: February 23, 2021