

IN THE MATTER  
OF

NOTICE PURSUANT TO TOWN  
OF MANLIUS CODE 63-3,4

PROCEEDINGS PURSUANT TO CHAPTER 63 OF  
THE OF MANLIUS CODE RELATIVE TO  
PREMISES ALLEGED TO BE UNSAFE REPUTEDLY  
OWNED BY KATHY L CLAFLIN & THOMAS ROLFE AND LOCATED  
AT 6602 FREMONT RD. TOWN OF MANLIUS,  
NEW YORK 13057 (TAX MAP NO. 045.-02-06.0)

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To: KATHY L CLAFLIN & THOMAS ROLFE

PLEASE TAKE NOTICE that the Codes Enforcement Officer of the Town of Manlius, Onondaga County, has filed a written report ("Report") with the Town Board of the Town of Manlius pursuant to the provisions of Chapter 63 of the Code of the Town Manlius regarding the unsafe building or structure (the "Structure" or "Building") situate on premises reputedly owned by you at 6602 Fremont Rd, in the Town of Manlius, New York 13057 designated as Onondaga County Tax Map Parcel No. 045.-02-06.0 (the "Premises"). A copy of the Report is attached hereto as Exhibit "A".

The Town Board of the Town of Manlius, pursuant to the provisions of said Chapter 63, specifically 63-3, by resolution duly adopted at its September 27, 2023 regular meeting, determined from the Report there is grounds to believe that such building or structure situate on the Premises is dangerous or unsafe to the public, and as such ordered the repair, removal and/or demolition of same for the reasons stated therein. A copy of the Resolution is attached as Exhibit "B".

ACCORDINGLY, PLEASE TAKE NOTICE YOU ARE HEREBY ORDERED TO PLACE THE PREMISES AND STRUCTURE IN SAFE CONDITION BY REPAIR OR BY DEMOLITION AND REMOVAL OR OTHERWISE, ALL WHICH MUST BE COMMENCED WITHIN THIRTY (30) DAYS OF THE SERVICE UPON YOU OF THIS NOTICE AND BE COMPLETED WITHIN SIXTY (60) DAYS THEREAFTER, UNLESS SUCH TIME SHALL BE EXTENDED BY THE TOWN BOARD OR ORDER OF A COURT OF COMPETENT JURISDICTION.

PLEASE TAKE FURTHER NOTICE if you fail to comply with the provisions of this Notice, that the Town of Manlius will conduct a public hearing on the 15<sup>th</sup> day of November, 2023 at 6:30 p.m. at 301 Brooklea Drive, Fayetteville, New York 13066, in relation to such unsafe

building or structure, and that you are hereby required to appear before the Town Board on the date, and at the time and place set forth in this Notice to show cause why the building or structure reported to be unsafe should not be repaired, demolished and removed or otherwise dealt with pursuant to Chapter 63 of the Town Code.

PLEASE TAKE FURTHER NOTICE that in the event that neither you nor any person having an interest appears at the hearing, or is unsuccessful in proving the building or structure is not unsafe and/or fails to comply with any Order of the Town Board, the Town Board shall have the right to order such building or structure to be vacated and made safe and secure by the demolition and removal of such structure or by such other measures which may be reasonably necessary, and you as the owner shall be liable to the Town for all costs and expenses so incurred by the Town, including in connection with this proceeding, and the Town may assess all costs and expenses incurred by the Town in connection with such repair or removal against the real property on which the structure is located and to institute a special proceeding to collect the costs of demolition, including legal expenses, and the Town may otherwise proceed all in accordance with the provisions of Chapter 63 of the Code of the Town of Manlius.

Any resident of the Town of Manlius is entitled to be heard at the hearing.

BY ORDER OF THE TOWN BOARD OF THE  
TOWN OF MANLIUS.

Dated: September 27, 2023

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Allison A. Weber, Town Clerk  
Town of Manlius

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IN THE MATTER  
Of

RESOLUTION AUTHORIZING  
ADOPTING CODE ENFORCEMENT  
OFFICER'S REPORT AND SETTING A  
DATE FOR A PUBLIC HEARING

PROCEEDINGS PURSUANT TO CHAPTER 63  
OF THE TOWN OF MANLIUS CODE RELATIVE  
TO PREMISES ALLEGED TO BE (UNSAFE THAT  
ARE ALLEDGEDLY OWNED BY  
KATHY L CLAFLIN & THOMAS ROLFE AND LOCATED  
AT 6602 FREMONT RD. TOWN OF MANLIUS,  
NEW YORK 13057 (TAX MAP NO. 045.-02-06.0)

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The TOWN BOARD OF THE TOWN OF MANLIUS, in the County of Onondaga, State of New York, met in regular session at the Town Hall in the Town of Manlius, located at 301 Brooklea Drive in the Village of Fayetteville, County of Onondaga, State of New York, on the 27th of September, 2023, at 6:30 p.m.

The meeting was called to order by John Deer, Supervisor, and the following were present, namely:

John Deer	Supervisor
Sara Bollinger	Councilor
Elaine Denton	Councilor
Alissa Italiano	Councilor
Katelyn Kriesel	Councilor
William Nicholson	Councilor
Heather Waters	Councilor

The following resolution was moved, seconded and adopted:

**WHEREAS**, the Town Board, at its September 27, 2023 regular meeting, reviewed the Inspection Report of the Code Enforcement Officer regarding the single-family home (the "Structure") situated at 6602 Fremont Road, E. Syracuse, New York (the "Premises"), which Report found that the Structure to be unsafe and a hazard requiring remediation or demolition;

**WHEREAS**, the Code Enforcement Officer was present at the September 27, 2023 meeting and explained his opinion as to the unsafe nature of the Structure and Premises and assisted the Board in reviewing the Report;

**WHEREAS**, there have been numerous complaints about the Structure and the Premises from neighbors, who have stated to the Town Code Enforcement Officer that the Structure has been abandoned for at least seven (7) years;

**WHEREAS**, the Code Enforcement Officer has been provided with information that the Premises basement is flooded with diesel fluid and water nearly to the first floor and that the mold in the house runs deep throughout the floors, which are soaked, and the main wall to the house facing the road is deteriorated;

**WHEREAS**, the Town Board agrees with the Report and the need for the Structure and the Premises to be secured and repaired or demolished;

**WHEREAS**, the Town Board has been presented with a Notice Pursuant to Town Code §63 (the "Notice") to the Owner of the Premises that it has thirty (30) days to begin repairing or demolishing the Structure and that such repair or demolition shall be completed within sixty (60) days of service of the Notice;

**NOW, TOWN BOARD HEREBY FINDS AND DETERMINES:**

1. The Report is accurate and that the Structure at the Premises is unsafe and presents a safety hazard to the residents of the Town of Manlius;
2. Work on repairing or demolishing the Structure shall begin within thirty (30) days of the Notice being served on the Owner;

3. In the event the work does not begin within thirty (30) days of the Notice being served, the Town Board shall hold a public hearing at which time the Owner shall show cause as to why work has not begun to secure and repair or demolish the Structure and bring the Premises into compliance with the Manlius Town Code and the New York State Building and Fire Code;

4. The Notice shall be posted at the Premises pursuant to Chapter 63 of the Town Code;

5. The Notice shall be published in the Eagle Bulletin at least 5 days before the Public Hearing;

**NOW, THEREFORE,** be it

**RESOLVED,** that the Town Board hereby adopts the Report in its entirety; and be it

**FURTHER RESOLVED,** that the Code Enforcement Officer shall serve the Notice pursuant to Chapter 63 of the Town Code; and be it

**FURTHER RESOLVED,** that a public hearing shall be scheduled for the 15<sup>th</sup> of November 2023 at which time the Owner, if he has not begun to secure and repair or demolish the Structure, shall show cause why the Town Board should not Order its demolition; and be it

**FURTHER RESOLVED,** that the Clerk of the Town shall publish notice for the public hearing at least five (5) days before it is scheduled; and be it

**FURTHER RESOLVED,** that the Attorney for the Town and the Code Enforcement Officer are authorized to take any and all necessary steps to proceed with the foregoing Determinations and Orders and this Resolution.

I, ALISON WEBER, Town Clerk of the Town of Manlius, DO HEREBY CERTIFY that the preceding Resolution was duly adopted by the Town Board of the Town of Manlius at a regular meeting of the Board duly called and held on the 27<sup>th</sup> day of September, 2023; that said Resolution was entered in the minutes of said meeting; that I have compared the foregoing copy with the original thereof now on file in my office; and that the same is a true and correct transcript of said Resolution and of the whole thereof.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Manlius, this 27<sup>th</sup> day of September 2023.

DATED: September 27, 2023  
Fayetteville, New York

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Town Clerk of the Town of Manlius  
Onondaga County, New York