

**Village of Caledonia  
Board Meeting Minutes  
August 18, 2025**

**The Village of Caledonia Board of Trustees held a meeting on Monday, August 18, 2025 at 3:00 p.m. at the Village Office.**

**Members Present:** Mayor Scott DiLiberto, Deputy-Mayor Janet Cappotelli, Trustee Dean Manley, Trustee Chris Terborg and Code Enforcement Officer Robert LaPoint. **Absent:** Trustee Sarah Santora.

**Bills were audited and ordered paid:**

Abstract #1196, General \$841.10 & Water \$18,027.06

Abstract #1197, General Escrow \$3,052.50

A **motion** was made by Deputy-Mayor Cappotelli to approve the bills paid; Trustee Manley seconded the motion

AYE: Mayor DiLiberto, Deputy-Mayor Cappotelli, Trustee Manley and Terborg

NAY: None

**The following Resolution was offered by Trustee Manley with Trustee Terborg moving for adoption:**

**Code Enforcement Action – Abatement of Accumulated Brush, Grass, Rubbish and Weeds  
at Certain Properties Within the Village**

**WHEREAS**, certain property owners in the Village of Caledonia have been accumulating excessive amounts of brush, grass, rubbish or weeds at their properties, a full list of which appears below:

3221 Iroquois Road, 8.5-1-1 owned by John D. Davison and Sarah M. Birnberg (Individually the “Owner” and the “Property”, collectively the “Owners” and the “Properties”);  
and

**WHEREAS**, the accumulated brush, grass, rubbish or weeds at the Properties constitute a violation of Section 302.4 of the New York State Property Maintenance Code (“NYSPMC”), which reads in pertinent part as follows:

“Except as provided for in statute, local law, ordinance, or other regulations, all developed areas of a premises that are intended to be used by building occupants or the public shall be maintained free from weeds in excess of 10 inches (254 mm).”

**WHEREAS**, the accumulated brush, grass, rubbish or weeds at the Properties endangers the health, safety, and welfare of the citizens of the Village of Caledonia, and constitutes a public nuisance; and

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**WHEREAS**, Owners have ignored several requests by the [Village Board/Code Officer] to clear the Properties of said accumulated brush, grass, rubbish or weeds to abate the public nuisance, and

**WHEREAS**, the Village Board has the authority, pursuant to Village Law section 4-414, Village Code section 67-1, New York case law, and New York common law, to order removal of said of brush, grass, rubbish or weeds from the Properties; and

**WHEREAS**, pursuant to Village Law 4-414, Village Code section 67-2, New York case law, and New York common law, if said order is not complied with within seven (7) days after service of said notice, that the Village may impose certain penalties upon the owner of the violative property, including the imposition of a fine not exceeding \$250, imprisonment not exceeding 15 days, or both; and

**WHEREAS**, the Village Board desires to provide additional enforcement mechanisms to the Village Code Officer.

**NOW, THEREFORE, BE IT RESOLVED:**

- 1) Owners are hereby ordered to remove the accumulated brush, grass, rubbish or weeds at their Properties within seven (7) after the service of this resolution to the Owner.
- 2) In the event that an Owner fails to abate the public nuisance by removing the accumulated brush, grass, rubbish or weeds at their Property within seven (7) days after service of this notice or otherwise fails to respond to this resolution (the "Violation"), the Village Code Officer or his/her representative shall have the authority to, pursuant to the New York State Criminal Procedure Law, issue an appearance ticket subscribed by him/her, directing the Owner to appear in a designated local criminal court at a designated future time in connection with the Violation or any order made thereunder. Upon conviction, the Owner may be punished by a fine of not more than \$250 or by imprisonment not to exceed 15 days, or both, for the Violation. In the event of any failure to so comply, each and every day that the Violation continues shall constitute a separate offense, and the penalties prescribed above shall be applicable to each such separate offense.
- 3) This resolution is effective immediately.

**IN WITNESS WHEREOF**, this Resolution was properly adopted by the Board of Trustees of the Village of Caledonia at its special meeting, the date of which is listed below, pursuant to a vote which resulted as follows:

AYE: Mayor DiLiberto, Deputy-Mayor Cappotelli, Trustee Manley and Terborg

NAY: None

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There being no further business, a motion to adjourn was made by Deputy-Mayor Cappotelli at 3:30 p.m.; Trustee Terborg seconded the motion.

AYE: Mayor DiLiberto, Deputy-Mayor Cappotelli, Trustee Manley and Terborg

NAY: None

Ann Marie Grattan-Clerk-Treasurer