

MAYOR  
*Scott DiLiberto*

DEPUTY-MAYOR  
*Janet Cappotelli*

TRUSTEES  
*Christopher Terborg*  
*Dean Manley*  
*Sarah Santora*

POLICE OFFICER  
*Jared Passamonte*  
911-Emergency  
538-6200

VILLAGE OF  
**CALEDONIA**

3095 Main St.  
Caledonia, New York 14423  
(585) 538-6565



CLERK/TREASURER  
*Ann Marie Grattan*  
538-6565

WATER & STREETS  
WORKING FOREMAN  
*Chris Buckley*  
538-2253

JUSTICE  
*Mark Riggi*  
538-4800

CODE ENFORCEMENT  
OFFICER  
*Robert LaPoint*  
538-4150

STATE OF NEW YORK  
COUNTY OF LIVINGSTON  
VILLAGE OF CALEDONIA

ss:

I, Ann Marie Grattan, Village Clerk of the Village of Caledonia, County of Livingston, and State of New York, DO HEREBY CERTIFY that I have compared the foregoing resolution duly adopted by the Village Board of the Village of Caledonia on the 18<sup>th</sup> day of August, 2025 with the original now on file in my office, and the same is a correct and true copy of said resolution and of the whole thereof.

**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

**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 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

Dated: 8/18/2025

Ann Marie Grattan  
Ann Marie Grattan, Village Clerk

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said August  
this 18 day of 2025.

(SEAL)