**Minutes**

**Town of Clifton**

**Board of Appeals Hearing**

**Uniform Code for the Abatement of Dangerous Buildings**

**August 5, 2020**

**3:00 P.M.**

**Members Present**

Luis Montoya, Chairman

Barbara Ahmann, Board Member

Laura Dorrell, Board Member\*

Anthony James, Board Member

Ray Lorenzo, Board Member\*

B. Waddell Reyes, Board Member

Ray West, Board Member\*

**Staff Members Present**:

Rudy Perez, Town Manager

Angel Maldonado, Code Enforcement Officer

**Call to Order:** The hearing was called to order by Chairman Montoya followed by the Pledge of Allegiance.

**New Business**

**Discussion and/or action to appeal the decision presented to Robert & Sabrina Bailey by the Town of Clifton Officials regarding the rock wall located between 145 & 146 Highline Drive**: Angel Maldonado, Code Enforcement Officer provided a summary of the events leading up to the Notice of Dangerous Property issued to Robert and Sabrina Bailey dated May 18, 2020.

The Notice of Dangerous Property requires a 30-day response from the Bailey’s to provide the town with a detailed plan to address the concerns provided by the town engineer’s assessment of the deteriorated driveway/rock wall which also affects a neighboring property.

Upon receipt of the notice by the Bailey’s they contacted the Town Manager regarding their opposition that the repair of the wall was only directed at them. Further complicating the matter to address the situation was the deteriorating health condition of Mr. Bailey. The Town Manager received the notice as an appeal to original notice.

Mr. Baily provided information on the steps he has taken to attempt to find a contractor to assist in stabilizing the wall, however no contractor would commit to the project due to the location and current condition the wall poses and affects the neighboring property. Additionally, Mr. Bailey stated that he strongly feels that the Southwest Gas subcontractor, NPL, was responsible for causing the wall to fail. He attributes this to the local project to relocate natural gas meters. Mr. Bailey further explained that he has discussed this issue with NPL, but they are not accepting responsibility. Mr. Bailey acknowledged that the rock wall was their responsibility but with his current health condition and lack of interest from local contractors to fix the wall, he is frustrated.

Town Manager, Rudy Perez reported that although the affected properties are private, the town does have a responsibility to install signage notifying traffic of the issue. The road is single lane and used by the emergency response vehicles, delivery trucks and weekly by the garbage truck. The town has posted “no parking” signs and laid out barricade tape to prohibit vehicle access to the site.

Mr. Perez also suggested that a possible option was to offer the Bailey’s additional time to address the issue. An extension can only be approved by the Board of Appeals.

Members of the Board of Appeals expressed their support of a timeline extension contingent that the Bailey’s take a pro-active approach to make progress in correcting the wall.

Board Member Barbara Ahmann made a motion to grant the Bailey’s a time extension to stabilize the wall contingent on notifying the town of ongoing progress in a timely manner. The new deadline to be determined by the Code Enforcement Officer. Second to the motion was made by Board Member B. Waddell Reyes.

Voting in favor of the motion were Board of Appeals Members Ahmann, Reyes, James and Montoya. Motion carried.

**Adjournment:** Meeting adjourned at approximately 4:00 p.m.