

A RESOLUTION OF THE TOWN BOARD OF THE TOWN OF LUMBERLAND ORDERING THE REMOVAL AND/OR DEMOLITION OF A STRUCTURE AND SCHEDULING A PUBLIC HEARING REGARDING SAME

WHEREAS, a written report was presented to the Town Board of the Town of Lumberland by David Sparling, Building Inspector/Code Enforcement Officer, regarding an unsafe structure, to wit: the building located at 142 Berme Church Rd., Pond Eddy, New York, Town of Lumberland SBL#29.-1-14; and

WHEREAS, evidence was received by the Board that the structure is unsafe, in that the building is not secured, can collapse at any time, has partially collapsed, and poses a danger to the safety and general welfare of the public; and

WHEREAS, evidence was received by the Board that the name of the owner or person in possession as appears from the tax and deed records is Kimberly J. Castelonia; and

WHEREAS, the Board has determined that it is in the best interest of the residents of the Town of Lumberland to remove and or demolish said structure; and

WHEREAS, in keeping with the provisions of Chapter 115 of the Town Code, the Board has also determined that it is in the best interest of the residents of the Town of Lumberland to conduct a public hearing on the issue

NOW, THEREFORE, BE IT ORDERED AND RESOLVED

THAT the property in question is an unsafe structure as defined by Chapter 115 of the Town Code, to wit: a the building, located at 142 Berme Church Rd., Pond Eddy, New York, Town of Lumberland SBL#29.-1-14, is not secured, can collapse at any time, has partially collapsed, and poses a danger to the safety and general welfare of the public; and

THAT by order of the Town Board, said structure is hereby ordered to be demolished within thirty (30) days of the service of an order/notice reflecting the Town Board's determination, and shall be completed within sixty (60) days thereafter, unless for good cause shown such time shall be extended; and

THAT in the event that such owner, occupant or other person having an interest in said premises shall fail to contest such order and fail to comply with same, the Town Board is authorized to provide for the demolition and removal of such building or structure, to assess all expenses thereof against the land upon which it is located and to institute a special proceeding to collect the costs of demolition, including legal expenses; and

THAT said hearing shall be held on May 4, 2016, at 6:30 p.m., at:

Town of Lumberland Town Hall

1054 Proctor Rd.

Glen Spey, New York 12737

By Order of the Town Board of the Town of Lumberland, dated April 13, 2016.

- The Town Board withdrew this Resolution upon notification from the Code Enforcement Officer that the owner is now complying and having the structure demolished.

Motion By:

Second By:

Vote:

VIRGINIA HORN, TOWN CLERK