

Minutes of the Public Hearing held July 18, 2006 at 7:30 p.m. in the town hall regarding an Unsafe Structure located at 10 Railroad Street, Bernhards Bay, New York.

Present: Ronald Sakonyi - supervisor
Richard Colesante, John Metzger, Andrew Kelsey,
Daniel Buck - council members
Janet Warford - town clerk
Warren Bader - town attorney
Edward Fry - ceo

Supervisor Sakonyi opened the hearing to determine whether the Order to Repair at 10 Railroad Street made by Resolution of the Town of Constantia Town Board on June 20, 2006 shall be modified, affirmed or vacated and, in the event of modification or affirmance, to assess all costs and expenses incurred by the Town in the repair or removal of such building or structure against the land on which said building or structure is located.

Mr. Jones the owner of such property or his representative was not present at the hearing. Attorney Bader stated service of notice to the owner was attempted three times to no avail. On July 11, 2006 notice was placed on the premises and Debra Jones, wife of the owner was served at 7:00 p.m. in Parish, New York.

A report from the Code Enforcement Officer with attached photos taken on July 18, 2006 was presented to the board. As of that date nothing has been done to the property in question.

Mr. Sakonyi stated that in the event that the persons having interest in said premises shall fail to contest such Order and fail to comply with the same, the Town Board will order the repair or removal of such building by the Town, and that the Town will assess all costs and expenses incurred in such removal against the land owner on which such building or structure is located.

In any case where a building which is required to be made safe and secure under Town of Constantia Unsafe Building Law is made safe by the boarding up thereof, the material for such boarding shall be painted, as near as practicable, the same color as the building.

Failure to commence the necessary repairs, improvements or demolition within the time specified in the Notice will constitute a violation of the law subjecting the violators to a fine not to exceed two hundred fifty dollars for each week of such violation.

By Resolution dated June 20, 2006, the Town of Constantia Town Board ordered that no person, other than the owner or his agent, shall enter the property located at 10 Railroad Street, Bernhards Bay, New York, and such property shall be posted with signs indicating "No Trespassing." Anyone found trespassing in violation of this Order shall be liable for a fine not to exceed fifty dollars for each offense.

Mrs. Patten, 23 Railroad Street stated 10 Railroad Street was really, really bad and needs to be taken care of, along with 19 Railroad Street, which is in the same condition. She is concerned that if No.10 is boarded up children will move up the street to No.19. A resident from 27 Railroad Street said No.10 was a hazard for children.

Mr. Buck questioned if the taxes have been paid on this property. Mr. Fry said the structure at No. 10 was savable and he wished it could be boarded up, the lot cleaned up and grass cut. The house is secured at No.19 Fry stated the grass is just high. He has made attempts by mail to contact the owner and the letters have not been forwarded, he will have to seek out the owners in person now.

There being no further comments Mr. Colesante made the motion the hearing be closed, seconded by Mr. Metzger.

Carried	Sakonyi - yes	Colesante - yes	Metzger - yes
	Kelsey - yes	Buck - yes	