

*Roger Tidball*, Town Supervisor  
*Jennifer Howe*, Town Clerk  
*Brandy Fall*, Deputy Town Clerk



*John D. Ganther, Jr.*, Council Member  
*Francis R. Potter*, Council Member  
*Jeffrey Senecal*, Council Member  
*William Wenzel*, Council Member

5853 Western Turnpike  
Duanesburg, New York 12056

# Town of Duanesburg

Schenectady County

P# 518-895-8920  
F# 518-895-8171

**Thursday, September 24, 2020**  
**Town Board Meeting Agenda**

**Meeting Time: 7:00PM**

Call to order  
Pledge of Allegiance

**Public Hearing:** 111 Darby Hill Rd. Unsafe Building Condition  
**Approval of minutes for:** Town Board Meeting on Thursday September 10, 2020  
**Payment of Claims**

### **Committee Reports**

Highway  
Public Safety  
Park  
Sewer Districts #1, 2 & 3  
IT

### **Business Meeting:**

- 1. Motion to approve and authorize the Town Supervisor to execute the Civil Rights Form for the Section 8 Housing Choice Voucher Program.**
- 2. Motion to approve and authorize the Town Supervisor to submit an extension request to the DEC requesting an extension of the term of the Contract from the current term ending on January 15, 2021 until May 1, 2023 for the Mariaville Wastewater Treatment Plant.**
- 3. Motion to appoint the Town Building Inspector and an architect or engineer to make a survey and report of the Property, and, if by October 25, 2020, the property owner does not respond to the Notice of Unsafe and Dangerous Condition Requiring Demolition and Removal or otherwise ignores the Town Board's order to demolish and remove the building, the Building Inspector and an architect or engineer shall make such survey and report and submit the same to the Town Board.**
- 4. Motion to set a special Meeting on October 5, 2020 at 7:00 pm for the purpose of presenting the 2021 Tentative Budget.**

### **Privilege of the Floor:**

Comments are limited to 5 minutes per person. Be respectful. Address the entire Town Board. Individual members are not to be singled out. Speak of issues related to Town business. There will be no tolerance for personal attacks on Board Members. The board reserves the right to ask that your question be put in writing and to be submitted to the Town Clerk to then be distributed to the Town Board. Questions will be answered in a timely manner and mailed to the resident.

PLEASE NOTE: AGENDA ITEMS MAY BE ADDED OR DELETED WITHOUT NOTICE

**Town of Duanesburg Town Board**

**RESOLUTION NO. \_\_ - 2020**

**September 24, 2020**

**WHEREAS**, the Town of Duanesburg (the "Town") operates a Section 8 Housing Choice Voucher Program funded by the United States Department of Housing and Urban Development ("HUD"); and

**WHEREAS**, the Town is required by HUD to prepare and adopt a written Five-Year Public Housing Agency Plan ("Five-Year PHA Plan") that establishes local policies for administration of the Section 8 Housing Choice Voucher Program in accordance with regulations of HUD; and

**WHEREAS**, the Town Board of the Town has caused a written Five-Year PHA Plan to be prepared establishing local policies for administration of the Section 8 Housing Choice Voucher Program in accordance with regulations of HUD, and has reviewed such written plan; and

**WHEREAS**, the Town Board has been advised by James Mastrianni of JEM, Inc. that HUD, in response to the COVID-19 pandemic, has waived the public hearing requirement and extended the deadline to comply to October 18, 2020; and

**WHEREAS**, the Town Board has also been advised by James Mastrianni of JEM, Inc. that all that is required for HUD compliance in the year 2020 is for the Town to execute the attached Civil Rights Form.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board approves and authorizes the Town Supervisor to execute the attached Civil Rights Form.

By (unanimous/majority) vote of the Town Board of the Town of Duanesburg at its regular meeting of September 24, 2020.

\_\_\_\_\_  
Roger Tidball, Supervisor

\_\_\_\_\_  
Town Clerk/Deputy Town Clerk

Date

Date

Present:

Absent:

Town Board Members:

Roger Tidball	Yea	Nay	Abstain
John Ganther	Yea	Nay	Abstain
Rick Potter	Yea	Nay	Abstain
William Wenzel	Yea	Nay	Abstain
Jeff Senecal	Yea	Nay	Abstain

**Civil Rights Certification**  
**(Qualified PHAs)**

U.S. Department of Housing and Urban Development  
Office of Public and Indian Housing  
OMB Approval No. 2577-0226  
Expires 02/29/2016

**Civil Rights Certification**

**Annual Certification and Board Resolution**

*Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official, I approve the submission of the 5-Year PHA Plan for the PHA of which this document is a part, and make the following certification and agreements with the Department of Housing and Urban Development (HUD) in connection with the submission of the public housing program of the agency and implementation thereof:*

The PHA certifies that it will carry out the public housing program of the agency in conformity with title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990, and will affirmatively further fair housing by examining their programs or proposed programs, identifying any impediments to fair housing choice within those program, addressing those impediments in a reasonable fashion in view of the resources available and working with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement and by maintaining records reflecting these analyses and actions.

Town of Duaneburg  
PHA Name

NY428  
PHA Number/HA Code

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. **Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official  
**Roger Tidball**

Title  
**Supervisor**

Signature

Date

Name of Administrator  
**James E. Mastrianni**

Signature of Administrator



**Town of Duanesburg Town Board**

**RESOLUTION NO. \_\_ - 2020**

**September 24, 2020**

**WHEREAS**, the Mariaville Wastewater Treatment Plant (the “Mariaville WWTP”) serves Mariaville Lake Sewer District No. 2; and

**WHEREAS**, in 2019, the Town of Duanesburg (the “Town”) executed a financing agreement (Contract No. DEC01-C00799GG-3350000) (the “Contract”) with New York Department of Environmental Conservation (“DEC”) to receive a Water Quality Improvement Project Grant in the amount of \$300,000 to fund certain improvements to the Mariaville WWTP (the “Project”); and

**WHEREAS**, the Project is mandated under the terms of the Town’s DEC State Pollution Discharge Elimination System (“SPDES”) Permit and the compliance schedule requires completion no later than May 1, 2023; and

**WHEREAS**, the Town wishes to request an extension of the term of the Contract from the current term ending on January 15, 2021 until May 1, 2023 to align with the compliance schedule required under the SPDES Permit.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board approves and authorizes the Town Supervisor to submit the attached extension request to the DEC requesting an extension of the term of the Contract from the current term ending on January 15, 2021 until May 1, 2023.

By (unanimous/majority) vote of the Town Board of the Town of Duanesburg at its regular meeting of September 24, 2020.

\_\_\_\_\_  
Roger Tidball, Supervisor

\_\_\_\_\_  
Town Clerk/Deputy Town Clerk

Present:

Absent:

Town Board Members:

Roger Tidball	Yea	Nay	Abstain
John Ganther	Yea	Nay	Abstain
Rick Potter	Yea	Nay	Abstain
William Wenzel	Yea	Nay	Abstain
Jeff Senecal	Yea	Nay	Abstain

**Town of Duanesburg Town Board**

**RESOLUTION NO. \_\_ - 2020**

**September 24, 2020**

**WHEREAS**, pursuant to Local Law No. 1 of 1992 (the “Unsafe Buildings Law”), the Town Board has the authority to order owners of unsafe and/or dangerous buildings to repair or demolish and remove such buildings; and

**WHEREAS**, on April 7, 2020, pursuant to the Section 5 of the Unsafe Buildings Law, the Town of Duanesburg Building Inspector (the “Building Inspector”) inspected the property located at 111 Darby Hill Road, Delanson, New York, 12053 (SBL # 75.12-3-13) (the “Property”); and

**WHEREAS**, the building inspector reported that condition of the property as “unsafe condition due to fire;” and

**WHEREAS**, on August 20, 2020, pursuant to Section 5 of the Unsafe Buildings Law, the Building Inspector reported to the Town Supervisor and Town Board members his findings and recommendations based on his inspection of the Property (the “Report”); and

**WHEREAS**, in the Report, the Building Inspector opined that “after an inspection of the fire damaged building, is or will become dangerous to the general public health and safety” and requesting that the Town Board “have the fire damaged building demolished and all debris removed from the property...garage removal and graded, mulched and seeded to make it safe.” The Building Inspector also reported that “this property must be considered to contain asbestos, therefore certified, licensed contractors must be used;” and

**WHEREAS**, on September 10, 2020, the Town Board adopted a resolution that (a) based on the Report of the Building Inspector, the Town Board determined that the building is unsafe and dangerous and ordered its demolition and removal; (b) directed that the Notice of Unsafe and Dangerous Condition Requiring Demolition and Removal be served on the property owner or other persons pursuant to Section 8 of the Unsafe Buildings Law; (c) directed that Notice of Unsafe and Dangerous Condition Requiring Demolition and Removal be filed in the Office of the Schenectady County Clerk pursuant to Section 9 of the Unsafe Buildings Law; and (d) calling a public hearing to be held September 24, 2020 at 7:00 p.m. at the Town of Duanesburg Town Hall, 5853 Western Turnpike, Duanesburg, New York, to provide an opportunity for the property owner to address the Town Board on said matter;

**WHEREAS**, on September 24, 2020, the Town Board held a public hearing to provide opportunity for the property owner to address the Town Board on said matter.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board appoints the Town Building Inspector and an architect or engineer to make a survey and report of the Property, and, if by October 25, 2020, the property owner does not respond to the Notice of Unsafe and Dangerous Condition Requiring Demolition and Removal or otherwise ignores the Town Board’s order to

demolish and remove the building, the Building Inspector and an architect or engineer shall make such survey and report and submit the same to the Town Board.

By (unanimous/majority) vote of the Town Board of the Town of Duanesburg at its regular meeting of September 24, 2020.

Roger Tidball, Supervisor

Date

Present:

Absent:

Town Board Members:

Roger Tidball	Yea	Nay	Abstain
John Ganther	Yea	Nay	Abstain
Rick Potter	Yea	Nay	Abstain
William Wenzel	Yea	Nay	Abstain
Jeff Senecal	Yea	Nay	Abstain

Town Clerk/Deputy Town Clerk

Date