

Roger Tidball, Town Supervisor
Jennifer Howe, Town Clerk
Brandy Fall, Deputy Town Clerk
William Reed, Highway Superintendent



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

Thursday September 24, 2020
Regular Town Board Meeting
Meeting Time: 7:00PM

Meeting called to order by Supervisor Tidball at 7:00PM

Present: Supervisor Tidball, Council Members Potter, Ganther and Wenzel, Highway Superintendent Bill Reed, Town Attorney Terresa Bakner, Deputy Town Clerk Brandy Fall.

Absent: Council Member Senecal

Pledge of Allegiance

Public Hearing: 111 Darby Hill Road Unsafe Building Condition

Supervisor Tidball: Tonight, is Thursday September 24, 2020. The first thing on our agenda for the evening will be a Public Hearing. The Public Hearing is for the 111 Darby Hill Road for unsafe building conditions. We have talked about this a couple of times in the last few board meetings. Now that the COVID restrictions have let up for the courts, we had a few of these properties that were in the queue to get done. So, over the next few months, you going to be hearing us talk more and more about the ones that are unsafe buildings and lots up to and getting them up to the state they need to be in. So, this Public Hearing, like I said is for 111 Darby Hill Road, which anybody not familiar with it, it's on the corner of Quaker Street and Darby Hill. It's the house that caught on fire and burnt to the ground and there was a lot of debris left there. It's pretty unsafe for neighbors and children. Like I said, we had to wait. We contacted the property owner; we did everything we were legally supposed to do. So tonight, we go through the Public Hearing, like I said to keep moving the process forward and then what's probably going to

happen is that the town will clean up the mess and the cost of the cleanup will go onto the tax bill for that owner or the next owner to be paid for. So, at this time, anyone on the board have any comments before we open the public hearing? Before I open the public hearing, the property owner has been notified for tonight that it is a Zoom meeting. So, what we are going to do is open it to the public. If anybody that is on Zoom now wants to speak, I'll give the property owner a minute and if the property owner does come on the meeting after this, we will go back and give them time to speak. So, at this time I will make the motion to open the public hearing.

Council Member Ganther: Second.

Supervisor Tidball: Any discussion? Clerk call the roll please.

Deputy Town Clerk Fall: Supervisor Tidball

Supervisor Tidball: Aye

Deputy Town Clerk Fall: Council Member Ganther

Council Member Ganther: Aye

Deputy Town Clerk Fall: Council Member Potter

Council Member Potter: Aye

Deputy Town Clerk Fall: Council Member Wenzel

Council Member Wenzel: Aye

Supervisor Tidball: Like I said we'll give it a little bit of time for the property owner or representative to speak for him but if there are any residents, that are on Zoom, that want to speak only about this property you have the time now. So just put a note on the thing to chat and say you want to speak. Like I said, we'll give it about a minute. I don't think the property owners are going to show up. Alright so at this time you don't have anyone that wants to speak Brandy?

Deputy Town Clerk Fall: Nope

Supervisor Tidball: Alright so at this time, I make the motion to close the Public Hearing.

Council Member Ganther: Second the motion

Supervisor Tidball: Any discussion? Clerk call the role please.

Deputy Town Clerk Fall: Sorry, Lynn just posted "I am in support of this, it's disappointing that it has taken nine months. Thank you for moving forward."

Supervisor Tidball: Thank you. You're welcome Lynn. Like I said COVID, damn COVID. Clerk call the role please.

Deputy Town Clerk Fall: Supervisor Tidball

Supervisor Tidball: Aye

Deputy Town Clerk Fall: Council Member Ganther

Council Member Ganther: Aye

Deputy Town Clerk Fall: Council Member Potter

Council Member Potter: Aye

Deputy Town Clerk Fall: Council Member Wenzel

Council Member Wenzel: Aye

Supervisor Tidball: OK. We will move along from there; I need approval of minutes please.

Council Member Ganther: Make the motion we approve the Town Board minutes from the Town Board meeting held on September 10th, 2020.

Council Member Wenzel: Second.

Supervisor Tidball: Any discussion on those? Clerk call the roll please.

Deputy Town Clerk Fall: Council Member Ganther

Council Member Ganther: Aye

Deputy Town Clerk Fall: Council Member Wenzel

Council Member Wenzel: Aye

Deputy Town Clerk Fall: Council Member Potter

Council Member Potter: Abstain

Deputy Town Clerk Fall: Supervisor Tidball

Supervisor Tidball: Aye

Resolution 106-20: Council Member Ganther motioned, seconded by Council Member Wenzel to approve the Town Board Meeting minutes of Thursday September 10, 2020.

Motion Carried, 3 ayes, 1 abstain

Supervisor Tidball: Payment of claims please.

Council Member Potter: Vouchers to be paid. Town of Duanesburg Vouchers Per Fund. General fund, \$53,923.50. Highway fund, \$161.71. Sewer District #1, \$1,217.50. Sewer District #2, \$2,062.89. Sewer District #3, \$97.50. Total vouchers to be paid, \$58,463.10.

Council Member Ganther: Second.

Supervisor Tidball: Any discussion on those? Clerk call the roll please.

Deputy Town Clerk Fall: Council Member Potter

Council Member Potter: Aye

Deputy Town Clerk Fall: Council Member Ganther

Council Member Ganther: Aye

Deputy Town Clerk Fall: Council Member Wenzel

Council Member Wenzel: Aye

Deputy Town Clerk Fall: Supervisor Tidball

Supervisor Tidball: Aye

Resolution 107-20: Council Member Potter motioned, seconded by Council Member Ganther to pay the following claims.

Motion carried, 4 ayes

**Vouchers to be Paid
September 24, 2020**

General Fund:	\$53,923.50
Highway Fund:	\$161.71
SD#1 Fund:	\$1,217.50
SD#2 Fund:	\$2,062.89
SD#3 Fund:	\$97.50

Total To Be Paid:	\$58,463.10
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Supervisor Tidball: Committee Reports. Highway.

Highway:

Highway Superintendent Reed: Highway Reports, the major paving projects have been completed, sections of Lawson and Wells Road. The remainder of the millings are being used to address some issues on North Road and a couple of other roads as long as the material holds out. We only have a few hundred tons left. I reserved the paving machine for the first full week of October to take care of the smaller patches and repairs on a few roads that sustained damage last winter. Currently shopping for a skid steer for a possible end of year purchase with a milling head.

Supervisor Tidball: OK, the skid steer Bill talked about, we did budget for, we just never spent the money so I just have to double check his reserves. I got people looking at that just to make sure. I think we're well, so no problem with that. So just let us know what we need to do with that Bill to get it. You guys have anything else for Bill? Any questions, comments, concerns? Ok Public Safety, we haven't had any meetings, I think they are going to go forward with the next one, I think it is in October. So, we will have a report back from them after. They have been canceled all summer due to COVID. Park Committee.

Parks:

Council Member Wenzel: Nothing new since our last meeting. The next meeting will be the first week in October.

Supervisor Tidball: Ok, Sewer Districts.

Sewer Districts:

Council Member Ganther: The only thing that I have is that we finally secured a vendor to take care of the issues we have with a resident up in Quaker Street that has had back problems in her home. They are going to be installing a grinder pump up there which should finally resolve that issue permanently. We did secure the vendor, right now we're working on ordering the pump and the parts and we've asked the vendor for an estimated completion date so that we can pass that along to the resident. So, it took us awhile to get a vendor, we put it out and we

had either no responses or people were too busy. So thankfully we finally did have someone commit to doing that project. So hopefully by the time we meet again, that will be taken care of, I hope. That's the only thing I have this month.

Supervisor Tidball: Mr. Brown.

Bill Brown from Delaware Engineering: How you doing guys. Nothing really more to add to that what John said with the grinder pump. Sewer District #1, DEC is reviewing the plans for that so we'll probably have some updates there but we'll be looking to bid that project towards the end of the year for 2021 construction to comply with the consent order for the Delanson plant and then in Mariaville, you guys have a resolution later in your packet tonight to update the finance agreement for the grant that was awarded to the town for the UV project. That's a state mandated project to install disinfection at Mariaville. The state requires that be completed by 2023 so we are in line to do that and then we're just looking to update the grant agreement so it matches that schedule so the money is in place to get the work done, the portion of the work that the state is financing which is three quarters. That's it.

Supervisor Tidball: Alright, any questions or comments for Bill? No, ok Bill, thank you very much bud. Anything in the IT world John?

IT:

Council Member Ganther: Let's see. Broadband was after bit of a delay; it looks like homes on the East end of Schoharie Turnpike are in the process of getting connected up. Spectrum has installed a bit more equipment out there but they're getting ready to hook up some more homes out there on Schoharie Turnpike. We have had audio problems with some of our Zoom meetings. I did purchase an external microphone for the town here sitting front and center. I heard there was some trouble with the planning board meeting hopefully, hopefully we're going to record this, and the sound is going to be great. So, we'll see how this goes. Omnis is in the process of moving our domain from Spectrum to GoDaddy, they've set up the account for us with GoDaddy. Now it's just a matter of getting Spectrum to release control of the URL so we can get that ported over, nothing is ever speedy with Spectrum, they've got a call into them and we're just waiting on that to happen. So once that's done that will have completely migrated all our IT stuff, you know we had to migrate our email and all that, this is, the last piece is getting that URL ported over. So hopefully soon that will be done. Now we had some issues with email spoofing over the last couple weeks, this is when emails get sent out on behalf of one of us but it really isn't from one of us. It causes a bit of heartburn; it's happened in the past before one

other time it happened. It's not something you can easily control it happens sometimes, it happens no matter what kind of email system you have, you know we made the migration to Microsoft Outlook and we hoped that would be better but you know we still got zapped again. Really the only way to deal with this, the solid way to deal with this, is to go to two factor authentication and what that is, I'm sure you folks are familiar, where you using some sort of website or something secure so you try to dial in and it says well in order to really get in we're going to send a code to your phone and then you gotta type in that code into your web browser. That's two-factor authentication, that way someone can't send an email on your behalf because they can't get that code it comes to your phone. There is usually a secondary way where if you don't have a phone it's typically a phone number that you call and you can get a code that way that you can that you can put into the into the web application. If we turn up two factor authentication those spoofing problem should go away. So, I do recommend that we do that. I just wanted to present that to everyone in case anyone has a problem with doing that. Ok I'll make sure I get instructions written up and we send it out to all the town employees and will set a future date that we actually turn it on. We'll make sure that everyone has ample opportunity to get familiar with what it is before we actually turn it on. So, it will probably take a couple weeks before we actually do that but I'll put together some documentation will get that circulated, that will be the first step. And while I have the floor, I just wanted to touch base on the Comprehensive plan. We had another meeting this past Tuesday where we stepped through the plan in real detail. We probably touched on 50 to 60 different points in that thing where we kind of fine-tuned wording or added or deleted some things. So, I've got all my notes from that meeting, we met for close to 2 & 1/2 hours, I think. I got all my notes on it, I'm going to make the changes to the actual document. Our attorney sent us some information from the County, agriculture related type information that I gotta go through and possibly get some of that information into it as well. So, I still do have a little bit of work to do to get that draft finalized and then once that's done I will likely send that back to Phil Sexton and/ or the committee members to get the last few things ironed out like getting the table of contents rebuilt and there is a couple of appendices that should be in there that needs to be added but we are making progress, steady progress with it and we will continue to work on that. The last thing is, just a question actually, is for Teresa. Which is I saw some emails about sexual harassment training. Do we all have to personally do that again this year?

Town Attorney Teresa Bakner: Yes, it's a yearly requirement.

Council Member Ganther: Everyone has to go through it every year. Ok. Is there a time frame that this all has to be done by?

Town Attorney Teresa Bakner: Very soon.

Council Member Ganther: Ok, so there will be something coming out on that then. Nothing is set up yet, right to do that?

Town Attorney Terresa Bakner: What we are doing since we can't get everyone in the same room is setting it up in a program. Erin from my office has sent it out to Carmie. She sent her the link and that can go to everyone. You can do it at your house, you don't have to do it here. There does have to be some sort of interactive feature to it and we are trying to deal with that. I forget what Erin said but she laid it out in an email to Carmie. It should go out to everyone soon; I'll double check on that to make sure.

Deputy Town Clerk Fall: Sorry, while you were talking Lynn said, "I can hear everyone clearly but it is difficult to hear the town attorney."

Town Attorney Terresa Bakner: I think John repeated everything I said so we're good.

Council Member Ganther: Thank you. Thank you for the feedback too Lynn.

Supervisor Tidball: Last meeting, we talked about setting up a meeting, probably a Zoom meeting for Solar. Do like a first one to get input from residents and to look at our current solar law. I'm thinking, I would like to put it out there so we can announce to give people several weeks to make sure the solar law is on the website that they can download. I'm thinking maybe the week of October 18-24th, somewhere around there. That would give everyone a really good chance to look at it, make notes. We will do a Zoom meeting and anyone that can't attend will be invited to send their comments and questions to the Town Clerk to give to us. We will put the information on the website and Facebook page. We will basically have an open Zoom meeting and try to control it the best we can and start from there. We'll look at it to do a review on it. Is there a certain night that is better for you guys?

Council Member Ganther: Well obviously our board meeting is Thursday, I do have an obligation on Tuesday, so I could do Monday or Wednesday.

Supervisor Tidball: Wednesday would probably work better. So, when we get into the business meeting we will make a motion to hold the meeting that night and if we have to change it for some reason, at the next board meeting, we will. So tentatively we will put it for October 21st, 2020 at 6:30 p.m. Like I said, we'll make sure it is on the webpage and Facebook page and copies will be available here at Town Hall. At the business meeting, we will set that. Other discussions, I think I don't have anything else. It is budget time as you notice in the business

meeting, number four is to accept the tentative budget. We are currently working on the tentative budget. I know I have mentioned it in the past, I am still waiting on the county for sales tax numbers and that is going to be a big effect on our budget. I'm hoping for a nice Christmas present from them to where we don't have to raise taxes quite a bit. So, we will be exceeding the tax cap, we already knew that halfway through last year because of our contract with DVAC has gone up because they went to a partially paid program, so we already know that. So, in the next board meeting or two we will be setting up the public hearing for the tax cap override, that way it's not a surprise to anyone. We're gonna do everything we can, like we normally do to keep taxes down and cut where we can, but we've cut a lot in the last bunch of years. So, we are going to do what we can, that's all I can really say on that. Other than that, I got nothing else. Anybody else have any other discussion before we go into the business meeting? Alright, let's start the business meeting.

Business Meeting:

Council Member Potter: Motion to approve and authorize the Town Supervisor to execute the Civil Rights Form for the Section 8 Housing Choice Voucher Program. (Council Member Potter read the resolution. Please see attached.)

Council Member Ganther: Second the motion.

Supervisor Tidball: Discussion on that. This is something HUD requires 5 years; I remember doing them when I first started. To do a public hearing to discuss the Section 8 housing program basically, Section 8 is for help for residents with low income with rental assistance, each town of the County is given a certain amount of people there's like a cap on how many towns can have. It is a report we receive monthly. So, like I said this is a public hearing that the representative would have come and presented to us but it is basically pretty self-explanatory. Any other discussion on that?

Town Attorney Teresa Bakner: I just wanted to note, Roger that you'll have to put the packet on the town website. That is one of the requirements that it go up there and it's just because of COVID that he said it is not necessary to have a public hearing.

Supervisor Tidball: If you didn't hear Zoom, Teresa said we have to put the resolution packet on the website and the reason, like it says in the resolution why we're not holding the public hearing is because of COVID. Alright, clerk call the roll please.

Deputy Town Clerk Fall: Council Member Potter

Council Member Potter: Aye

Deputy Town Clerk Fall: Council Member Ganther

Council Member Ganther: Aye

Deputy Town Clerk Fall: Council Member Wenzel

Council Member Wenzel: Aye

Deputy Town Clerk Fall: Supervisor Tidball

Supervisor Tidball: Aye

Resolution 108-20: Council Member Potter motioned, seconded by Council Member Ganther to approve and authorize the Town Supervisor to execute the Civil Rights Form for the Section 8 Housing Choice Voucher Program.

Motion carried, 4 ayes

Council Member Ganther: Make a 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. (Council Member Ganther read the resolution. Please see attached.)

Council Member Potter: Second it.

Supervisor Tidball: Any discussion?

Council Member Ganther: Nope, it is pretty straight forward.

Supervisor Tidball: Clerk call the role please.

Deputy Town Clerk Fall: Council Member Ganther

Council Member Ganther: Aye

Deputy Town Clerk Fall: Council Member Potter

Council Member Potter: Aye

Deputy Town Clerk Fall: Council Member Wenzel

Council Member Wenzel: Aye

Deputy Town Clerk Fall: Supervisor Tidball

Supervisor Tidball: Aye

Resolution 109-20: Council Member Ganther motioned, seconded by Council Member Potter 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.

Motion carried, 4 ayes

Council Member Wenzel: Make the 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. (Council Member Wenzel read the resolution. Please see attached.)

Council Member Ganther: Second the motion.

Supervisor Tidball: We already had the discussion on this during the public hearing. You guys have any further comments or questions?

Council Member Wenzel: Nope.

Supervisor Tidball: Clerk call the role please.

Deputy Town Clerk Fall: There is a comment. Are you taking them right now?

Supervisor Tidball: About this? Who is it from?

Deputy Town Clerk Fall: Lynn.

Supervisor Tidball: Yeah, that's fine.

Deputy Town Clerk Fall: The comment from Lynn says "Public Forum Question. The reading of motion for demolition of 111 Darby Hill Road mentioned Zoning Code to demolish building. Will current zoning ordinances also cover demolition and removal of renewable energy power plant infrastructure? Is the ordinance clear on being able to clear and return to safe conditions?

Supervisor Tidball: So, the whole comment wasn't about Darby Hill, it was about solar.

Council Member Ganther: Yeah it was about solar.

Supervisor Tidball: Yeah not a problem. When we get to privilege of the floor, I'll let you reread that. Clerk call the roll please.

Deputy Town Clerk Fall: Council Member Wenzel

Council Member Wenzel: Aye

Deputy Town Clerk Fall: Council Member Ganther

Council Member Ganther: Aye

Deputy Town Clerk Fall: Council Member Potter

Council Member Potter: Aye

Deputy Town Clerk Fall: Supervisor Tidball

Supervisor Tidball: Aye

Resolution 110-20: Council Member Wenzel motioned, seconded by Council Member Ganther to 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.

Motion carried, 4 ayes

Council Member Potter: Motion to set a Special Meeting on October 5, 2020 at 7:00 p.m. for the purpose of presenting the 2021 Tentative Budget.

Council Member Wenzel: Second.

Supervisor Tidball: Discussion is, we talked about this a little during the committee reports. It's something we have to do every year. So, this is basically the first step before we adopt a budget in November. Any questions/comments on that guys? Clerk call the role please.

Deputy Town Clerk Fall: Council Member Potter

Council Member Potter: Aye

Deputy Town Clerk Fall: Council Member Wenzel

Council Member Wenzel: Aye

Deputy Town Clerk Fall: Council Member Ganther

Council Member Ganther: Aye

Deputy Town Clerk Fall: Supervisor Tidball

Supervisor Tidball: Aye

Resolution 111-20: Council Member Potter motioned, seconded by Council Member Wenzel to set a Special Meeting on October 5, 2020 at 7:00 p.m. for the purpose of presenting the 2021 Tentative Budget.

Motion carried, 4 ayes

Supervisor Tidball: Make the motion to set a meeting on October 21, 2020 at 6:30 p.m. in regard to Solar Law to discuss changing the current Solar Law.

Council Member Potter: Second.

Supervisor Tidball: Discussion on that like we said we were going to have a discussion way back when before the COVID hit, a big public one and that happened. So, this meeting will be through Zoom. What we will try to do is make sure that the Solar Law is on the website and available at the Town Clerk's office to give out to residents when they come in. We will except questions and comments through emails, letter, whatever and present them that night if you can't join us on Zoom. We will go over the law and any comments or questions by the current Town Board members to see what we want to do and take comments from the residents of possible changes. Then we will discuss it from there further. Any other discussion on it?

Deputy Town Clerk Fall: Supervisor Tidball

Supervisor Tidball: Aye

Deputy Town Clerk Fall: Council Member Potter

Council Member Potter: Aye

Deputy Town Clerk Fall: Council Member Ganther

Council Member Ganther: Aye

Deputy Town Clerk Fall: Council Member Wenzel

Council Member Wenzel: Aye

Supervisor Tidball: Any other business meeting actions we need to take? Ok, we will go to privilege of the floor. Brandy do you want to reread that one please.

Privilege of the floor:

Deputy Town Clerk Fall: The comment from Lynn says "Public Forum Question. The reading of motion for demolition of 111 Darby Hill Road mentioned Zoning Code to demolish building. Will

current zoning ordinances also cover demolition and removal of renewable energy power plant infrastructure? Is the ordinance clear on being able to clear and return to safe conditions?

Supervisor Tidball: Off the top of my head, I don't know.

Town Attorney Terresa Bakner: Do you have a decommissioning agreement? The decommissioning agreement is what is used to take it down.

Supervisor Tidball: If you didn't hear what Terresa said for the solar, it would be part of the decommissioning agreement. At this time anybody else wish to speak? Please just put a note up to the chat that you wish to speak or send another message through and we'll give you a bit of time. Nothing? Does it say if anyone is writing or anything?

Deputy Town Clerk Fall: Lynn "What is this decommissioning plan is void or not enforceable.

Council Member Ganther: I think that is something we need to talk about when we review the solar law, I would say. Right?

Supervisor Tidball: Right, that is something we can further talk about when we do the solar discussion.

Council Member Ganther: Yeah, we can review the law and the decommissioning agreement and talk about the content and how it will work.

Supervisor Tidball: Yep. That is a hot topic of the solar law, the decommissioning stuff. So that is something we are definitely going to discuss. We can talk about it further. I'm not 100 % on everything at this time. Anything else?

Deputy Town Clerk Fall: Lynn says, "Thank you."

Supervisor Tidball: You're welcome.

Privilege of the Floor Closed:

Supervisor Tidball: Alright, I'll make the motion for adjournment.

Council Member Ganther: I will second the motion.

Supervisor Tidball: Any other discussion on that? Clerk call the role please.

Deputy Town Clerk Fall: Supervisor Tidball

Supervisor Tidball: Aye

Deputy Town Clerk Fall: Council Member Ganther

Council Member Ganther: Aye

Deputy Town Clerk Fall: Council Member Potter

Council Member Potter: Aye

Deputy Town Clerk Fall: Council Member Wenzel

Council Member Wenzel: Aye

Supervisor Tidball motioned, seconded by Council Member Ganther to adjourn the meeting.
Motion carried, 4 ayes

Supervisor Tidball: Thank you folks. Enjoy your evening.

Meeting Adjourned 7:37 p.m.

I, Brandy Fall, Deputy Town Clerk of the Town of Duanesburg, so hereby certify that this is a true and accurate transcript of the Regular Town Board Meeting held on Thursday September 24, 2020 at the Duanesburg Town Hall, 5853 Western Turnpike, Duanesburg, New York 12056.

Town of Duanesburg Town Board

RESOLUTION NO. 108- 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

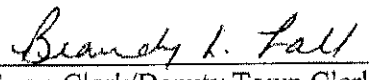
WHEREAS, the Town Board has also been advised by James Mastrianni of JEM, Inc. that all that is required for HUD compliance in the year 2020 is for the Town to execute the attached Civil Rights Form.

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

Date 9/24/2020


Town Clerk/Deputy Town Clerk

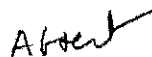
Date 9/24/2020

Present:

Absent:

Town Board Members:

Roger Tidball	<u>Yea</u>	Nay	Abstain
John Ganther	<u>Yea</u>	Nay	Abstain
Rick Potter	<u>Yea</u>	Nay	Abstain
William Wenzel	<u>Yea</u>	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 Duanesburg
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

James E. Mastrianni

COPY**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 Duanesburg
PHA NameNY428
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 TidballTitle
Supervisor

Signature

Date

Name of Administrator
James E. Mastrianni

Signature of Administrator



**Town of Duaneburg
Housing Choice Voucher
5-Year PHA Plan
2020-2024
NY428**



Joseph E. Mastrianni, Inc.
11 Federal Street
Saratoga Springs, NY 12833

5-Year PHA Plan (for All PHAs)	U.S. Department of Housing and Urban Development Office of Public and Indian Housing	OMB No. 2577-0226 Expires: 02/29/2016
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Purpose. The 5-Year and Annual PHA Plans provide a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA's operations, programs, and services, and informs HUD, families served by the PHA, and members of the public of the PHA's mission, goals and objectives for serving the needs of low- income, very low- income, and extremely low- income families.

Applicability. Form HUD-50075-5Y is to be completed once every 5 PHA fiscal years by all PHAs.

A. PHA Information							
A.1	PHA Name: <u>Town of Duaneburg</u> PHA Code: <u>NY428</u> PHA Plan for Fiscal Year Beginning: (MM/YYYY): <u>10/2020</u> PHA Plan Submission Type: <input checked="" type="checkbox"/> 5-Year Plan Submission <input type="checkbox"/> Revised 5-Year Plan Submission <p>Availability of Information. In addition to the items listed in this form, PHAs must have the elements listed below readily available to the public. A PHA must identify the specific location(s) where the proposed PHA Plan, PHA Plan Elements, and all information relevant to the public hearing and proposed PHA Plan are available for inspection by the public. Additionally, the PHA must provide information on how the public may reasonably obtain additional information on the PHA policies contained in the standard Annual Plan, but excluded from their streamlined submissions. At a minimum, PHAs must post PHA Plans, including updates, at each Asset Management Project (AMP) and main office or central office of the PHA. PHAs are strongly encouraged to post complete PHA Plans on their official websites. PHAs are also encouraged to provide each resident council a copy of their PHA Plans.</p> <p>Information is available at JEM Inc's Office: 11 Federal Street, Saratoga Springs, NY 12866 8:30 -- 4pm M-F or Electronically via e-mail: section8@jeminc.com</p>						
<input type="checkbox"/> PHA Consortia: (Check box if submitting a Joint PHA Plan and complete table below) Not Applicable							
Participating PHAs		PHA Code	Program(s) in the Consortia	Program(s) not in the Consortia		No. of Units in Each Program	
						PH	HCV
Lead PHA:							

B	5-Year Plan Required for all PHAs completing this form.
B.1	<p>Mission. State the PHA's mission for serving the needs of low- income, very low- income, and extremely low- income families in the PHA's jurisdiction for the next five years.</p> <ul style="list-style-type: none"> • Provide affordable, decent, safe, and sanitary housing to elderly and disabled low-income families, as well as other low-income families, dictated by local needs.
B.2	<p>Goals and Objectives. Identify the PHA's quantifiable goals and objectives that will enable the PHA to serve the needs of low- income, very low- income, and extremely low- income families for the next five years.</p> <ul style="list-style-type: none"> • Expand the supply of assisted housing to meet local needs. • Improve the quality of service through better process and information systems. • Promote self-sufficiency and asset development of families and individuals. • Ensure equal opportunity in housing. • Reduce fraud and program abuse.
B.3	<p>Progress Report. Include a report on the progress the PHA has made in meeting the goals and objectives described in the previous 5-Year Plan.</p> <p>Progress in Meeting Goals:</p> <ul style="list-style-type: none"> • Expand Supply of Assisted Housing: Management has applied as notices of funding of availability have been announced. Management has requested for funding as other sources of HCV funding has become available. • Improve Quality of Assisted Housing: Management has instituted improvements to policy and procedure to increase customer satisfaction. Management has surveyed participants for improvements to the program. • Promote Self Sufficiency and Asset Development of Assisted Households: Management has developed in-house providers for Budget, Credit, Employment and Homeownership coordination. • Management is in compliance with Fair Housing Laws and case-workers hold industry certifications that include fair housing training. • Management employs a full time program-integrity coordinator with the function of reducing fraud and program abuse.
B.4	<p>Violence Against Women Act (VAWA) Goals. Provide a statement of the PHA's goals, activities objectives, policies, or programs that will enable the PHA to serve the needs of child and adult victims of domestic violence, dating violence, sexual assault, or stalking.</p> <p>The intent of the provisions of the Violence Against Women Act to protect certain victims of criminal domestic violence, dating violence, sexual assault, or stalking (as well as members of victims' immediate families) from losing their HUD assisted housing as a consequence of the abuse of which they were the victim has always been the policy followed in programs administered by JEM, Inc, and will continue to be the policy in the future. In this respect we have recognized the needs addressed in the Act and have always taken steps to address those needs. Both tenants and owners are informed of our policy as the need arises and both are thoroughly advised of their options.</p> <p>In determining if tenants are victims of criminal domestic violence, dating violence, sexual assault, or stalking and in danger of losing their HUD assisted housing as a consequence of such abuse, we accept appropriate documentation from local police reports, social service agency statements, and other reliable corroborative evidence before taking action. Unless eviction is imminent, we place no time limit on tenant's reporting and the development of reliable evidence.</p>
B.5	<p>Significant Amendment or Modification. Provide a statement on the criteria used for determining a significant amendment or modification to the 5-Year Plan.</p> <ul style="list-style-type: none"> • A change in the PHA mission or a strategic goal will be considered a substantial deviation from the five year plan. • Changes in or additions to the PHA mission; strategic goals; strategy for addressing needs; or policies governing eligibility, selection, and admission will be considered a significant amendment or modification to the PHA's five year and annual plan.

B.6	<p>Resident Advisory Board (RAB) Comments.</p> <p>(a) Did the RAB(s) provide comments to the 5-Year PHA Plan?</p> <p>Y N <input checked="" type="checkbox"/> <input type="checkbox"/></p> <p>(b) If yes, comments must be submitted by the PHA as an attachment to the 5-Year PHA Plan. PHAs must also include a narrative describing their analysis of the RAB recommendations and the decisions made on these recommendations.</p> <ul style="list-style-type: none"> • Please see attached.
B.7	<p>Certification by State or Local Officials.</p> <p><u>Form HUD 50077-SL</u>, <i>Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.</p> <ul style="list-style-type: none"> • Please see attached.

Instructions for Preparation of Form HUD-50075-5Y

5-Year PHA Plan for All PHAs

A. PHA Information 24 CFR §903.23(4)(c)

- A.1 Include the full PHA Name, PHA Code, PHA Fiscal Year Beginning (MM/YYYY), PHA Plan Submission Type, and the Availability of Information, specific location(s) of all information relevant to the hearing and proposed PHA Plan.

PHA Consortia: Check box if submitting a Joint PHA Plan and complete the table.

B. 5-Year Plan.

- B.1 **Mission.** State the PHA's mission for serving the needs of low-income, very low-income, and extremely low-income families in the PHA's jurisdiction for the next five years. (24 CFR §903.6(a)(1))

- B.2 **Goals and Objectives.** Identify the PHA's quantifiable goals and objectives that will enable the PHA to serve the needs of low-income, very low-income, and extremely low-income families for the next five years. (24 CFR §903.6(b)(1)) For Qualified PHAs only, if at any time a PHA proposes to take units offline for modernization, then that action requires a significant amendment to the PHA's 5-Year Plan.

- B.3 **Progress Report.** Include a report on the progress the PHA has made in meeting the goals and objectives described in the previous 5-Year Plan. (24 CFR §903.6(b)(2))

- B.4 **Violence Against Women Act (VAWA) Goals.** Provide a statement of the PHA's goals, activities objectives, policies, or programs that will enable the PHA to serve the needs of child and adult victims of domestic violence, dating violence, sexual assault, or stalking. (24 CFR §903.6(a)(3))

- B.5 **Significant Amendment or Modification.** Provide a statement on the criteria used for determining a significant amendment or modification to the 5-Year Plan.

B.6 Resident Advisory Board (RAB) comments.

- (a) Did the public or RAB provide comments?
(b) If yes, submit comments as an attachment to the Plan and describe the analysis of the comments and the PHA's decision made on these recommendations. (24 CFR §903.17(a), 24 CFR §903.19)

This information collection is authorized by Section 511 of the Quality Housing and Work Responsibility Act, which added a new section 5A to the U.S. Housing Act of 1937, as amended, which introduced the 5-Year PHA Plan. The 5-Year PHA Plan provides the PHA's mission, goals and objectives for serving the needs of low-income, very low-income, and extremely low-income families and the progress made in meeting the goals and objectives described in the previous 5-Year Plan.

Public reporting burden for this information collection is estimated to average .76 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

Privacy Act Notice. The United States Department of Housing and Urban Development is authorized to solicit the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq, and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality.

Town of Duanesburg Town Board

RESOLUTION NO. 109- 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

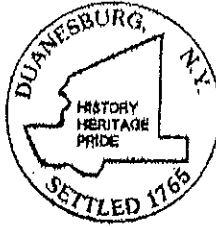
Present:

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

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

Phone 518-895-8920
FAX 518-895-8171

Town of Duanesburg

Schenectady County

09/24/2020

Mr. Willard Earley
Environmental Program Specialist 1
625 Broadway, Albany NY 12233-3506

Re: WQIP Contract No: C00799GG – Town of Duanesburg
Sub: Contract Extension

Dear Mr. Earley:

In 2018, the Town was awarded a \$300,000 WQIP grant to support the installation of a new UV disinfection system at the Town's Mariaville wastewater treatment plant. The finance agreement was executed in the fall 2019.

The project is mandated under the terms of the SPDES permit and the compliance schedule requires completion no later than May 1, 2023. We have previously met the first project milestone on the compliance schedule which required the submittal of an engineering report (submitted July 2018) on or before May 1, 2020. Plans and specifications must be submitted no later than May 1, 2021, and construction is to commence by May 1, 2022.

The Town of Duanesburg would like to request an extension of the term in our contract (C00799GG) from the current term ending on January 15, 2021 until May 1, 2023 to align with the compliance schedule required under the SPDES permit.

Please let me know if you require additional information.

Thank you for your consideration.

Respectfully,

Roger Tidball
Town Supervisor

Town of Duanesburg Town Board

RESOLUTION NO. 110 - 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

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