

**TOWN BOARD OF THE TOWN OF TICONDEROGA  
COUNTY OF ESSEX, STATE OF NEW YORK**

Resolution No. \_\_\_ of 2024  
Adopted September 12, 2024

Introduced by \_\_\_\_\_  
who moved its adoption

Seconded by \_\_\_\_\_

**RESOLUTION DECLARATION THE AGWAY BUILDING (74 MONTCALM ST) AS A  
SLUM/BLIGHT SPOT (SBS) AND AUTHORIZATION FOR ESSEX COUNTY LAND  
BANK**

WHEREAS, the Town of Ticonderoga recognizes the importance of maintaining the aesthetic, structural, and safety standards within our community; and

WHEREAS, the elimination of specific conditions of blight, deterioration, or safety hazards on a spot basis is crucial for the prevention of blight and the protection of adjacent properties or areas; and

WHEREAS, the Agway Building (74 Montcalm St, SWIS ID 154800, Tax ID 150.43-7-2.000) is a significant fire hazard to neighboring structures in the downtown area and poses a serious risk to public safety; and

WHEREAS, to comply with the national objective of Elimination or Prevention of Slums or Blight on a Spot Basis (SBS), an activity must meet both of the following criteria:

1. The activity must be designed to eliminate specific conditions of blight, physical decay, environmental contamination, or safety hazards not located in a designated slum or blighted area; and
2. The activity must be limited to clearance; and

WHEREAS, national objective compliance for the acquisition of real property must generally be based on the use of the property after the acquisition takes place, with the initial determination based on the planned use of the property and the final determination based on the actual end use; and

WHEREAS, when property is acquired for the purpose of clearance to remove specific conditions of blight, physical decay, or safety hazards, the clearance is considered to be the actual use of the property, and any subsequent use made of the property following clearance must be considered to be a “change of use” under 24 CFR 570.505 and 24 CFR 570.489(j); and

WHEREAS, the Agway Building (74 Montcalm St) has been identified as having specific conditions of blight, physical decay, environmental contamination, and significant safety hazards that meet the criteria for designation as a Slum/Blight Spot (SBS); and

WHEREAS, the Essex County Land Bank has expressed interest in applying for funding to support the demolition of this property,

NOW THEREFORE BE IT:

RESOLVED, that the Town of Ticonderoga hereby declares the Agway Building (74 Montcalm St) as a Slum/Blight Spot (SBS) for the purpose of eliminating specific conditions of blight, physical decay, environmental contamination, and significant safety hazards to prevent the spread to adjacent properties or areas; and be it further

RESOLVED, that the Town of Ticonderoga grants permission to the Essex County Land Bank to apply for funding through the 2024 CDBG Vacant Property Clearance Program for \$500,000 to support the demolition of this identified blighted and hazardous property; and be it further

RESOLVED, that Nicole Justice Green is hereby named the Fair Housing Officer for this project and will ensure compliance with all applicable Federal, state, and local regulations and statutes, including but not limited to:

- Efforts to Affirmatively Further Fair Housing
- Davis-Bacon Fair Labor Standards Act (40 USC 276a)
- Contract Work Hours and Safety Standards Act, as amended (40 USC 327-333)
- Copeland Anti-Kickback (18 USC 874)
- Title VI of the Civil Rights Act of 1964 (42 USC 200(d))
- Title VIII of the Civil Rights Act of 1968 (42 USC 3601)
- Section 504 of the Rehabilitation Act of 1973, as amended (29 USC 792 and 3601)
- Section 3 of the Housing and Urban Development Act of 1968, as amended (12 USC 1701(u))
- Section 109 of the Housing and Urban Development Act of 1974, as amended (42 USC 5309)
- Age Discrimination Act of 1975, as amended (42 USC 6101)
- Architectural Barriers Act of 1968, as amended (42 USC 4151)
- Americans with Disabilities Act of 1991
- Equal Employment Opportunity (Executive Order 11246, September 24, 1965)
- Equal Opportunity in Housing (Executive Order 11063, as amended by Executive Order 12259)
- The Hatch Act (5 USC 1501 et seq.)
- The National Environmental Policy Act of 1969

- Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and amendments of 1987
- Title IV of the Lead-Based Poisoning Prevention Act (42 USC 4831)
- HUD Reform Act of 1989
- 24 CFR Parts 35, 58, 85, and 570
- Housing & Community Development Act of 1974, as amended
- 2 CFR 200, Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments
- Section 104(d) of the Housing and Urban Development Act of 1974, as amended (Anti-Displacement)

The vote on the foregoing resolution was as follows:

Mark A. Wright, Supervisor	_____
Dave Woods, Council Member	_____
Joyce Cooper, Council Member	_____
C.T. Thatcher, Council Member	_____
Heath Towne, Council Member	_____

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2024, by the Town Board of the Town of Ticonderoga.

\_\_\_\_\_  
 (Signature of the Supervisor)

Mark A. Wright  
 \_\_\_\_\_  
 (Print Name)

ATTEST:

\_\_\_\_\_  
 (Signature of the Town Clerk)

\_\_\_\_\_  
 (Print Name)

[SEAL]