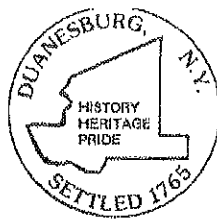


Roger Tidball, Town Supervisor
Jennifer Howe, Town Clerk
Brandy Fall, Deputy Town Clerk



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 23, 2021

Town Board Meeting Agenda

Meeting Time: 7:00PM

Call to order
Pledge of Allegiance

Public Hearing: Proposed Local Law 2 of 2021 entitled "A Local Law enacting a temporary moratorium on Major Solar Energy Systems Authorized under Local Law 1 of the year 2016 and on Battery Energy Storage Systems. "

Approval of minutes for: Town Board Meeting on Thursday September 9, 2021

Payment of Claims

Committee Reports

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

Business Meeting:

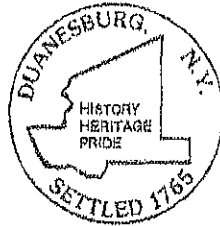
- 1. Motion to adopt Local Law No. 2 of 2021 entitled "2021 Temporary Moratorium Law on Major Solar Energy Systems including Battery Energy Storage Systems."**
- 2. Motion to introduce Local Law No. 3 of 2021 and to set a date for the Public Hearing for Local Law No. 3 of 2021 entitled "Tax Cap Override for FY 2022."**
- 3. Motion to set a public hearing for the purpose of hearing all persons interested in the matter of: The Assessment Roll for the Duanesburg/Delanson Sewer District No. 1, the Mariaville Lake Sewer District No. 2, and the Duanesburg Sewer District No. 3.**

- 4. Motion to approve Larry O'Connor as a town vendor and to authorize the Town Supervisor to execute an agreement to retain Larry O'Connor at an hourly rate of \$150 per hour for the professional services set forth in the proposed agreement.**
- 5. Motion to approve payment to Delaware Engineering in the amount of \$5,959.20.**
- 6. Motion to approve payment to C.T. Male Associates for \$10,410.66.**
- 7. Motion to set a date for a Special Meeting on October 5, 2021, at 7:00 p.m. at the Town Offices at 5853 Western Turnpike, Duanesburg, NY 12056 for the purpose of having the Town Clerk present the Tentative Town Budget for 2022 to the Town Board.**
- 8. Motion to go into Executive Session to discuss the proposed acquisition, sale or lease of real property.**

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.

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 9, 2021
Regular Town Board Meeting
Meeting Time: 7:00PM

Meeting called to order by Supervisor Tidball at 7:10PM

Present: Supervisor Tidball, Council Members Senecal and Wenzel, Town Clerk Jen Howe, Town Attorney Terresa Bakner

Pledge of Allegiance

Resolution 111-21: Council Member Senecal motioned, seconded by Council Member Wenzel to approve the Town Board Meeting minutes of Thursday, August 26, 2021.
Motion carried, 5 ayes

Town Clerk, Jen Howe, read the Town Clerk's Report for August 2021 (see attached).
Supervisor, Roger Tidball, read the Supervisor's Report for August 2021 (see attached).

Resolution 112-21: Supervisor Tidball motioned, seconded by Council Member Senecal to pay the following claims:
Motion carried, 5 ayes

Vouchers to be Paid
September 9, 2021

General Fund:	\$75,427.03
Highway Fund:	\$6,835.80
SD#1 Fund:	\$1,795.69
SD#2 Fund:	\$162,069.31
SD#3 Fund:	\$933.11
<hr/>	
Total To Be Paid:	\$247,060.94

Highway: Council Member Potter reported that they are working on cutting the shoulders back and ditch work. They are going to do fog seal as we don't have enough time for chip seal to cure this year. They will be starting up mowing again. Council Member Ganther asked if we could have the highway department work on the back parking lot, maybe bring in some loads of stone. Highway Superintendent Reed got back saying that they would.

Public Safety: Supervisor Tidball wanted to mention on a personal note his gratitude to the Esperance Volunteer Fire Department and DVAC. His daughter was in an accident last night, everybody was fine, but it was pretty serious. To have the response time that Esperance showed and the way they handled the scene. DVAC showed up in no time and the Sheriff's Department showed up. It was great to see what our volunteers can do and I am very proud to have somebody like Matt Deffer and the Volunteer Esperance Fire Department on our side.

Parks: Council Member Wenzel reported that the park committee had a meeting on Tuesday night. Nothing new to report. They did talk a bit about the state forest and getting new signs made for the perimeter.

Sewer District #1, 2 & 3: Council Member Ganther reported that the written reports from DEC WWTP inspectors did come back and are good except for the minor issues we are already working on. Bill Brown of Delaware Engineering reported that construction continues in Delanson. Equipment is starting to come in and be installed. Everything is on schedule for completion, but we do have some delivery that is being pushed out due to supply delays that they are keeping an eye on.

Technology: Council Member Ganther reported that we ordered a new laptop to be used for PowerPoint presentations during meetings. That did come in today just in time for the workshop. The next Broadband Committee meeting will be on Tuesday September 14, 2021 at 6:30pm here at Town Hall. The meeting will also be available via Zoom.

Other: Supervisor Tidball mentioned that we need to set a budget workshop for next week. Everyone agreed that Wednesday the 15th at 7pm would work. Council Member Ganther reported that Dale, Bill Wenzel and himself met with Judge Wren to discuss OCA funding. Each year they make available up to \$30,000 for the town. Deadline for taking applications is in October each year. So, we would have to wait until next year. They also discussed the possibility of installing a Judge's bench downstairs.

Business Meeting:

Resolution 113-21: Council Member Potter motioned, seconded by Council Member Senecal to introduce Local Law No. 2 of 2021 and to set a date for the Public Hearing for Local Law No. 2 of 2021 entitled "2021 Temporary Moratorium Law on Major Solar Energy Systems including Battery Energy Storage Systems."

Motion carried, 5 ayes

Resolution 114-21: Supervisor Tidball motioned, seconded by Council Member Wenzel to approve ESGR (Energy Storage Response Group LLC) as a new vendor and to authorize the Town Supervisor to sign the agreement. Expenses will be paid by the applicant.

Motion carried, 5 ayes

Resolution 115-21: Council Member Senecal motioned, seconded by Supervisor Tidball to set the budget workshop for September 15, 2021 at 7:00pm here at Town Hall.

Motion carried, 5 ayes

Privilege of the Floor: Opened at 7:39 p.m.

Supervisor Tidball read a statement on behalf of Susan Biggs (please see attached).

Supervisor Tidball read a statement on behalf of Pamela Rowling (please see attached).

Lynne Bruning of 13388 Duanesburg Road read a statement (please see attached).

Resident from Westerlo spoke regarding concern with battery storage.

Resident Josh Barnes spoke regarding his concerns with battery storage and had some questions for the board.

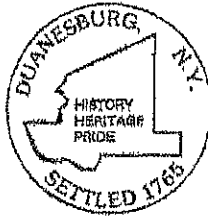
Resident Larry O'Connor spoke on some of the review of the documents he has done.

Floor Closed: 8:31 p.m.

Supervisor Tidball motioned, seconded by Council Member Senecal to adjourn the meeting.
Motion carried, 5 ayes

I, Jennifer Howe, 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 9, 2021, at the Duanesburg Town Hall, 5853 Western Turnpike, Duanesburg, New York 12056.

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 August 26, 2021
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, Senecal and Wenzel, Town Clerk Jen Howe, Town Attorney Terresa Bakner

Pledge of Allegiance
Prayer/Moment of Reflection offered by Pastor Solomon
Moment of Silence for Trooper Monda

Resolution 106-21: Council Member Potter motioned, seconded by Council Member Ganther to approve the Town Board Meeting minutes of Thursday, August 9, 2021.
Motion carried, 5 ayes

Resolution 107-21: Council Member Potter motioned, seconded by Council Member Ganther to pay the following claims:
Motion carried, 5 ayes

Vouchers to be Paid
August 23, 2021

General Fund:	\$18,265.23
Highway Fund:	\$30,538.63
SD#1 Fund:	\$3,784.15
SD#2 Fund:	\$5,828.25
SD#3 Fund:	\$469.84
<hr/>	
Total To Be Paid:	\$60,506.96

Hwy: Working on the motor pave. Nothing else to report.

Parks: Council Member Wenzel reported that the disc golf course is installed and the gentleman that installed the course did leave a couple discs for people to try. They just ask that you put them back after you use them.

Sewer District #1, 2 & 3: Council Member Ganther met with Dale this morning. Construction is going good over at the plants. They are limited on doing more until the equipment comes in. We were hoping to do more I & I testing, but with all this rain they are unable to get down there with the camera. Bill Brown with Delaware reported that the building is up at the Delanson plant/ UV unit was installed last week. More equipment coming in and getting installed. Then the electrician will come out and wire everything up. Then it is on to programming them.

Technology: Council Member Ganther reported that he sent a request to Omnis for budgeting on equipment. We are looking to get an inexpensive laptop to do PowerPoint on for the Planning Board meetings. We have some good news, Creek Rd. is finally getting broadband.

Solar: Supervisor Tidball reported that we are trying to do the best by the town and the residents. We as a town board asked the Planning Board that when these proposals are in front of the board

we go through them with a fine tooth comb. Prime AE is doing a really good job, but we would really like to bring on another consultant as a second opinion. Because of all the changes that have been proposed we have some safety concerns as well as many residents in the town have safety concerns. We did reach out to Larry O'Conner who has an extensive engineering background for a proposal and Dale reached out to a resident who will also be putting a proposal together. Larry spoke on his credentials and some laws he feels need to be enforced by Dale. He would like to review our use of Chapter 17 and stated that the focus should be on building code and special inspections. Town Attorney Terresa Bakner stated that NYSERDA will be sending a representative to the workshop to help answer questions, etc. She also stated that she sent a few names to Dale that are additional electrical engineers with experience in battery energy storage. There was also a name from an institute that is manned by a New York City firefighter who has retired and now deals with firefighting safety associated with these types of installation.

Supervisor Tidball stated that the town board would like to go about doing a moratorium on future solar and battery storage units. They will introduce the Local Law at the next meeting and then schedule the public hearing for the 2nd meeting in September.

Council Member Ganther stated that his experience with this solar farm has brought more to light. He believes that maybe there should be changes to the solar law again, a battery storage law, etc.

He stated that it makes sense to put the brakes on any future projects before we let them start.

Supervisor Tidball stated that he agrees with John that you need to learn more before you can allow more, learn from start to finish before they allow a second one to come through. Especially any with battery storage units since this is new to them.

Town Attorney Terresa Bakner stated that in her opinion it would be good to look at if you can require battery energy storage to be at the site of the utilities sub station rather than in a field in the middle of nowhere. Council Member Ganther let everyone know about the workshop on Thursday September 9, 2021 from 5pm – 7pm at Town Hall. They will be going over all the recommendations and changes that Prime identified and NYSERDA will also be there.

Other: Supervisor Tidball stated that a resident had inquired about the clean up of the house on Darby Hill that burnt down. We went through a lot of work to get that done, is being held up by the state. The air sample guys are waiting on a special permit from one of the state agencies. Town Attorney Terresa Bakner stated that it went in for a variance from the Department of Labor that is a commonly requested one, especially with asbestos. So they are just waiting on that and once we have that, they can get in there and get that cleaned up.

Council Member Ganther spoke about a meeting he had with CT Male, Council Member Wenzel and Dale regarding a small expansion at the back of the building. (See the attached). The next step would be to get more information on the ARPA funds and what they can be used for. He is going to setup a meeting with Judge Wren on what grant money we can get from the state court funding. Council Member Wenzel stated that they would add a split system to provide some heat, air purity

and air conditioning. He stated we should replace the roof on the main part of Town Hall with a metal roof with ice rakes. They would also like to work on the ramp out front to make it comply with ADA regulations. It would also include proper cooling and ventilation for the computer system upstairs.

Business Meeting:

Resolution 108-21: Council Member Potter motioned, seconded by Council Member Ganther to approve payment to Delaware Engineering in the amount of \$23,210.55.

Motion carried, 5 ayes

Resolution 109-21: Council Member Wenzel motioned, seconded by Council Member Senecal to approve payment to MCJ in the amount of \$291,481.85.

Motion carried, 5 ayes

Resolution 110-21: Council Member Senecal motioned, seconded by Council Member Potter to approve the town board supporting the County's plan for counsel at initial appearance coverage for arraignments in local courts.

Motion carried, 5 ayes

Privilege of the Floor: Opened at 7:53 p.m.

Susan Biggs read a statement (see attached).

Lynne Bouring read a statement (please see attached).

Floor Closed: 8:03 p.m.

Supervisor Tidball motioned, seconded by Council Member Senecal to adjourn the meeting.
Motion carried, 5 ayes

I, Jen Howe, 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 August 26, 2021, at the Duanesburg Town Hall, 5853 Western Turnpike, Duanesburg, New York 12056.

Town of Duanesburg Town Board

RESOLUTION NO. ___ - 2021

August 26, 2021

WHEREAS, the Town of Duanesburg Town Board has established Duanesburg Sewer Districts Nos. 1 and 3;

WHEREAS, the Delanson Wastewater Treatment Plant (the "Delanson WWTP") serves Duanesburg Sewer Districts Nos. 1 and 3;

WHEREAS, the Town Board retained Delaware Engineering, D.P.C., ("Delaware") for professional services in connection with Long Term Improvements Project at the Delanson WWTP (the "Project"); and

WHEREAS, Delaware has submitted an invoice, dated August 17, 2021, for Town Board review in the amount of \$23,210.55 for professional services provided during July and August 2021 ("Professional Services Invoice No. 17"); and

NOW, THEREFORE, BE IT RESOLVED, the Town Board approves Professional Services Invoice No. 17 and authorizes the Town Supervisor to submit the documentation to New York State Environmental Facilities Corporation to obtain the funds to pay the invoice and upon receipt of such funds authorizes payment to Delaware in the amount of \$23,210.55.

By (unanimous/majority) vote of the Town Board of the Town of Duanesburg at its regular meeting of August 26, 2021.

Roger Tidball, Supervisor



Town Clerk/Deputy Town Clerk

Date

Date 8/26/21

Present: ALL

Absent:

Town Board Members:

Roger Tidball	<input checked="" type="radio"/> Yea	Nay	Abstain
John Ganther	<input checked="" type="radio"/> Yea	Nay	Abstain
Rick Potter	<input checked="" type="radio"/> Yea	Nay	Abstain
William Wenzel	<input checked="" type="radio"/> Yea	Nay	Abstain
Jeff Senecal	<input checked="" type="radio"/> Yea	Nay	Abstain



DELAWARE ENGINEERING, D.P.C.

55 South Main Street
Oneonta, NY 13820

Tel: 607.432.8073
Fax: 607.432.0432

August 17, 2021

Town of Duaneburg
Attn.: Roger Tidball, Town Supervisor
Town Hall
5853 Western Turnpike
Duaneburg, NY 12056

Re: Delanson WWTP (SD#1 & SD#3)
Long Term Improvements Project - Professional Services Invoice #17

Dear Roger:

Attached for Town review, processing and payment is our invoice totaling \$23,210.55 for services related to the above referenced project.

Services provided during July 2021 include:

- Continued communications with Town and regulatory agencies
- Review contractor's payment requests
- Travel to site to review project status with Town and contractors
- NYSEFC compliance documentation
- Onsite construction inspection

Services anticipated to be provided during August 2021 include:

- Continued communications with Town and regulatory agencies
- Review contractor's payment requests
- Travel to site to review project status with Town and contractors
- SCADA equipment submittal review
- Onsite construction inspection

Please contact me at 607-432-8073 if you have any questions.

Respectfully,
DELAWARE ENGINEERING, D.P.C.

Bill Brown, P.E. for
Dave Ohman, P.E.

Attachment

CC: Cheryl DeCarr, Delaware Engineering, D.P.C. (w/enclosures)

08-2021 Duaneburg (T) Delanson WWTP Long Term Improvements CL 17



Delaware Engineering, D.P.C.
 28 Madison Ave. Ext.
 Albany, NY 12203
 (518) 452-1290

Town of Duaneburg
 Town Hall
 5853 Western Turnpike
 Duaneburg, NY 12066

Invoice number 19-1712-17
 Date 08/10/2021

Project 19-1712 Town of Duaneburg - Delanson
 WWTP Long Term Improvements

For Services Rendered Through August 01, 2021

3 Construction Management/Admin

	Units	Rate	Billed Amount
Ablet Amrod	9.00	200.00	1,800.00
Eric Mitchell	10.50	110.00	1,155.00
Michael Primmer	2.25	165.00	371.25
William J. Brown	25.00	155.00	3,875.00
subtotal	46.75		7,201.25

REIMBURSABLES

	Units	Rate	Billed Amount
Mileage - Oneonta 2021	120.00	0.56	67.20

CONSULTANT

	Units	Rate	Billed Amount
ATLANTIC TESTING LAB			1,243.00
Phase subtotal			8,511.45

4 Construction Inspection

	Units	Rate	Billed Amount
Tucker Lewis	99.50	125.00	12,437.50

REIMBURSABLES

	Units	Rate	Billed Amount
Tucker Lewis	1,360.00	0.56	761.60
Mileage - Albany 2021			13,189.10
Phase subtotal			13,189.10

6A NYSEFC Contract Coordination (SUB-Deroo Consulting)

CONSULTANT

	Units	Rate	Billed Amount
Deroo Consulting			1,600.00

Invoice total **23,210.55**



Delaware Engineering, D.P.C.
28 Madison Ave. Ext.
Albany, NY 12203
(518) 452-1290

Town of Duaneburg

Project 18-1712 Town of Duaneburg - Delanson WWTP Long Term Improvements

Invoice number 19-1712-17
Date 08/10/2021

Approved by:

William J. Brown

*Please remit payment to:
Delaware Engineering, D.P.C.
28 Madison Ave. Ext.
Albany, NY 12203*

DELAWARE ENGINEERING, D.P.C.

55 South Main Street, Oneonta, New York 18820 Phone 607-482-8073/FAX 607-482-0482

Town of Duanesburg
Town Hall
5853 Western Turupilke
Duanesburg, NY 12056

PROJECT ID 19-1712

PROJECT: Delanson WWTP Long Term Improvements
INVOICE/REQUISITION No.: 17

	CURRENT COST	PREVIOUS COST	COST TO DATE	BUDGET
1. Task 1 - Design				
Labor	\$ -	\$ 54,532.50	\$ 54,532.50	\$ 55,300.00
Reimbursable Expenses	\$ -	\$ 767.19	\$ 767.19	
Subcontractors (Atlantic Testing Laboratories)	\$ -	\$ 8,700.00	\$ 8,700.00	\$ 8,700.00
Subcontractors (Ryan Biggs Clark Davis Eng & Surveying)	\$ -	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00
Subcontractors (Whitman Engineering)	\$ -	\$ 10,000.00	\$ 10,000.00	\$ 11,000.00
SUBTOTAL - TASK 1	\$ -	\$ 98,999.69	\$ 98,999.69	\$ 100,000.00
2. Task 2 - Bid/Award				
Labor	\$ -	\$ 7,496.25	\$ 7,496.25	
Reimbursable Expenses	\$ -	\$ -	\$ -	
SUBTOTAL - TASK 2	\$ -	\$ 7,496.25	\$ 7,496.25	\$ 7,500.00
3. Task 3 - Construction Management/Admin				
Labor	\$ 7,201.25	\$ 26,572.50	\$ 33,773.75	
Reimbursable Expenses	\$ 67.20	\$ 436.80	\$ 504.00	
Subcontractors (Atlantic Testing Laboratories)	\$ 1,243.00	\$ -	\$ 1,243.00	
SUBTOTAL - TASK 3	\$ 8,511.45	\$ 27,009.30	\$ 35,520.75	\$ 50,000.00
4. Task 4 - Construction Inspection				
Labor	\$ 12,437.50	\$ 42,395.00	\$ 54,832.50	
Reimbursable Expenses	\$ 761.60	\$ 1,533.28	\$ 2,294.88	
SUBTOTAL - TASK 4	\$ 13,199.10	\$ 43,928.28	\$ 57,127.38	\$ 74,000.00
5. Task 5 - As Built Drawing Preparation				
Labor	\$ -	\$ -	\$ -	\$ 500.00
Reimbursable Expenses	\$ -	\$ -	\$ -	
Subcontractors (Synergetic Solutions, LLC)	\$ -	\$ -	\$ -	\$ 3,000.00
SUBTOTAL - TASK 5	\$ -	\$ -	\$ -	\$ 3,500.00

DELAWARE ENGINEERING, D.P.C.

55 South Main Street, Oneonta, New York 13820 Phone 607-482-8078/FAX 607-482-0482

	CURRENT COST	PREVIOUS COST	COST TO DATE	BUDGET
6. Task 6 - NYSEFC Contract Coordination				
Labor	\$ -	\$ 4,998.75	\$ 4,998.75	\$ 5,000.00
Reimbursable Expenses	\$ -	\$ -	\$ -	
Subcontractors (Deroo Consulting)	\$ 1,500.00	\$ 4,301.43	\$ 5,801.43	\$ 10,000.00
SUBTOTAL - TASK 6	\$ 1,500.00	\$ 9,300.18	\$ 10,800.18	\$ 15,000.00
7. Task 7 - Preliminary Engineering				
Labor	\$ -	\$ 70,894.70	\$ 70,894.70	\$ -
Reimbursable Expenses	\$ -	\$ -	\$ -	
SUBTOTAL - TASK 7	\$ -	\$ 70,894.70	\$ 70,894.70	\$ 70,894.70
TOTAL	\$ 23,210.55	\$ 257,628.40	\$ 280,838.95	\$ 320,894.70
AMOUNT DUE FOR CURRENT SERVICES	<u>\$ 23,210.55</u>			
AMOUNT PAST DUE	<u>\$ 32,781.40</u> Invoice #16, 7/9/2021			
TOTAL NOW DUE	<u>\$ 55,991.95</u>			
BUDGET BALANCE	\$ 40,055.75			

THIS STATEMENT REFLECTS PAYMENTS RECEIVED ON OR BEFORE BILLING DATE



ATLANTIC TESTING LABORATORIES

Remit To: 6431 US Highway 11
Canton, New York 13617
Phone: 315-386-4578

Inquiries To: 22 Corporate Drive
Clifton Park, New York 12065
Phone: 518-383-9144

WBE certified company

June 30, 2021

Accounts Payable
Delaware Engineering, D.P.C.
28 Madison Ave. Extension
Albany, NY 12203

Client Information

Contact: Bill Brown
Telephone: 607-432-8073

#19-1712
#3

RECEIVED

JUL 09 2021

REQUEST FOR PAYMENT

DELAWARE ENGINEERING

Construction Materials Engineering and Testing Services
Duaneburg Waste Water Treatment Plant
Delanson, New York
ATL Project No. AT3479
ATL Contract No. AT998-1081-06-21

Service dates: May 31, 2021 through June 27, 2021

Service	Quantity	Unit Fee	Amount
Atlantic Testing Laboratories			
Technical Personnel - CMET			
Project Manager	2	\$99.00 / Hour	\$198.00
Concrete Field Testing Technician	1	\$240.00 / Half Day	\$240.00
Concrete Field Testing Technician	1	\$360.00 / Day	\$360.00
Laboratory Testing - CMET			
Concrete and Aggregate - ASTM C 39: Compressive Strength Test or Hold Cylinder (fabricated by ATL)	9	\$15.00 / Cylinder	\$135.00
Miscellaneous - CMET			
Sample Pickup - When no other services are performed	1	\$120.00 / Trip	\$120.00
Travel - Includes Labor and Mileage	2	\$95.00 / Trip	\$190.00
TOTAL			\$1,243.00

An Itemized Schedule of Services is attached for your reference.

Invoice Summary

Previously Invoiced:	\$0.00
Current Invoice:	\$1,243.00
Total Invoiced to Date:	\$1,243.00

Invoice No. 234173

Accounts are due when rendered. Accounts 10 days and over are subject to a SERVICE CHARGE, which is computed by a PERIODIC RATE of 1.5% per month or an ANNUAL RATE of 18%. If written response is not received within 10 days of Invoice, the Invoice will be considered correct. Terms Net - Upon Receipt of Invoice.

Itemized Schedule of Services for Invoice No. 234173
 Duaneburg Waste Water Treatment Plant
 Delaware Engineering, D.P.C.
 ATL Project No. AT3479
 June 30, 2021

Date	Concrete Field Testing Technician		ASTM C 39 (fabricated by ATL) Cylinder	Sample Pickup Trip	Travel Trip
	Day	Half Day			
06/10/2021	1		4		1
06/11/2021				1	
06/25/2021		1	5		1
Totals:	1	1	9	1	2

Deroo Consulting

Fiscal Assistance
13 McKinlay Drive
Delmar, New York 12054
(616) 886-5678
derooconsulting@gmail.com

INVOICE

INVOICE NO: 55
DATE: August 2, 2021

Delaware Engineering, DPC

55 South Main Street
Oneonta, NY 13820
607-432-8073
607-432-0432 FAX

T/Duanesburg - Delaware #19-1712 #6A

DESCRIPTION	UNIT PRICE	AMOUNT
Town of Duanesburg WWTP Project C4-5469-06-00		\$1500.00
Total Hours: 15 hours in July 2021	\$75 per hour	\$ 1500.00
<ul style="list-style-type: none">MWBE Monthly reports: compilation and submissionQuarterly ReportingMWBE complianceFollow up on Document Collection		\$ 0.00
Mileage (round trip):	\$0.56 per mile	\$0.00
Postage	as per receipt	\$ 0.00
Supplies and copies (see receipts)		\$ 0.00

Make all checks payable to: Leslie Deroo
If you have questions concerning this invoice, call: Leslie Deroo, (616) 886-5678

THANK YOU FOR YOUR BUSINESS

Town of Duanesburg Town Board

RESOLUTION NO. __ - 2021

August 26, 2021

WHEREAS, the Town of Duanesburg Town Board has established Duanesburg Sewer Districts Nos. 1 and 3;

WHEREAS, the Delanson Wastewater Treatment Plant (the "Delanson WWTP") serves Duanesburg Sewer Districts Nos. 1 and 3;

WHEREAS, the Town Board retained MCJ Construction for contractor services in connection with Long Term Improvements Project at the Delanson WWTP (the "Project"); and

WHEREAS, MCJ Construction has submitted an invoice, dated August 19, 2021, for Town Board review in the amount of \$291,481.85 for services provided for the period ending August 17, 2021 ("Contractor Invoice No. 4").

NOW, THEREFORE, BE IT RESOLVED, the Town Board approves Contractor Invoice No. 4 and authorizes the Town Supervisor to submit the documentation to New York State Environmental Facilities Corporation to obtain the funds to pay the invoice and upon receipt of such funds authorizes payment to MCJ Construction in the amount of \$291,481.85.

By (unanimous/majority) vote of the Town Board of the Town of Duanesburg at its regular meeting of August 26, 2021.

Roger Tidball, Supervisor

Date

Present: ALL
Absent:

Town Clerk/Deputy Town Clerk

Date 8/26/21

Town Board Members:

Roger Tidball	<input checked="" type="radio"/> Yea	Nay	Abstain
John Ganther	<input checked="" type="radio"/> Yea	Nay	Abstain
Rick Potter	<input checked="" type="radio"/> Yea	Nay	Abstain
William Wenzel	<input checked="" type="radio"/> Yea	Nay	Abstain
Jeff Senecal	<input checked="" type="radio"/> Yea	Nay	Abstain



Delaware Engineering, D.P.C.

55 South Main Street
Oneonta, NY 13820

Tel: 607.432.8073
Fax: 607.432.0432

August 19, 2021

Roger Tidball
Supervisor
Town of Duanesburg
5853 Western Turnpike
Duanesburg, NY 12056

Re: Delanson WWTP Long Term Improvements (SD#1 & #3)
SRF 5469-06

Sub: Contract TD1-G-20
Payment Request #4

Dear Supervisor Tidball:

We have reviewed the attached Payment Application No. 4 for MCJ Construction, the contractor for the subject project, for the period ending August 17, 2021 in the amount of \$291,481.85. The balance to finish including retainage equals \$452,535.65

We agree with the level of work completed to date and the costs presented therein. Therefore, we recommend that the Town resolve to provide payment to the contractor in the amount requested by the contractor.

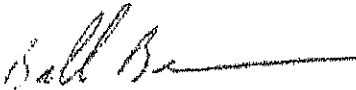
Attached for your files are the following items:

- Contractor's Application for Payment Cover Sheet & Continuation Sheets
- Certified Payroll
- Engineer's spreadsheet verifying contractor's payment application.

Please contact me if you have any questions.

Respectfully,

DELAWARE ENGINEERING, D.P.C.


Bill Brown, P.E.

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CC: Town Clerk (w/enclosures)
TD1-G-20- File (w/enclosures)

APPLICATION AND CERTIFICATION FOR PAYMENT

OWNER: **ALTA PICKET MARKET (782)** Distribution to
 PROJECT: **APPELLATION NO**
 FROM CONTRACTOR: **MCT Construction LLC, 777 ARCHITECT DELICATE Engineering**
 55 South Main Street
 13117
 Cheema, NY 13823
 CONTRACT FOR: **PHASE I**

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown herein, in connection with the Contract
 Continuation Sheet, ALA Discontinuation (1703), is attached.

SEE ATTACHED SWORN STATEMENT FROM CONTRACTOR TO OWNER

1 ORIGINAL CONTRACT SUM	\$	999,000.00
2 Net change by Change Orders	\$	36,000.00
3 CONTRACT SUM TO DATE (Line 1 + 2)	\$	1,035,000.00
4 TOTAL COMPLETED & STORED TO DATE (Column 1 on (1703))	\$	654,173.00
5 RETAINAGE:		
a. $\frac{5}{100}$ of Completed Work	\$	32,708.65
b. $\frac{5}{100}$ of Stored Material	\$	9,800.00
Total Retainage (Lines 5a + 5b or Column 2 on (1703))	\$	42,508.65
6 TOTAL EARNED LESS RETAINAGE (Line 3 Less Line 5 Total)	\$	992,491.35
7 LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate)	\$	310,982.50
8 CURRENT PAYMENT DUE	\$	681,508.85
9 BALANCE TO BE PAID, INCLUDING RETAINAGE (Line 8 Less Line 9)	\$	452,526.35

CHANGES OTHER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$36,000.00	
Total approved this month		
TOTALS	\$36,000.00	0.00
NET CHANGE BY CHANGE ORDER	\$36,000.00	

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due

CONTRACTOR

By: Dawni Deane Date: 8/19/21
 Title: Contractor
 State of New York County of Fulton City of August 2021
 My Commission expires 8/26/2022
 Signature: [Handwritten Signature]

ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED \$ 310,982.50

I attach explanations of amounts certified, from the amount applied, based on this Application and other information that are changed in contrast with the amount certified.

By: [Handwritten Signature] Date: 8/19/2021

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

JO A PALMISTEN
 Notary Public, State of New York
 Qualified in Fulton County
 Reg. No. 01786079830
 Commission Expires 02/28/2023

CONTINUATION SHEET

ALL DOLLAR AMOUNTS ARE CERTIFIED FOR PAYMENT, INCLUDING
 CONTRACTOR'S SIGNED CERTIFICATION IS ATTACHED
 IN ADDITION BELOW AMOUNTS ARE ADDED TO THE NEXT DOLLAR
 FIGURE IN THE CONTRACT WHERE APPLICABLE FOR THE WORK PERFORMED

Page of 4
 APPLICATION NO
 APPLICATION DATE
 PERIOD TO
 ARCHITECT'S PROJECT NO

LINE NO	DESCRIPTION OF WORK	UNIT PRICE	QUANTITY	TOTAL PRICE	TAXES	NET TOTAL	RETENTION %	RETENTION AMOUNT	RETENTION TOTAL
1	Water Treatment/Demolition	\$15,000.00	1	\$15,000.00		\$15,000.00	5%	\$750.00	\$15,750.00
2	New 100 Tank and Building	\$300,000.00	1	\$300,000.00		\$300,000.00	5%	\$15,000.00	\$315,000.00
3	New Mechanical Waste Screen	\$150,000.00	1	\$150,000.00		\$150,000.00	5%	\$7,500.00	\$157,500.00
4	New 500 Tank Pumps and Automation System	\$150,000.00	1	\$150,000.00		\$150,000.00	5%	\$7,500.00	\$157,500.00
5	Sleeve Work and Trenching	\$65,000.00	1	\$65,000.00		\$65,000.00	5%	\$3,250.00	\$68,250.00
6	SBR Tank Grouting and Rebuilding	\$30,000.00	1	\$30,000.00		\$30,000.00	5%	\$1,500.00	\$31,500.00
7	NPWS System in Filtration Building	\$67,000.00	1	\$67,000.00		\$67,000.00	5%	\$3,350.00	\$70,350.00
8	New UV System	\$150,000.00	1	\$150,000.00		\$150,000.00	5%	\$7,500.00	\$157,500.00
9	Modify Chemical Feed Head	\$1,000.00	1	\$1,000.00		\$1,000.00	5%	\$50.00	\$1,050.00
10	Allowance 1 - Unforeseen Conditions	\$20,000.00	1	\$20,000.00		\$20,000.00	5%	\$1,000.00	\$21,000.00
11	Allowance 1 - Rock Excavation (40-1000 Y)	\$50,000.00	1	\$50,000.00		\$50,000.00	5%	\$2,500.00	\$52,500.00
12	Allowance 2 - Rock Excavation (101-5000 Y)	\$1,000.00	1	\$1,000.00		\$1,000.00	5%	\$50.00	\$1,050.00
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GRAND TOTALS				\$1,053,000.00		\$1,053,000.00	5.00%	\$52,650.00	\$1,105,650.00

U.S. Department of Labor

Wage and Hour Division

PAYROLL

For Contractor's Optional Use: See instructions at www.dol.gov/wfd/forms/wf347/mstr.htm



U.S. Wage and Hour Division
Rev. Dec. 08

Persons are not required to respond to the collection of information unless it displays a current valid OMB control number.

Name of Contractor: **MCJ CONSTRUCTION, LLC**
 OMB No. 1295-0008
 Expires 02/28/16

FEIN: **14-1835810**
 For Week Ending: **7/4/2021**
 PROJECT AND LOCATION: **Town of Duanesburg, Delanson, WWTP**
 PROJECT OR CONTRACTOR NO.: **PRC NO. #202009005**

Address: **777 BUNKER HILL ROAD**
MAYFIELD, NY 12117
 PROJECT AND LOCATION: **Town of Duanesburg, Delanson, NY 12053**
 PROJECT OR CONTRACTOR NO.: **PRC NO. #202009005**

Name and Individual Identifying Number of Worker	No. of With- holdings	Work Classification	Day and Date							Total Hours	Rate of Pay	Gross Amount Earned	FICA tax	Fed WHI tax	Deductions			Net Wages Paid for week
			M 8/28	T 6/29	W 6/30	TH 7/1	F 7/2	S 7/3	S 7/4						NYS tax	P/L S/M	Other	
Garber, Christian 13 Tamarack Trl Saratoga Springs, NY 12866	0	Engineer							0	77.94	968.64	74.11	172.26	53.37	5.22	305.06	663.58	
Garber, Michael 17 Milton Heights Blvd Ballston Spa, NY 12029	0	Labor							0	80.54	0.00					0.00	0.00	
Palman, Ryan D 112 Little Rock Lane Brazzaville, NY 12025	0	Labor			0.5				0.5	77.94	2,460.57	488.22	400.55	124.08	13.16	971.87	1,488.70	
Owens, Jonathan 225 Middle Rd Amsterdam, NY 12010	0	Labor			0.5				0.5	80.54	2,460.57	188.24	271.61	141.36	13.17	614.40	1,846.17	
Sargolis, Jeffrey E 29 S. Shore Rd Northville, NY 12134	0	Manager							0	62.50	2,500.00	191.25	465.79	145.77	13.38	817.19	1,682.81	
	0								0		0.00					0.00	0.00	
	0								0		0.00					0.00	0.00	

While completion of Form WH-547 is optional, it is mandatory for covered contractors and subcontractors performing work on Federally financed or assisted construction contracts to respond to the information collection contained in 29 C.F.R. 3.3, 5.56, the Copland Acts (40 U.S.C. 3145) contractors and subcontractors performing work on Federal, financial or assisted construction contracts to "submit weekly a statement with respect to the wages paid each employee during the preceding week" U.S. Department of Labor (DOL) regulations at 29 C.F.R. 5.56(b)(3); require contractors to submit weekly a copy of all payrolls to the Federal agency contracting for or through the construction project, accompanied by a signed "Statement of Compliance" indicating that the payrolls are correct and that each laborer or mechanic has been paid not less than the proper Davis-Bacon prevailing wage rate for the week performed, DOL and Federal contracting agencies receiving this information review the information to determine that employers have received legally required wages and fringe benefits.

Public Burden Statement
 We estimate that it will take an average of 55 minutes to complete this collection, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding these estimates or any other aspect of this collection, including suggestions for reducing this burden, send them to the Administration, Wage and Hour Division, U.S. Department of Labor, Room 55502, 200 Constitution Ave N.W., Washington, D.C. 20210

Date: 7/9/2021

I, Leslie Garber _____ Member/Manager
 (Name of Signatory Party) (Title)
 do hereby state:

(1) That I pay or supervise the payment of the persons employed by

MCJ CONSTRUCTION, LLC _____ on the
 (Contractor or Subcontractor)

Town of Duenesburg, Delaware OH; that during the payroll period commencing on the
 (Building or Work)

28th _____ day of June 2021, and ending the 4th day of July 2021

all persons employed on said project have been paid the full weekly wages earned, that no rebates have
 been or will be made either directly or indirectly to or on behalf of said

MCJ CONSTRUCTION, LLC _____ from the full
 (Contractor or Subcontractor)

weekly wages earned by any person and that no deductions have been made either directly or indirectly
 from the full wages earned by any person, other than permissible deductions as defined in Regulations, Part
 3 (29 C.F.R. Subpart A), issued by the Secretary of Labor under the Copeland Act, as amended (48 Stat. 942,
 69 Stat. 108, 73 Stat. 967; 48 U.S.C. § 3145), and described below:

(2) That any payrolls otherwise under this contract required to be submitted for the above period are
 correct and complete; that the wages rates for laborers or mechanics contained therein are not less than the
 applicable wage rates contained in any wage determination incorporated into the contract; that the
 classifications set forth therein for each laborer or mechanic conform with the work he performed.

(3) That any apprentices employed in the above period are duly registered in a bona fide
 apprenticeship program registered with a State apprenticeship agency recognized by the Bureau of
 Apprenticeship and Training, United States Department of Labor, or if no such recognized agency exists in a
 State, are registered with the Bureau of Apprenticeship and Training, United States Department of Labor,
 (4) That

(e) WHERE FRINGE BENEFITS ARE PAID TO APPROVED PLANS, FUNDS OR PROGRAMS

XX In addition to the basic hourly wage rates paid to each laborer or mechanic listed in
 the above referenced payroll, payments of fringe benefits as listed in the contract
 have been or will be made to appropriate programs for the benefit of such
 employees, except as noted in section 4 (c) below/employees, except as noted in section 4 (c) below.

(b) WHERE FRINGE BENEFITS ARE PAID IN CASH
 XX Each laborer or mechanic listed in the above referenced payroll has been paid
 as indicated on the payroll, an amount not less than the sum of the applicable
 basic hourly wage rate plus the amount of the required fringe benefits as listed
 in the contract, except as noted in section 4(c) below.

(c) EXCEPTIONS

EXCEPTION (CRAFT)	EXPLANATION

REMARKS:

Name and Title: Leslie Garber/Member SIGNATURE: _____
 THE WILLFUL FALSIFICATION OF ANY OF THE ABOVE STATEMENTS MAY SUBJECT THE CONTRACTOR OF
 SUBCONTRACTOR TO CIVIL OR CRIMINAL PROSECUTION. SEE SECTION 1103 OF TITLE 18 AND SECTION 231
 OF TITLE 31 OF THE UNITED STATES CODE.



US Department of Labor
Wage and Hour Division

PAYROLL

For Contractor's Optional Use: See Instructions at www.dcl.gov/whd/forms/wf347instr.htm

OMB No. 1235-0008
Expires 02/28/18

Persons are not required to respond to the collection of information unless it displays a current valid OMB control number.

Name of Contractor MCJ CONSTRUCTION, LLC		For Week Ending 7/18/2024		PROJECT AND LOCATION Town of Duaneburg, Delanson VVWTP 1376 Cole Road, Delanson, NY 12053		PROJECT OR CONTRACTOR NO. PRC NO. #2020090005		Net Wages Paid for week																
Name and Individual Identifying Number of Worker	No. of With- holdings	ST	Work Classification	Day and Date							Gross Amount Earned	FICA tax	Fed With tax	Deductions NYS tax	PFL SDI	Other	Total Deductions							
				M 7/12	T 7/13	W 7/14	TH 7/15	F 7/16	S 7/17	S 7/18									Rate of Pay	Total Hours				
Garber, Christian 112 Tamarack Trl Saratoga Springs, NY 12866	S/O	OT	Engineer									77.94	0						0.00	0.00				
Garber, Michael 17 Milton Heights Blvd Ballston Spa, NY 12020	S/O	OT	Laborer									80.54	0						0.00	0.00				
Purman, Ryan D 112 Little Rock Lane Brookfield, NY 12025	S/O	OT	Laborer								1.5	77.94	1.5						2,538.91	113.42	13.57	457.63	1,145.01	1,393.59
Owens, Jonathan 225 Midline Rd Amsterdam, NY 12010	M/O	OT	Laborer								1.5	80.54	1.5						2,114.73	120.62	11.34		522.36	1,592.37
Sergalis, Jeffrey E 29 S. Shore Rd Northville, NY 12134	S/O	OT	Manager								8	82.50	8						176.91	134.84	12.38		755.91	1,566.59
		ST									37	82.50	37						0.00				0.00	0.00
		ST																	0.00				0.00	0.00
		ST																	0.00				0.00	0.00
		ST																	0.00				0.00	0.00

While completion of Form WH-347 is optional, it is mandatory for covered contractors and subcontractors performing work on Federally financed or assisted construction contracts to respond to the information collection contained in 29 C.F.R. 33.45(a), the Copeland Act (49 U.S.C. 3145) contractors and subcontractors performing work on Federally financed or assisted construction contracts to furnish weekly a statement with respect to the wages paid each employee during the preceding week. U.S. Department of Labor (DOL) regulations at 29 C.F.R. 5.5(a)(3)(ii) require contractors to submit weekly a copy of all payrolls to the Federal agency contracting for or financing the construction project, accompanied by a signed "Statement of Compliance" indicating that the payrolls are correct and meet each laborer or mechanic has been paid not less than the proper Davis-Bacon prevailing wage rate for the work performed, DOL and federal contracting agencies receiving this information review the information to determine that employees have received legally required wages and fringe benefits.

We estimate that it will take an average of 56 minutes to complete this collection, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding these estimates or any other aspect of this collection, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room 53502, 200 Constitution Ave N.W., Washington, D.C. 20220

Public Burden Statement

Date 7/23/2021

I, Leslie Garber Member/Manager
(Name of Signatory Party) (Title)
 do hereby state:

(1) That I pay or supervise the payment of the persons employed by

MCJ CONSTRUCTION, LLC on the
(Contractor or Subcontractor)

Town of Duquesburg, Delaware OH, that during the payroll period commencing on the
(Building or Work)
12th day of July, 2021 and ending the 18th day of July, 2021

all persons employed on said project have been paid the full weekly wages earned, that no rebates have been or will be made either directly or indirectly to or on behalf of said

MCJ CONSTRUCTION, LLC from the full
(Contractor or Subcontractor)

weekly wages earned by any person and that no deductions have been made either directly or indirectly from the full wages earned by any person, other than permissible deductions as defined in Regulations, Part 3 (29 C.F.R. Subtitle A), issued by the Secretary of Labor under the Copeland Act, as amended (48 Stat. 948, 68 Stat. 108, 72 Stat. 957; 76 Stat. 357; 40 U.S.C. & 3145), and described below:

(2) That any payrolls otherwise under this contract required to be submitted for the above period are correct and complete; that the wage rates for laborers or mechanics contained therein are not less than the applicable wage rates contained in any wage determination incorporated into the contract; that the classifications set forth therein for each laborer or mechanic conform with the work he performed.

(3) That any apprentices employed in the above period are duly registered in a bona fide apprenticeship program registered with a State apprenticeship agency recognized by the Bureau of Apprenticeship and Training, United States Department of Labor, or if no such recognized agency exists in a State, are registered with the Bureau of Apprenticeship and Training, United States Department of Labor.

(4) That:

(R) WHERE FRINGE BENEFITS ARE PAID TO APPROVED PLANS, FUNDS OR PROGRAMS


XX In addition to the basic hourly wage rates paid to each laborer or mechanic listed in the above referenced payroll, payments of fringe benefits as listed in the contract have been or will be made to appropriate programs for the benefit of such employees, except as noted in section 4 (c) below employees, except as noted in section 4 (c) below.

(b) WHERE FRINGE BENEFITS ARE PAID IN CASH

XX Each laborer or mechanic listed in the above referenced payroll has been paid as indicated on the payroll, an amount not less than the sum of the applicable basic hourly wage rate plus the amount of the required fringe benefits as listed in the contract, except as noted in section 4(c) below.

EXCEPTIONS	EXCEPTION (CRAFT)	EXPLANATION

REMARKS:

Name and Title <u>Leslie Garber/Member</u>	SIGNATURE 
---	--

THE WILLFUL FALSIFICATION OF ANY OF THE ABOVE STATEMENTS MAY SUBJECT THE CONTRACTOR OF SUBCONTRACTOR TO CRIMINAL PROSECUTION. SEE SECTION 1001 OF TITLE 48 AND SECTION 231 OF TITLE 31 OF THE UNITED STATES CODE

Certified Payroll Report

Contractor JDR MASONRY LLC
 11 BITTERSWEET LANE
 CLIFTON PARK, NY 12065

Project MCI Construction, LLC
 777 Sunken Hill Road
 Mayfield, NY 12117

Project/Contract # 1
 Payroll Number 71172021
 For Week Ending

Employee Name	ID	Work Classification	Pay Type	Hours Worked by Day							Total Hours	Rate	Gross Pay	Job Fringe Check Rate	Fringe Check	Total Gross Pay	Social Security	Medicare	Federal Tax	State Tax	Total Deduct	Net Pay
				Sun	Mon	Tue	Wed	Thu	Fri	Sat												
Andria G DesJardins	8815	Mason	RT	8.00	8.00	8.00	8.00	8.00	8.00	40.00	38.68	1,547.50	1.28	DD1254	1,547.50	95.35	22.45	150.00	75.31	194.51	542.82	1,004.78
Brandon G DesJardins	2450	mason	RT	8.00	8.00	8.00	8.00	8.00	8.00	40.00	32.79	1,065.08	1.06	DD1255	1,065.08	66.07	15.46	136.00	51.21	228.26	987.00	69.68
David M Chisulo	4341	Laborer	RT	8.00	8.00	8.00	8.00	8.00	8.00	40.00	38.69	909.92	1.28	DD1256	909.92	92.35	21.60	93.00	70.52	5.26	272.21	1,217.39
Michael S Bordaoux	3754	Mason	RT	8.00	8.00	8.00	8.00	8.00	8.00	40.00	38.66	1,538.08	1.28	DD1257	1,538.08	76.77	17.56	113.00	61.80	156.73	484.52	813.56
Randy Vissoher	3835	Mason	RT	8.00	8.00	8.00	8.00	8.00	8.00	40.00	38.66	928.56	1.28	DD1258	928.56	76.76	17.96	103.00	59.89	156.73	413.34	824.74

Date: Jun-19, 2021
i, Deana Richardson, Owner, do hereby state:

(1) That I pay or supervise the payment of the persons employed by JDR MASCHERY LLC on the project MCI Construction, LLC, that during the payroll period commencing on Jun-17, 2021 and ending on Jun-17, 2021 all persons employed on the said project have been paid the full weekly wages earned, that no wages have been or will be made either directly or indirectly to or on behalf of said JDR MASCHERY LLC from the full weekly wages earned by any person, other than permissible deductions as defined in Regulations, Part 3 CFR Subtitle A1, issued by the Secretary of Labor under the Copeland Act, as amended (48 Stat. 943, 85 Stat. 701, 72 Stat. 867, 78 Stat. 357, 40 U.S.C. 276a), and described below:

(2) That any payrolls otherwise subject to be submitted for the above period are correct and complete; that the wage rates for laborers and mechanics contained therein are not less than the applicable wage rates contained in any wage determination incorporated into this contract; that the classifications set forth herein for each laborer or mechanic conform with the work performed.

(3) That any apprentices employed in the above period are duly registered in a bona fide apprenticeship program registered with a State apprenticeship agency recognized by the Bureau of Apprenticeship and Training, United States Department of Labor, or if no such recognized agency exists in a State, are registered with the Bureau of Apprenticeship and Training, United States Department of Labor.

(4) That:

(a) WHERE FRINGE BENEFITS ARE PAID TO APPROVED PLANS, FUNDS, OR PROGRAMS
in addition to the basic hourly wage rates paid to each laborer or mechanic listed in the above referenced payroll, payments of fringe benefits as listed in the contract have been or will be made in accordance with the terms of such programs, except as stated in Section 4(c) below.

(b) WHERE FRINGE BENEFITS ARE PAID IN CASH
Each laborer or mechanic listed in the above referenced payroll has been paid, as indicated on the payroll, an amount not less than the sum of the applicable basic hourly wage rate plus the amount of the required fringe benefits as listed in the contract, except as noted in Section 4(c) below.

(c) EXCEPTIONS

Exception (Credit)	Description

Remarks:

Name and Title
Deana Richardson, Owner

Signature

THE WILLFUL FALSIFICATION OF ANY OF THE ABOVE STATEMENTS MAY SUBJECT THE CONTRACTOR OR SUBCONTRACTOR TO CRIMINAL PROSECUTION. SEE SECTIONS 1001 OF TITLE 18 AND SECTION 221 OF TITLE 31 OF THE UNITED STATES CODE.



US Department of Labor
Wage and Hour Division

PAYROLL

For Contractor's Optional Use: See instructions at www.dol.gov/weld/forms/wf347instr.htm

Persons are not required to respond to the collection of information unless it displays a current valid OMB control number

Name of Contractor: **MCJ CONSTRUCTION, LLC**
 FEIN: **14-1833610**
 For Week Ending: **8/12/2021**
 ADDRESS: **777 BUNKER HILL ROAD**
MAYFIELD, NY 12117
 PROJECT AND LOCATION: **Town of Dutchessburg, Delaware's WWTP**
1376 Cole Road, Delaware, NY 12053
 PROJECT OR CONTRACTOR NO. **PRC NO. #202009005**
 OMB No. 1215-0008 Expires 02/28/18
 Rev. Dec. 08

Name and Individual Identifying Number of Worker	No. of Withholdings	Work Classification	Day and Date							Total Hours	Rate of Pay	Gross Amount Earned	Deductions				Net Wages Paid for week			
			M	T	W	TH	F	S	S				FICA	Fed WHI tax	NYS tax	PFL		Other	Total Deductions	
Garber, Christian 18 Tamarack Trl Saratoga Springs, NY 12886	S/O	Engineer									0	77.94	0.00					0.00	0.00	
Garber, Michael 17 Million Heights Blvd Ballston Spa, NY 12029	S/O	Labor									0	60.54	0.00					0.00	0.00	
Pulman, Ryan D 112 Little Rock Lane Broadship, NY 12025	S/O	Labor									24	54.54	1,308.06	100.13	160.70	57.30	7.29	130.50	465.32	862.64
Owens, Jonathan 229 Midline Rd Amsterdam, NY 12010	M/O	Labor									35	80.54	2,118.06	162.10	216.92	118.60	11.38		508.00	1,609.90
Sargolis, Jeffrey E 29 S. Shore Rd Northville, NY 12194	S/O	Manager									0	85.00	0.00					0.00	0.00	

While completion of Form WH-347 is optional, it is mandatory for covered contractors and subcontractors performing work on Federally financed or assisted construction contracts to respond to the information collection contained in 29 C.F.R. 3.3, 5.5(e), the Copeland Act (40 U.S.C. 5512) contractors and subcontractors performing work on Federally financed or assisted construction contracts to submit weekly a statement with respect to the wages paid each employee during the preceding week* U.S. Department of Labor (DOL) regulations at 29 C.F.R. 5512(e)(5) require contractors to submit weekly a copy of all payrolls to the Federal agency contracting to or financing the construction project, accompanied by a signed "Statement of Compliance" indicating that the payrolls are correct and that each laborer or recipient has been paid not less than the proper Davis-Bacon prevailing wage rate for the work performed. DOL and Federal contracting agencies receiving the information to determine that employees have received legally required wages and fringe benefits.

Public Burden Statement

We estimate that it will take an average of 55 minutes to complete this collection, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding these estimates or any other aspect of this collection, including suggestions for reducing the burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor Room S5502, 200 Constitution Ave N.W., Washington, D.C. 20210

Date 8/6/2021

I, Leslie Carber
 (Name of Signatory Party)
 do hereby state:

Member/Manager
 (Title)

(1) That I pay or supervise the payment of the persons employed by

MCJ CONSTRUCTION, LLC on the 1st day of August, 2021
 (Contractor or Subcontractor)

Town of Duaneburg, Delaware, WA; that during the payroll period commencing on the 26th day of July 2021, and ending the 1st day of August, 2021 from the full

all persons employed on said project have been paid the full weekly wages earned, that no rebates have been or will be made either directly or indirectly to or on behalf of said

MCJ CONSTRUCTION, LLC
 (Contractor or Subcontractor)

weekly wages earned by any person and that no deductions have been made either directly or indirectly from the full wages earned by any person, other than permissible deductions as defined in Regulations, Part 9 (29 C.F.R. Subpart A), issued by the Secretary of Labor under the Copeland Act, as amended (#3 Stat. 948, 63 Stat. 108, 72 Stat. 967, 76 Stat. 357, 40 U.S.C. & 3145), and described below:

(2) That any payrolls otherwise under this contract required to be submitted for the above period are correct and complete; that the wage rates for laborers or mechanics contained therein are not less than the applicable wage rates contained in any wage determination incorporated into the contract; that the classifications set forth therein for each laborer or mechanic conform with the work he performed.

(3) That any apprentices employed in the above period are duly registered in a bona fide apprenticeship program registered with a State apprenticeship agency recognized by the Bureau of Apprenticeship and Training, United States Department of Labor, or if no such recognized agency exists in a State, are registered with the Bureau of Apprenticeship and Training, United States Department of Labor.
 (4) That:

(a) WHERE FRINGE BENEFITS ARE PAID TO APPROVED PLANS, FUNDS OR PROGRAMS

XXX In addition to the basic hourly wage rates paid to each laborer or mechanic listed in the above referenced payroll, payments of fringe benefits as listed in the contract have been or will be made to appropriate programs for the benefit of such employees, except as noted in section 4 (c) below, employees, except as noted in section 4 (c) below.

(b) WHERE FRINGE BENEFITS ARE PAID IN CASH
 XX Each laborer or mechanic listed in the above referenced payroll has been paid as indicated on the payroll, an amount not less than the sum of the applicable basic hourly wage rate plus the amount of the required fringe benefits as listed in the contract, except as noted in section 4(c) below.

EXCEPTION (CRAFT)	EXPLANATION

REMARKS:

Name and Title Leslie Carber/Manager
 SIGNATURE Leslie Carber
 THE WILLFUL FALSIFICATION OF ANY OF THE ABOVE STATEMENTS MAY SUBJECT THE CONTRACTOR OF SUBCONTRACTOR TO CIVIL OR CRIMINAL PROSECUTION. SEE SECTION 1001 OF TITLE 18 AND SECTION 251 OF TITLE 31 OF THE UNITED STATES CODE.



U.S. Wage and Hour Division
Rev. Dec. 08

US Department of Labor
Wage and Hour Division

PAYROLL
For Contractor's Optional Use: See Instructions at www.dol.gov/whd/forms/wr347instr.htm
Persons are not required to respond to the collection of information unless it displays a current valid OMB control number

Name of Contractor: **MCJ CONSTRUCTION, LLC**
 FEIN: **14-1836810**
 For Week Ending: **8/8/2021**
 ADDRESS: **777 BUNKER HILL ROAD MAYFIELD, NY 12117**
 PROJECT AND LOCATION: **Town of Dutchessburg, Delaware, Delaware, NY 12053**
 PROJECT OR CONTRACTOR NO.: **#2020009005**
 OMB No. 1225-0008 Expires 02/29/18

Name and Individual Identifying Number of Worker	No. of With-holdings	Work Classification	ST	Day and Date							Total Hours	Rate of Pay	Gross Amount Earned	FICA	Fed With tax	Deductions			Net Wages Paid for week			
				M	T	W	TH	F	S	S						NYS tax	PFL	Other		Total		
Garber, Christian 13 Tamarack Trl Saratoga Springs, NY 12866	5/0	Engineer	OT								0	77.94	0.00						0.00	0.00		
Garber, Michael 17 Milton Heights Blvd Ballston Spa, NY 12020	5/0	Laborer	OT								0	60.54	0.00							0.00	0.00	
Pulman, Ryan D 112 Little Rock Lane Brookfield, NY 12025	5/0	Laborer	OT								40	54.54	2,181.80	186.86	338.01	105.16	11.75	218.16	839.57		1,341.63	
Owens, Jonathan 229 Millline Rd Amsterdam, NY 12010	6/0	Laborer	OT								0	77.94	1,452.56	111.15	108.78	73.06	9.02	301.03		1,151.83		
Sargolis, Jeffrey E 29 S. Shore Rd Northville, NY 12134	5/0	Manager	OT								24	65.08	2,600.00	198.90	490.79	163.65	0.50	843.94		1,756.06		
			HO								0	65.00	0.00							0.00	0.00	
			ST								40	65.00	0.00								0.00	0.00
			ST								0		0.00								0.00	0.00
			ST								0		0.00								0.00	0.00

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US Department of Labor

Wage and Hour Division

PAYROLL

For Contractor's Optional Use: See Instructions at www.dcl.gov/whd/forms/wts347first.htm



U.S. Wage and Hour Division
Rev. Dec. 03

Name of Contractor MCJ CONSTRUCTION, LLC	OMB No. 1255-0008 Expires 02/28/16																
	Project OR CONTRACTOR NO. PRC NO. #2020090005																
FEIN 14-1835610	Address: 777 BUNKER HILL ROAD MAYFIELD, NY 12117																
Name and Individual Identifying Number of Worker	No. of With- holdings	Work Classification	Project AND LOCATION Town of Duaneburg, Delaware WWTP 1376 Cole Road, Delaware, NY 12053							Gross Amount Earned	FICA	Fed With tax	Deductions			Net Wages Paid for week	
			ST	of	M	T	W	TH	F				S	S	NYS tax		PPH
		8/15/2021	8/9	8/10	8/11	8/12	8/13	8/14	8/15			Fed With	PPH	Other	Total		
										Total Hours	Rate of Pay						
Garber, Christian 19 Tamarack Trl Saratoga Springs, NY 12866	SO	Engineer	OT							0	77.94						0.00
Garber, Michael 17 Milton Heights Blvd Ballston Spa, NY 12020	SO	Laborer	OT							0	80.54						0.00
Pullen, Ryan D 112 Little Rock Lane Broadbalt, NY 12025	S/O	Laborer	OT							16	54.54	66.75		87.26	274.23	558.41	
Owens, Jonathan 229 Midline Rd Amsterdam, NY 12010	MO	Laborer	OT							32	80.54	148.20			428.43	1,508.86	
Sergalis, Jeffrey E 29 S. Shore Rd Northville, NY 12134	SO	Manager	OT							40	85.00	198.90		153.65	842.94	1,756.06	
										0							0.00
										0							0.00
										0							0.00
										0							0.00

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TOWN OF DUANESBURG TOWN BOARD

RESOLUTION # OF 2021

RESOLUTION REGARDING CENTRALIZED ARRAIGNMENTS

WHEREAS, Schenectady County is submitting a plan for counsel at initial appearance coverage for arraignments in local courts; and

WHEREAS, the plan provides for a central arraignment part conducted twice a day at the Schenectady County jail rather than at the town or village location of the arrest; and

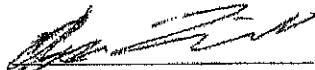
WHEREAS, this plan requires the cooperation of the various local town and village justices; and


WHEREAS, this plan should assure consistency in representation as well as in the afterhours schedules of the various town and village justices; and

WHEREAS, this program will promote efficiencies among the town and village justices as well as county operations providing for mutual cooperation of the County's municipalities; now therefore be it

RESOLVED, that the Town of Duanesburg hereby indicates its support for the County's plan for counsel at initial appearance coverage for arraignments in local courts.

By (unanimous/majority) vote of the Town Board of the Town of Duanesburg at its regular meeting on August 26, 2021.


Roger Tidball, Supervisor


Jennifer Howe, Town Clerk

Present: *ALL*
Absent:

Council Members:

Roger Tidball	<input checked="" type="radio"/> Yea	<input type="radio"/> Nay	<input type="radio"/> Abstain
John Ganther	<input checked="" type="radio"/> Yea	<input type="radio"/> Nay	<input type="radio"/> Abstain
Rick Potter	<input checked="" type="radio"/> Yea	<input type="radio"/> Nay	<input type="radio"/> Abstain
William Wenzel	<input checked="" type="radio"/> Yea	<input type="radio"/> Nay	<input type="radio"/> Abstain
Jeff Senecal	<input checked="" type="radio"/> Yea	<input type="radio"/> Nay	<input type="radio"/> Abstain

I submit the following statement to the board;

During the Covid crisis last year Schenectady County adopted a centralized arraignment process for all courts in the county in order to abide by Covid restrictions. This proved to be a very successful process and the county has decided to establish a central arraignment court located at the county jail. This project requires the cooperation of the various local town and village justices. I support this new process but the county needs the approval of Chief Administrative Judge Marks. The county feels that a show of support from all the local town and village boards will be helpful in getting this approval. This resolution will show that support. I appreciate the boards consideration of this resolution and encourage you to support it.

Regards,

Judge Wren

Jennifer Howe

From: Susan Biggs <azurevista@hotmail.com>
Sent: Thursday, August 26, 2021 1:01 PM
To: Jennifer Howe
Cc: Bill Wenzel
Subject: Privilege of the Floor August 26 Town Board Meeting
Attachments: 117 Darby Hill Road Fire IMG_0536.jpg; 117 Darby Hill Road Fire IMG_0545.jpg; 117 Darby Hill Road Fire IMG_0546.jpg; 117 Darby Hill Road Fire IMG_0550.jpg

August 26, 2021

Dear Supervisor Tidball and the Town Board,

Please read my comments concerning the public hearing of draft solar facilities law, Local Law 1 of 2021. Please include this letter in the official record of tonight's planning board meeting minutes as posted on the town website.

Susan Biggs
13388 Duanesburg Road, Delanson NY 12053

Please see the attached four images in color taken in August 2021 to document the current conditions of 117 Darby Hill Road. The home burned down 18 months ago, the owners abandoned the parcel and left the clean-up costs to be paid by our tax dollars. The debris is blocking the sidewalk and the weeds are more than three feet tall. It is likely that the hazardous and toxic property conditions have diminished the surrounding neighbor's property values. The site is an eyesore to all, a health hazard to the neighbors and a drain on the taxpayers.

What is the timeline for the cleanup of the 117 Darby Hill Road fire debris?
What has the town paid in legal fees, lead testing, asbestos testing and for the projected demolition?
When will the parcel go to auction and what revenue do you anticipate from the sale?

This property should serve as a cautionary tale to the town and taxpayers as to why Oak Hill Solar must be carefully, thoughtfully and comprehensively reviewed. Our town is not affluent or rich. We cannot afford to clean up one orphaned burned down building. If Oak Hill Solar's combined \$422,000 decommissioning fund is not available or insufficient, can our town afford to pay for an abandoned 65 acre solar array plus four 53' containers of lithium-ion batteries? How is the decommissioning fund supplied? Will the money be there if the town needs it? If there is a catastrophic battery explosion harming first responders, passerby or neighbors can the town absorb any possible legal costs?

I am sorry that it seems you have been bamboozled by Eden Renewables and I am sorry that the hired town engineer did not fully report the errors, omissions and misrepresentations found throughout their application in 2019.

Now is the time for action.

The Planning Board's vote on the Oak Hill Amendment to add lithium-ion batteries will set precedent.

Please consider the hazards that accompany lithium batteries. Explosions, fires and toxic fumes may require evacuation of residents for miles surrounding the Project site. Do you want lithium batteries in your backyard? How will battery storage impact future development of abutting parcels?

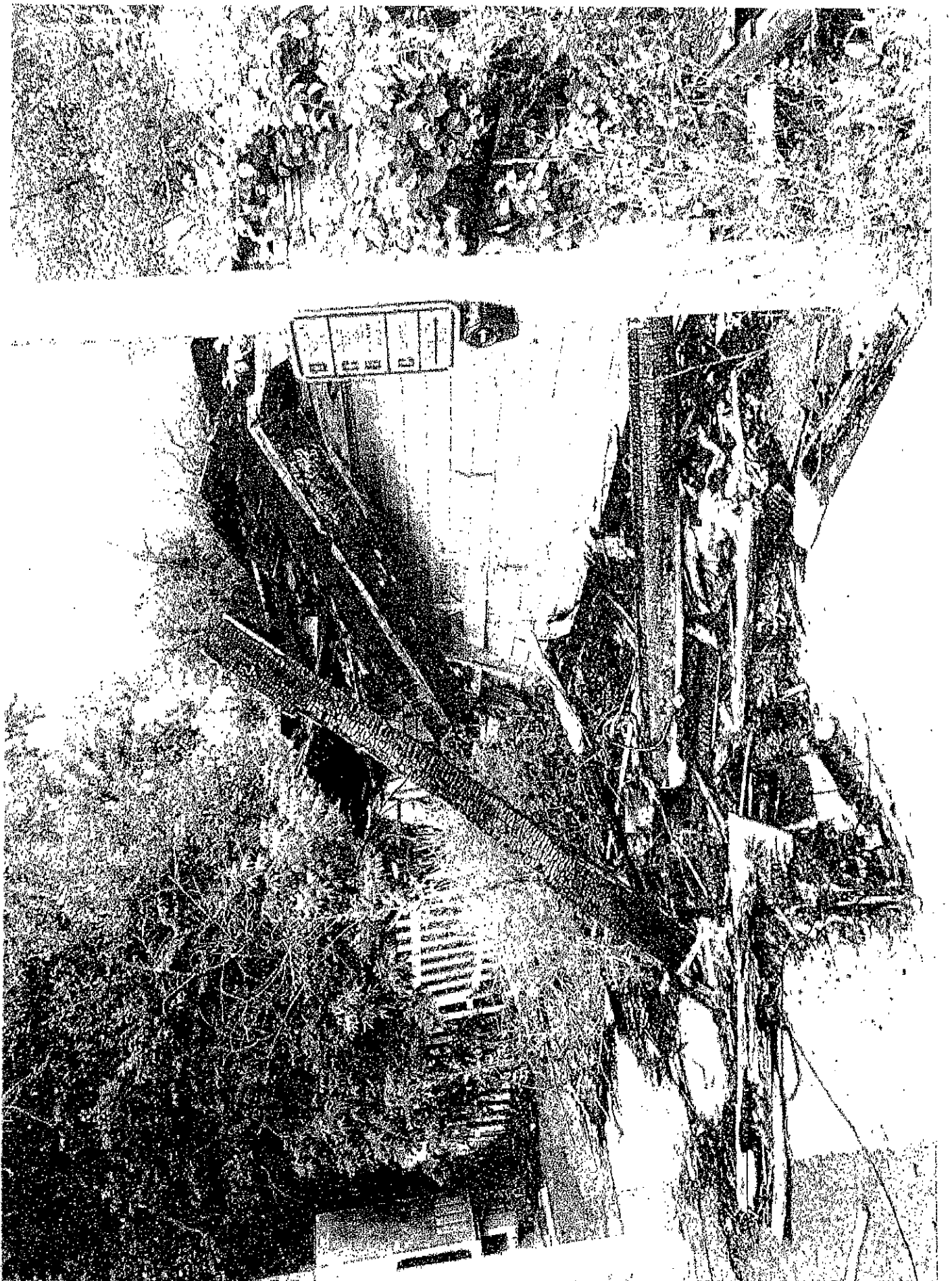
I do not believe this is what the citizens of Duanesburg want. I urge all citizens to submit comments and concerns to the town clerk, jhowe@duanesburg.net, for distribution to the town and planning boards. I request that the Town Board deny the Oak Hill Solar Amendment and save our community from future tax liabilities.

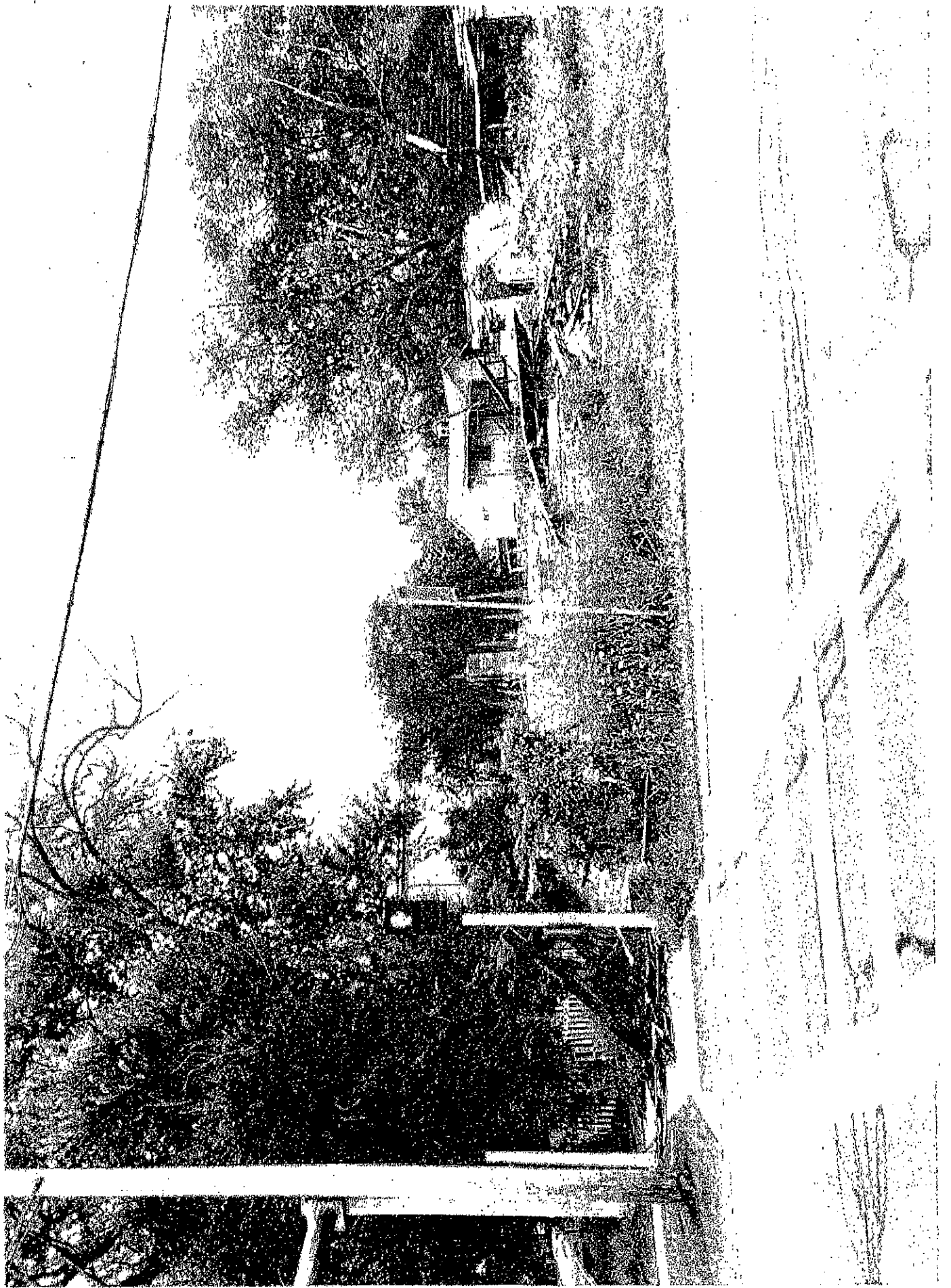
I request that Planning and Zoning Board meetings, including the September 9, 2021 Planning Board Workshop are broadcast on zoom and that the application documents be posted on the town website. The more eyes on a project the better the project will be for the entire community.

Thank you for your service to our town.

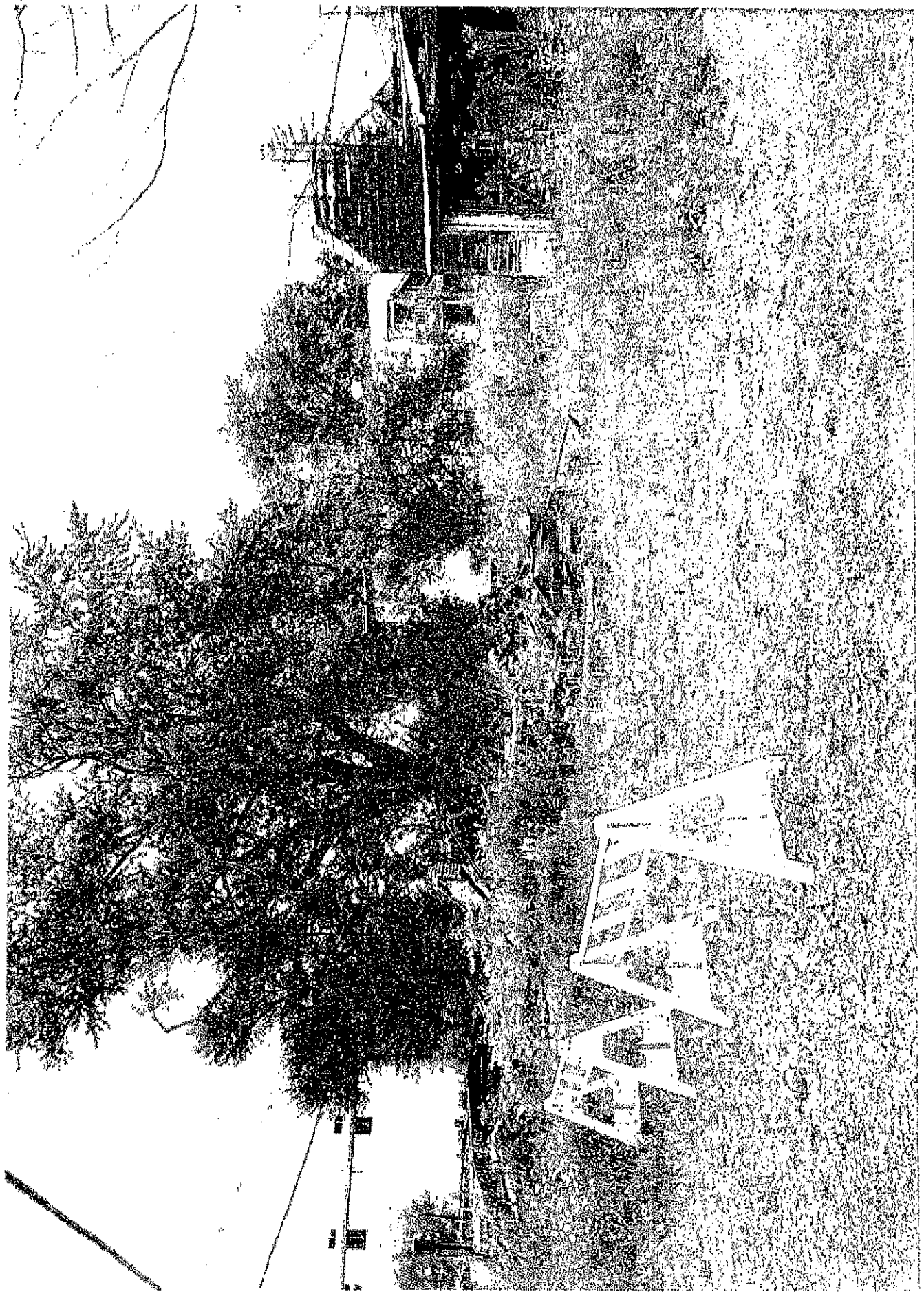
Respectfully,
Susan Biggs
azurevista@hotmail.com

Sent from Outlook









PO Box 160
Quaker Street, NY 12141

Roger Tidball, Supervisor Town of Duanesburg
Town Board
5853 Western Turnpike
Duanesburg, NY 12056

Transmitted via email: jhowe@duanesburg.net, mdeffer@duanesburg.net

August 26, 2021

Re: Privilege of the Floor Town Board Oak Hill Solar 1, LLC and Oak Hill Solar 2, LLC

Dear Supervisor Tidball and the Town Board,

Please include this letter in the official record of tonight's planning board meeting minutes as posted on the town website.

I request that all planning and zoning board meetings and workshops are held in person and also on zoom. I request that Oak Hill Solar application and Amendment application be posted on the town website or in a drop box. This will close loopholes on potential sources of impropriety and provide the taxpayers with transparency and accountability into the town's actions.

At the August 15, 2021 Planning Board Public Hearing for the Amendment to the Oak Hill Solar Special Use Permit the Applicant read the distance of the Murray's home to the nearest battery storage container. I asked how far the Biggs home was from the nearest battery storage container. Neither Amp, Eden or GreenCells provided an answer to my question. In fact Amp's representative asked me where is the Biggs' home? GreenCells stated that it's not on the drawings.

Eden Renewables omitted the nearest residence to Oak Hill Solar beginning May 2018 or before. March 2019 Eden's engineer incorrectly documented that the nearest residence was 1,600 feet away. Three years later this misleading information continues to deprive Mrs. Biggs, whose residence is less than 650 feet from the array fence, of the consideration she deserves.

What are the dangers of being 500 feet, 1000 feet, 1,500 feet and 2,000 feet from the lithium-ion battery storage containers?

If there is an explosion and/or fire what would be the evacuation perimeter needed to protect the residents from toxic gases and fumes?

How would residents be notified of a possible evacuation? How quickly can that happen?

Mrs. Biggs safety from toxic lithium-ion batteries, the protection of her lands from increased toxic stormwater runoff and the protection of her property value from this industrial Project is not considered by Eden, Amp or GreenCells.

The Town is unable to protect the taxpayers if the Applicant hasn't, or won't, submit accurate factual documents in a manner that can be thoughtfully reviewed and examined. Three years into the application process and Oak Hill Solar still does not identify the nearest residence. What else is the Applicant omitting?

Please see the attached reading first provided by Eden to the planning board in 2018. The pink text provides corrections to the original documents misrepresentations.

Due to Oak Hill's persistent and pervasive errors, omissions and misrepresentations I request that Amp Solar's request to extend Oak Hill Solar Special Use Permit be denied.

Thank you for your time and consideration.

Respectfully,
Lynne Bruning
720-272-0956
lynnebruning@gmail.com

Cc: Jeffery Schmitt, Planning Board Chair and the Planning Board

LEGEND: ERRORS AND OMISSIONS



EDEN RENEWABLES

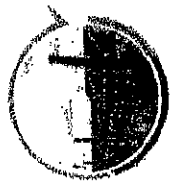
Lithium-Ion Battery Storage

13590 Duaneburg Road, Delanson, NY 12053
OAK HILL SOLAR FARMS

EDUCATIONAL BENEFITS
 We encourage trips to the solar farm so children from local schools can learn about science, technology and energy generation.



SECURITY
 Traditional metal fencing and discreet CCTV cameras will be used around the perimeter of the site to maintain security. Fence does not meet NYSDORA recommendation of 7 foot chain link



WILDFLOWER MEADOWS
 The land around and beneath the solar panels will be sown with native wildflowers and grasses to support habitats for bees and other pollinators.



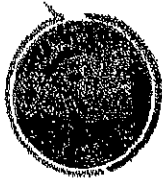
EXISTING TREES
 This site is surrounded by mature trees and forestry, which screens it effectively from public view as well as providing important wildlife habitats. Majority of existing trees are deciduous and on adjoining parcels



BEEHIVES
 Beehives on the solar farm will provide pollination services to support local farmers and agriculture.



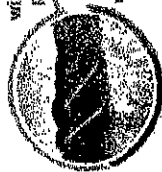
BIRD AND BAT BOXES
 These will be located around the perimeter of the site to encourage bats to roost and birds to nest.



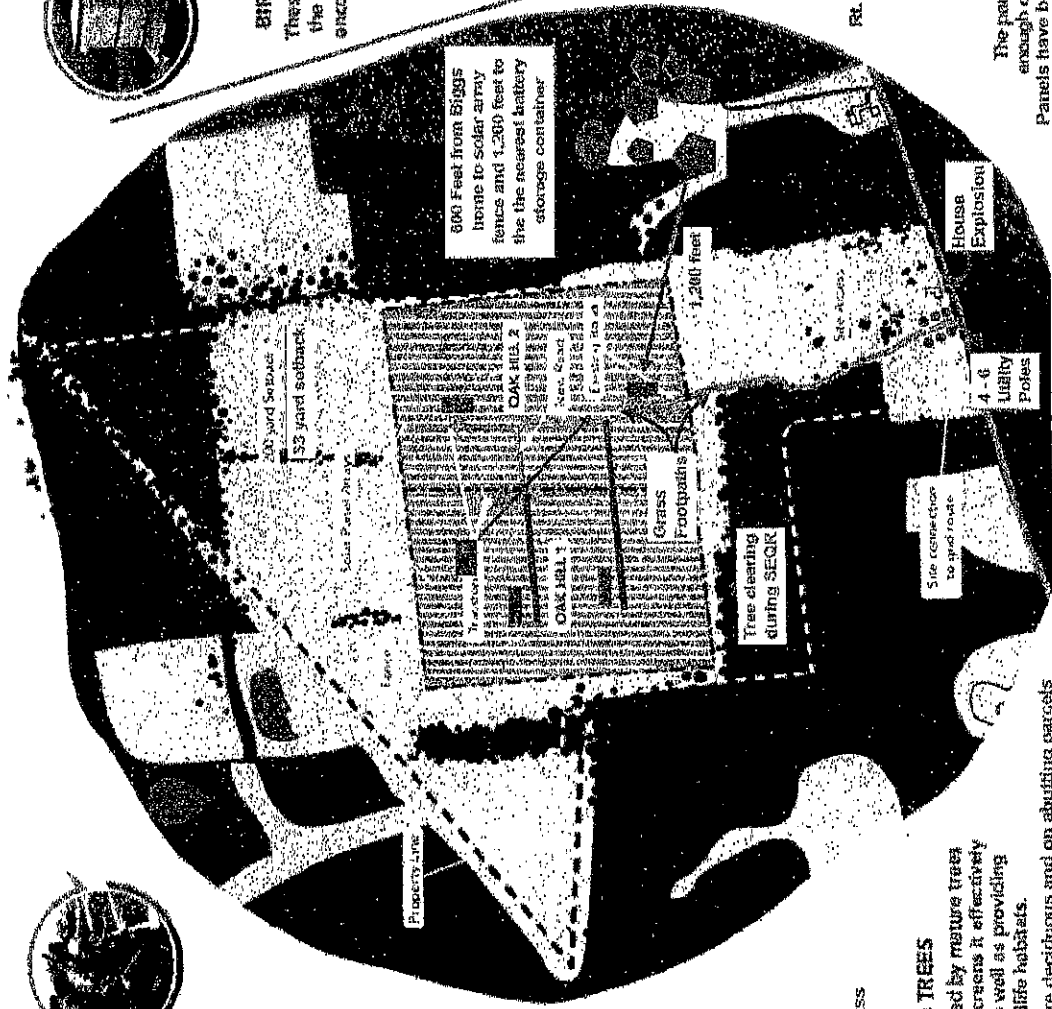
SHEEP GRAZING
 The land around the solar panels will be maintained where economically feasible by sheep grazing in autumn, after the meadows have seeded, to keep land in food production.



Tracker panels include above ground wiring. Sheep may be problematic to the motors and electronics. Vegetation maintenance may require chemical herbicides.



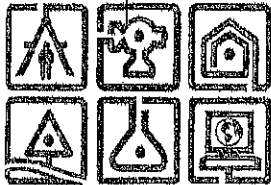
SOLAR PANELS
 The panel arrays are single axis trackers and will generate enough clean power for the equivalent of over 1,225 homes. Panels have been changed to two modules stacked in portrait orientation. Height is now 14.5 Feet.



DRAFT

August 26, 2021

PRELIMINARY DESIGN NARRATIVE



Town of Duaneburg
Addition & Renovations
Existing Town Hall Facility

5853 Western Turnpike
Duaneburg, New York

Prepared for:

Town Board
TOWN OF DUANESBURG
5853 Western Turnpike
Duaneburg, NY 12056

Prepared by:

C.T. MALE ASSOCIATES
50 Century Hill Drive
Latham, New York 12110
(518) 786-7400
FAX (518) 786-7299

C.T. Male Associates Project No: 21.1374

TOWN OF DUANESBURG
ADDITION & RENOVATIONS - EXISTING TOWN HALL

ADDITIONAL INFORMATION

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1.0 SITE ENGINEERING

1.1 Existing Conditions

- A. Existing conditions are limited to the original property site plan developed as part of the original town hall construction work, dated February 1, 1967.
- B. Existing public utilities available are limited to electrical and telecom/data.
- C. Existing water is provided via a shared well with the Town Highway department. The town has indicated the well is likely not adequate for continued use.
- D. Existing sanitary lines lead to a recently upgraded septic field to the south of the town hall. Upgrades were performed by the Public Works Department. No information on size and level of improvements have been provided at this time.

1.2 Description of New Work

- A. Limited excavation at new addition and renovations to the existing first floor entrance ramp/stair assembly.
 - a. Existing construction documents have no significant geotechnical information. Pending Review by structural/geotechnical engineer.
- B. Parking by Town.
- C. Limited re-grading to be performed within 5 feet of new work.
- D. Stormwater Management to be determined.-
- E. Hardscape limited to exterior entrance landings and stretch of sidewalks to existing parking area.
- F. Well Water (domestic) - Need to discuss new well and what scope CTM to include.
- G. Sanitary (domestic) - Tie in to existing septic with new sanitary system limited in nature. Existing septic system to remain undisturbed. Pending review of existing documents.
- H. Site Electrical - discussed under the Electrical Narrative.
- I. SWPPP - not required (less than 1.0 acre).

2.0 STRUCTURAL SYSTEMS

2.1 Foundations

- A. Narrative is based on common design practices and assumed adequacy of existing site/soil bearing capacity.

- B. 12" thick cast-in-place reinforced concrete foundation walls on 2'-0" wide continuous concrete footings at all four sides. Foundation walls and footings to align with depth of existing foundation.
 - a. Preliminary design approach to include piers spaced along face of existing foundation to carry proposed addition roof loads rather than rely on existing walls to carry new loads. TBD based on structural review.
- C. 4-5" thick reinforced concrete slab on grade with #4 rebar at 12" O.C. spacing.
- D. Cast in place, reinforced concrete stair, ramp and landing at existing first floor entrance to support accessibility compliance to upper floor.
 - a. New concrete piers and foundation at existing roof canopy columns. Columns to be cut back to a height above existing grade to protect wood from winter conditions.
 - b.
- E. Additional frost-protected apron pads at main entrance and exterior door landings.
- F. Additional equipment pads at proposed mechanical equipment.
- G. New and/or relocation of existing light posts including new concrete bases. TBD whether by Town or part of contract.
 - a. Subject to new parking extents, light posts to be provided with impact resistant bases, or bollards.

2.2 Wall and Roof Structures

- A. Walls to be similar to existing cavity wall assembly utilizing 6"-8" CMU block walls to carry roof loads.
 - a. Masonry reinforcement as required based on loading and best practices.
 - b. Steel lintels at proposed door and window headers.
- B. Roof framing to be 2x6 or 2x8 framing spaces as required to carry proposed roof loads.
 - a. Semi-decorative post/beam assembly at entrance canopy.
- C. Interior Walls constructed of reinforced 6" CMU masonry block.

3.0 PLUMBING

3.1 Existing Conditions:

- A. Hot water is provided by a low-boy, tank-type, electric water heater located in the lower-level mechanical room.

- B. The existing hot water heater is 4500-watts at 240-volts, single-phase.
- C. The existing water service appears to be a 3/4 -inch feed from an onsite well.
 - a. The water supply is small for the existing use.
- D. The location of the well could not be identified but is suspected to be at the adjacent highway garage.
- E. Sanitary is directed from the building to a septic tank located approximately 25-feet to the south of the existing building.
- F. Waste, drain, and vent piping is a combination of copper and iron pipe.

3.2 Preliminary Plumbing Fixtures and Equipment:

- A. Upgraded water service should be considered to support the proposed building. The proposed building should include at least a 1-inch service.
- B. New plumbing fixtures shall be high-efficiency low-flow type.
- C. Flush systems shall be tank type to accommodate small water service volumes.
- D. Drain, waste, and vent piping shall be renovated to accommodate proposed floorplan.
- E. All DWV piping shall drain by gravity to the existing septic system.
- F. The existing, electric, tank-type water-heater shall be reused.
- G. Cold and Hot water distribution shall be revised to accommodate the proposed floorplan.

3.3 Automatic Fire Suppression System

- A. Not Required.

4.0 MECHANICAL

4.1 Existing Conditions:

- A. Heating by hydronic baseboard system around perimeter of existing building footprint.
- B. Hydronic heating system is zone into four heating zones (thermostats).
- C. Heating hot water is produced by one, oil-fired, hot-water boiler. Existing capacity of 143MBH (Net IBR).
- D. Heating boiler is 20 years old (circa 2001), is in good condition, has about 5-10 years of remaining useful life.

- E. Heating system distribution piping is in good condition.
- F. Heat distribution is by copper pipe with fin tube baseboard heating elements.
- G. HVAC control is by programmable, electro-mechanical thermostats.
- H. Cooling is by portable window air conditioning units.
- I. Ventilation is by operable windows.

4.2 Proposed Work Scope:

- A. Provide ground mounted packaged heat-pump adjacent to the building.
 - a. The packaged unit will supply cooling, ventilation, and swing season heating.
 - b. Packaged unit will be sized to service the cooling load for the existing building footprint along with the proposed addition. Expected capacity of 10 nominal tons of cooling.
 - c. The packaged unit will provide fresh mechanical ventilation to the occupied zones.
 - d. Mechanical ventilation will be provided at a rate exceeding code requirements to enhance Indoor Air Quality in the occupied spaces.
 - e. The packaged unit will be sized to accommodate high-performance air filtration of MERV-13 or better to enhance IAQ or recirculated air.
 - f. The packaged unit will include electric resistance heat sufficient to "temper" the ventilation air under peak heating load conditions.
 - g. The packaged unit will include economizer option, humidity control option, and energy-recovery option. Energy recovery will allow increased ventilation for better indoor air quality.
- B. Peak and supplemental heating shall be by hydronic fin-tube.
 - a. Fin-tube elements and piping in the existing footprint will be replaced to accommodate the revised floor plan.
 - b. Fin-tube elements and piping will be extended into the proposed addition.
- C. A second (new) oil-fired heating boiler will be added to manage the additional heating load of the proposed addition. Expected Net IBR of 120-MBH.
 - a. The existing boiler will remain in service. Or be replaced at the end of service life.
 - b. The new boiler will be sized for 2/3 of the total building peak heat load and operate lead-lag with the existing boiler.
 - c. Hydronic heating will operate as second stage heating.

- D. Zone temperature control shall be by programmable, electro-mechanical, heat-pump thermostats.
- E. The system will be designed for at least six thermal zones. Three upper-level and three lower level.
- F. A wall or ceiling type split system air conditioning unit will be provided to offset people load in the court-room. This unit will be cooling only.
- G. The existing 275-gallon heating oil storage tank shall be reused and relocated to accommodate the proposed floorplan.

4.3 General HVAC Concept Considerations

- A. The proposed systems are included to upgrade the indoor air quality while maintaining good overall building energy performance. Based on the current environment it is prudent to improve ventilation, filtration, and to control humidity. The proposed system aims to maximize the HVAC system to provide enhanced indoor air quality. To that end:
 - a. Ventilation (fresh air) shall be better than code with a goal of 1.8 air changes per hour.
 - b. Filtration shall be designed to achieve a MERV-13 or better level of performance using a combination of filters and cleaners for all air recirculated by the HVAC system.
 - c. Space air distribution sufficient to provide good air mixing within the occupied zone.

5.0 ELECTRICAL

5.1 Existing Electrical Service

- A. The existing 240/120-volt, 200-amp, single phase electrical service is fed to the Town Hall's east wall from a National Grid street pole.
- B. The building's meter is located at the rear (south side of building) near the Court Room's single rear entrance. This meter then feeds into the Service Disconnect located on the inside wall at the rear of the Court Room and is located adjacent to the building's telecommunications equipment.
- C. The Service Disconnect feeds the main building electrical panel (newly designated PP-2 in this report) located in the second level main hallway and a small sub-panel directly above the Service Disconnect that supplies power to building exit signs and exterior lighting.

5.2 Proposed Power Distribution

- A. Electrical design to be in accordance with National Electric Code (NEC - NFPA70 (2017)), NYSBC (2020) and 2020 ECCNYS.
- B. New Addition to be equipped with computer receptacles and convenience receptacles.
- C. Disconnects provided throughout as required for specialty outlets, HVAC and other dedicated circuits.
- D. The building's electrical meter will be replaced in kind and moved to the new addition's exterior east side wall.
- E. A new NEMA 3R Fused Service Rated Disconnect will be installed directly adjacent to the new Service Meter.
- F. The new Service Disconnect will feed a new 240/120-volt, 100-amp, 24 circuit panel with a 100-amp main circuit breaker (MCB) to be designated PP-1 and located in the new electrical closet located on the east side of the Entry Vestibule.
 - a. The loads currently being fed by an existing small sub-panel above the existing Service Disconnect are to be moved to PP-1.
 - b. PP-1 will also be used for any new mechanical equipment loads, including but not limited to the new HVAC equipment.
- G. The existing 100-amp electrical panel, to be designated PP-2, which is currently fed from the existing Service Disconnect will be fed from the new Service Disconnect.

5.3 Lighting Systems

- A. Existing interior lighting is to be replaced in kind with 2x4 recessed, and 1x4 surface mounted, high efficiency LED equivalent fixtures.
- B. New fixtures are to be connected to new occupancy sensors to comply with the NY Energy Conservation Construction Code (NYSECCC).
 - a. Cost savings alternate can be achieved by having the fluorescent fixtures remain in place with only the (assumed) T8 bulbs being replaced by LED T8 equivalent bulbs.
- C. Additional high efficiency LED exterior lighting fixtures along the rear wall will be added to provide additional parking lot lighting. This lighting will be fed from panel PP-1.
 - a. This lighting will be connected to a new photo sensor installed on the south wall of the building and connected to the existing exterior lighting.

5.4 Life Safety, IT/Data and Security System

C.T. MALE ASSOCIATES

- A. Communications and telecom circuits that are currently mounted to the south wall of the Court Room are to be relocated to the new electrical closet on the east wall of the Entry Vestibule. Changes and additional capacity to be coordinated with the local service provider to the Towns systems.

C.T. MALE ASSOCIATES

APPENDIX A - ORDER OF MAGNITUDE OPINION OF PROBABLE COST

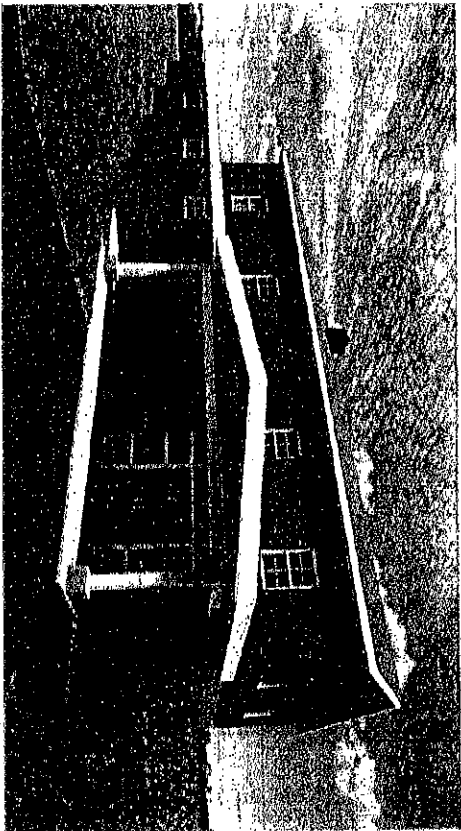
TOWN OF DUANESBURG

TOWN HALL - ADDITION AND RENOVATIONS

FOR

TOWN OF DUANESBURG

DRAFT SUBMISSION
AUGUST 26, 2024

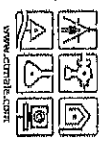


DRAWING LIST

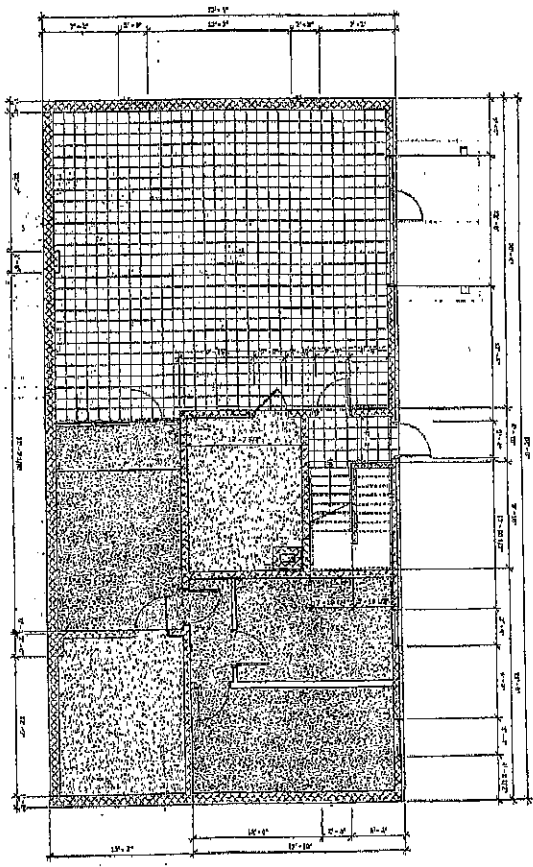
NO.	DESCRIPTION	DATE	BY
1	GENERAL NOTES		
2	EXISTING CONDITIONS		
3	ARCHITECTURE		
4	MECHANICAL		
5	ELECTRICAL		
6	PLUMBING		
7	PAINT		
8	LANDSCAPE		

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C.T. MALE ASSOCIATES
Engineering, Surveying, Architecture, Landscape Architecture & Geology, D.P.C.
30 CORTLANDT HILL DRIVE, LATHAM, NY 12110 PH: 518.785.7400
100 STATE STREET, SUITE 201, LATHAM, NY 12110
CHRISTINA, NY • MED HOOK, NY • STARBUCKS, NY



PROJECT NO: 21-137A
DRAWING NO:
G-001
DATE: 8/26/24

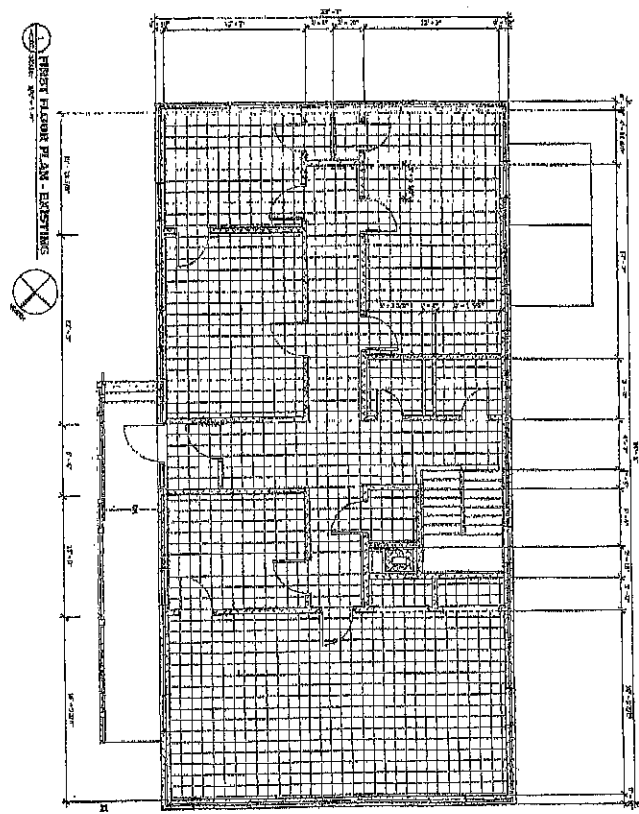



 NORTH
 BASEMENT PLAN - EXISTING

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DESIGNER INFORMATION FIRM NAME: [Name] FIRM ADDRESS: [Address]	
TOWN PLAN - ADULTS AND YOUTH EASEMENT EXISTING PLAN	
SCALE: 1/8" = 1'-0" DATE: 10/15/2010	
PROJECT NO.: [Number]	
SHEET NO.: 101	

DRAFT SUBMISSION

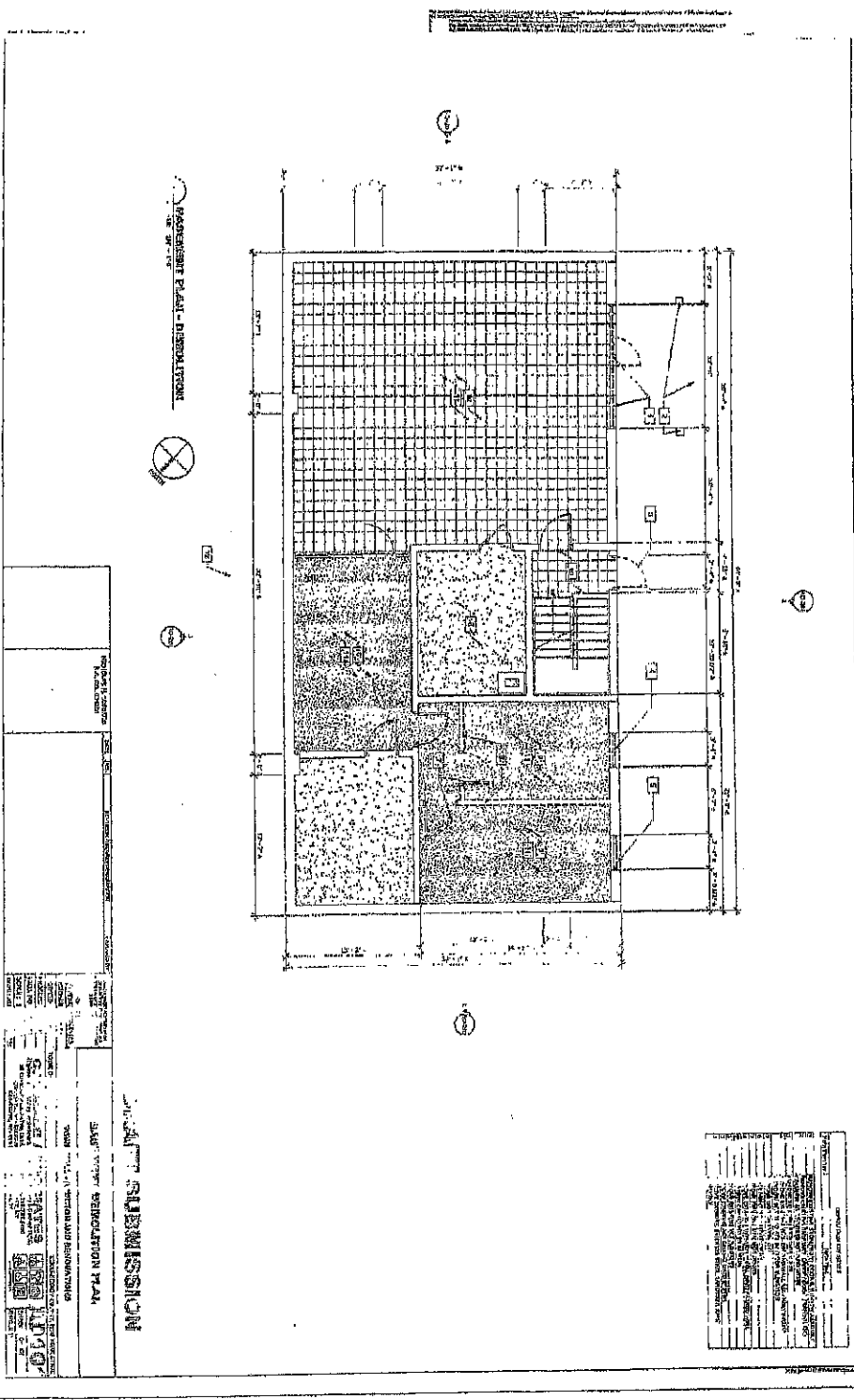
TOWN OF [Name]
 DEPARTMENT OF [Name]
 100 [Address]
 [City, State, Zip]



<p>PROJECT INFORMATION</p> <p>PROJECT NAME: FIRST FLOOR EXISTING PLAN</p> <p>PROJECT LOCATION: [REDACTED]</p> <p>PROJECT NUMBER: [REDACTED]</p>	
<p>CLIENT INFORMATION</p> <p>CLIENT NAME: [REDACTED]</p> <p>CLIENT ADDRESS: [REDACTED]</p> <p>CLIENT PHONE: [REDACTED]</p> <p>CLIENT FAX: [REDACTED]</p> <p>CLIENT EMAIL: [REDACTED]</p>	
<p>DESIGNER INFORMATION</p> <p>DESIGNER NAME: C.T. WALK ASSOCIATES</p> <p>DESIGNER ADDRESS: [REDACTED]</p> <p>DESIGNER PHONE: [REDACTED]</p> <p>DESIGNER FAX: [REDACTED]</p> <p>DESIGNER EMAIL: [REDACTED]</p>	
<p>DATE INFORMATION</p> <p>DATE OF ISSUE: [REDACTED]</p> <p>DATE OF DESIGN: [REDACTED]</p> <p>DATE OF CONSTRUCTION: [REDACTED]</p>	
<p>SCALE INFORMATION</p> <p>SCALE: [REDACTED]</p>	
<p>PROJECT STATUS</p> <p>PROJECT STATUS: [REDACTED]</p>	

DRAFT SUBMISSION

C.T. WALK ASSOCIATES
 ARCHITECTS
 10101 W. 10TH AVE. SUITE 100
 DENVER, CO 80231
 TEL: 303.733.1100
 FAX: 303.733.1101
 WWW.CTWALK.COM

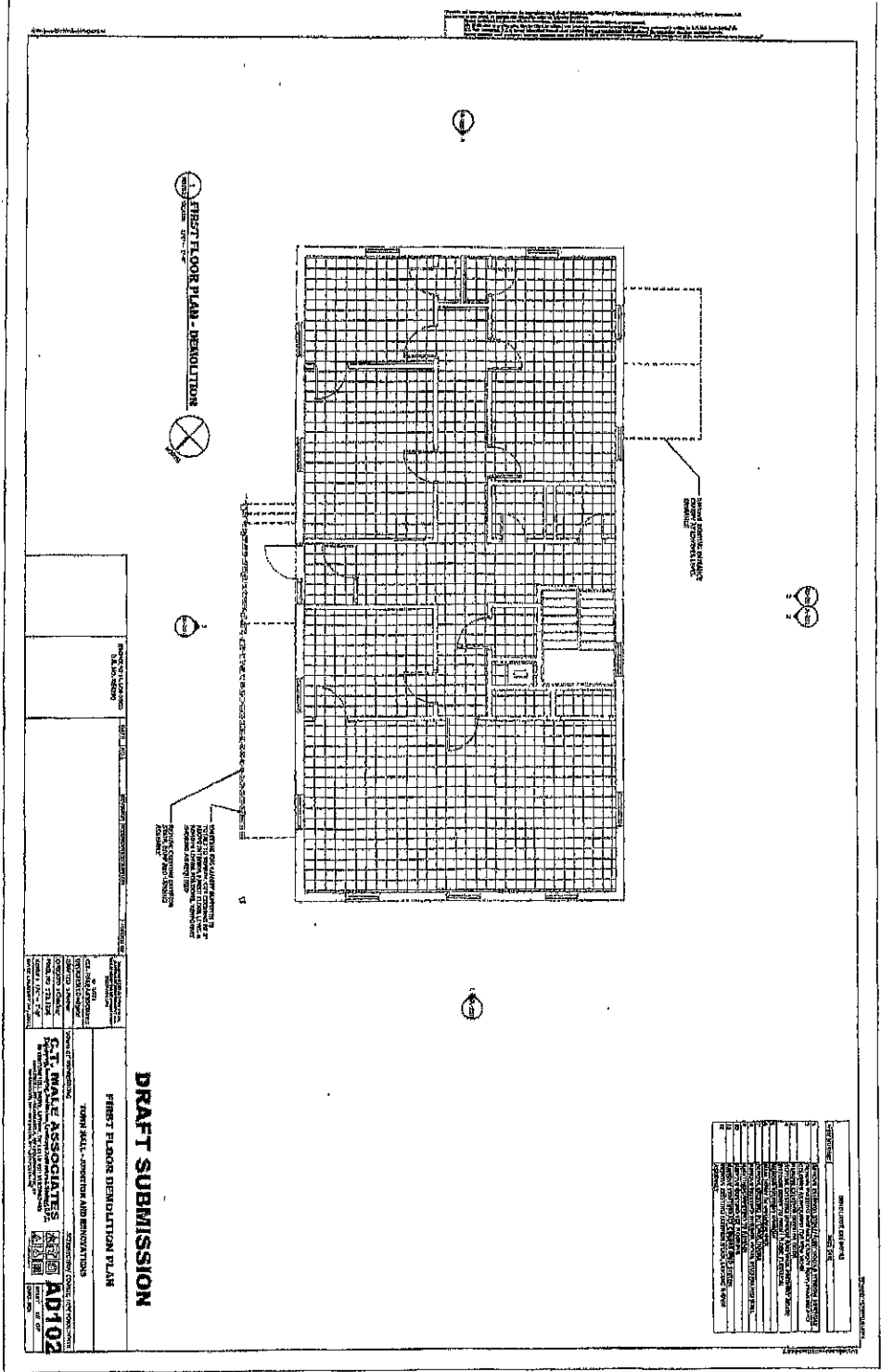


PROJEKT PLAN - DISPOSITION

NAME: _____ ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____	PROJECT NO.: _____ SHEET NO.: _____
--	--

PLAN DISPOSITION

NO.	DESCRIPTION	UNIT	QTY.
1
2
3
4
5
6
7
8
9
10




 FIRST FLOOR PLAN - DEMOLITION

THESE DEMOLITION NOTES ARE TO BE USED IN CONJUNCTION WITH THE DEMOLITION PLAN. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS, DIVISION OF CONSTRUCTION SAFETY, DEMOLITION REGULATIONS.

PROJECT INFORMATION PROJECT NAME: [Blank] PROJECT ADDRESS: [Blank]	CLIENT INFORMATION CLIENT NAME: [Blank] CLIENT ADDRESS: [Blank]
DESIGNER INFORMATION DESIGNER NAME: [Blank] DESIGNER ADDRESS: [Blank]	DATE DATE: [Blank]
SCALE SCALE: [Blank]	PROJECT NUMBER PROJECT NUMBER: [Blank]
OWNER INFORMATION OWNER NAME: [Blank] OWNER ADDRESS: [Blank]	DATE OF SUBMISSION DATE OF SUBMISSION: [Blank]
DESIGNER INFORMATION DESIGNER NAME: [Blank] DESIGNER ADDRESS: [Blank]	PROJECT NUMBER PROJECT NUMBER: [Blank]
OWNER INFORMATION OWNER NAME: [Blank] OWNER ADDRESS: [Blank]	DATE OF SUBMISSION DATE OF SUBMISSION: [Blank]

DRAFT SUBMISSION

FIRST FLOOR DEMOLITION PLAN

TOWN BELL - ADVERTISING AND RENOVATIONS

S.M. MALE ASSOCIATES

ARCHITECTS

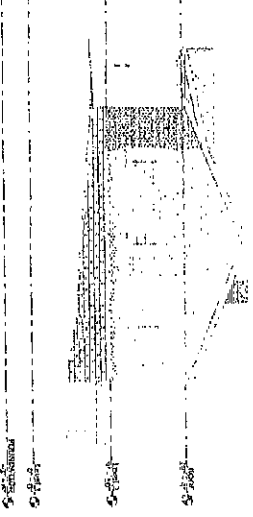
1000 W. 10TH STREET, SUITE 200, LOS ANGELES, CA 90015

AD102

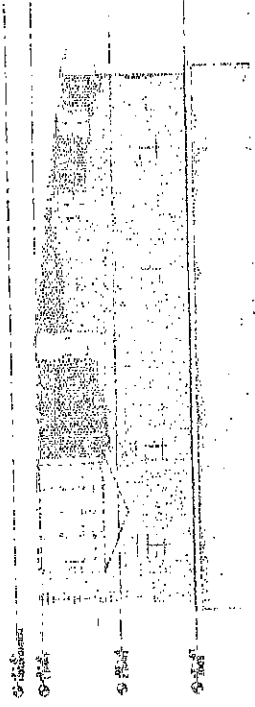
REVISIONS NO. DATE DESCRIPTION 1 10/10/10 [Blank]	APPROVALS DESIGNER: [Blank] CHECKED: [Blank] IN CHARGE: [Blank]
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THIS DRAWING IS THE PROPERTY OF THE ARCHITECT AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.

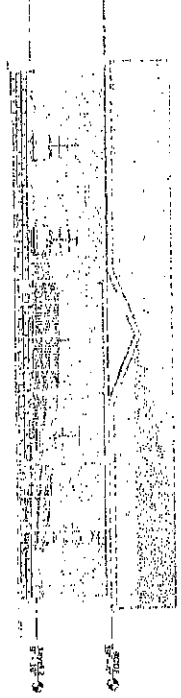
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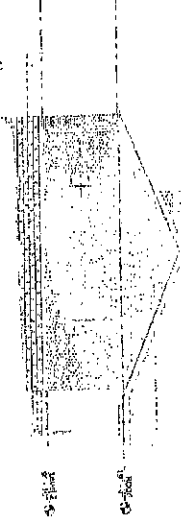
2 SOUTH ELEVATION



3 WEST ELEVATION



4 EAST ELEVATION



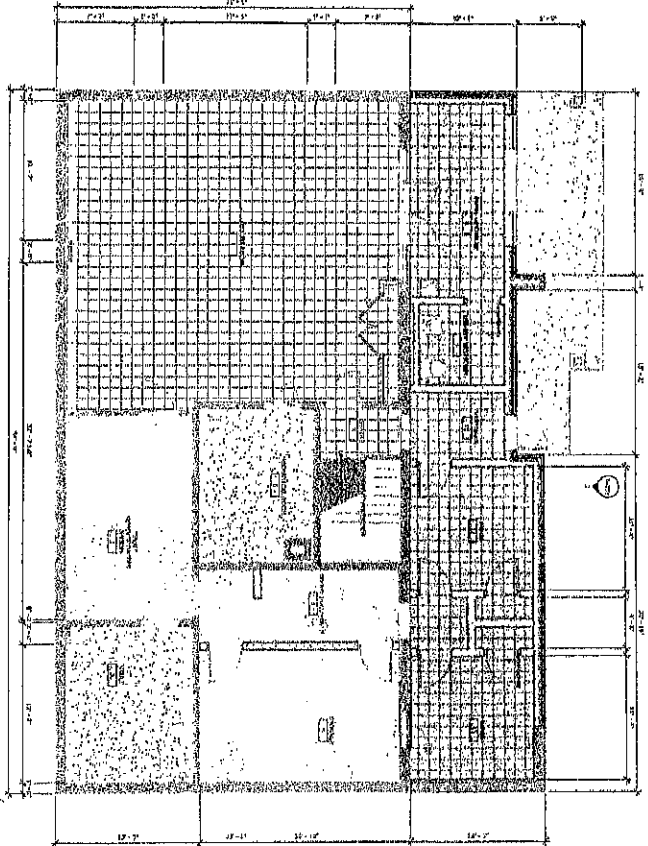
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DESIGNED BY	J. MALE
CHECKED BY	J. MALE
DATE	10/10/10
PROJECT NAME	100-100-100
CLIENT	100-100-100
ADDRESS	100-100-100
CITY	100-100-100
STATE	100-100-100
COUNTY	100-100-100
ZIP	100-100-100
PROJECT NO.	100-100-100
DATE	10/10/10
SCALE	1/8" = 1'-0"
DESIGNED BY	J. MALE
CHECKED BY	J. MALE
DATE	10/10/10
PROJECT NAME	100-100-100
CLIENT	100-100-100
ADDRESS	100-100-100
CITY	100-100-100
STATE	100-100-100
COUNTY	100-100-100
ZIP	100-100-100

PROJECT NO.	100-100-100
DATE	10/10/10
SCALE	1/8" = 1'-0"
DESIGNED BY	J. MALE
CHECKED BY	J. MALE
DATE	10/10/10
PROJECT NAME	100-100-100
CLIENT	100-100-100
ADDRESS	100-100-100
CITY	100-100-100
STATE	100-100-100
COUNTY	100-100-100
ZIP	100-100-100

PROJECT NO.	100-100-100
DATE	10/10/10
SCALE	1/8" = 1'-0"
DESIGNED BY	J. MALE
CHECKED BY	J. MALE
DATE	10/10/10
PROJECT NAME	100-100-100
CLIENT	100-100-100
ADDRESS	100-100-100
CITY	100-100-100
STATE	100-100-100
COUNTY	100-100-100
ZIP	100-100-100

DRAFT SUBMISSION
DEMOLITION ELEVATIONS

C.T. MALE ASSOCIATES
ARCHITECTS
AD-207

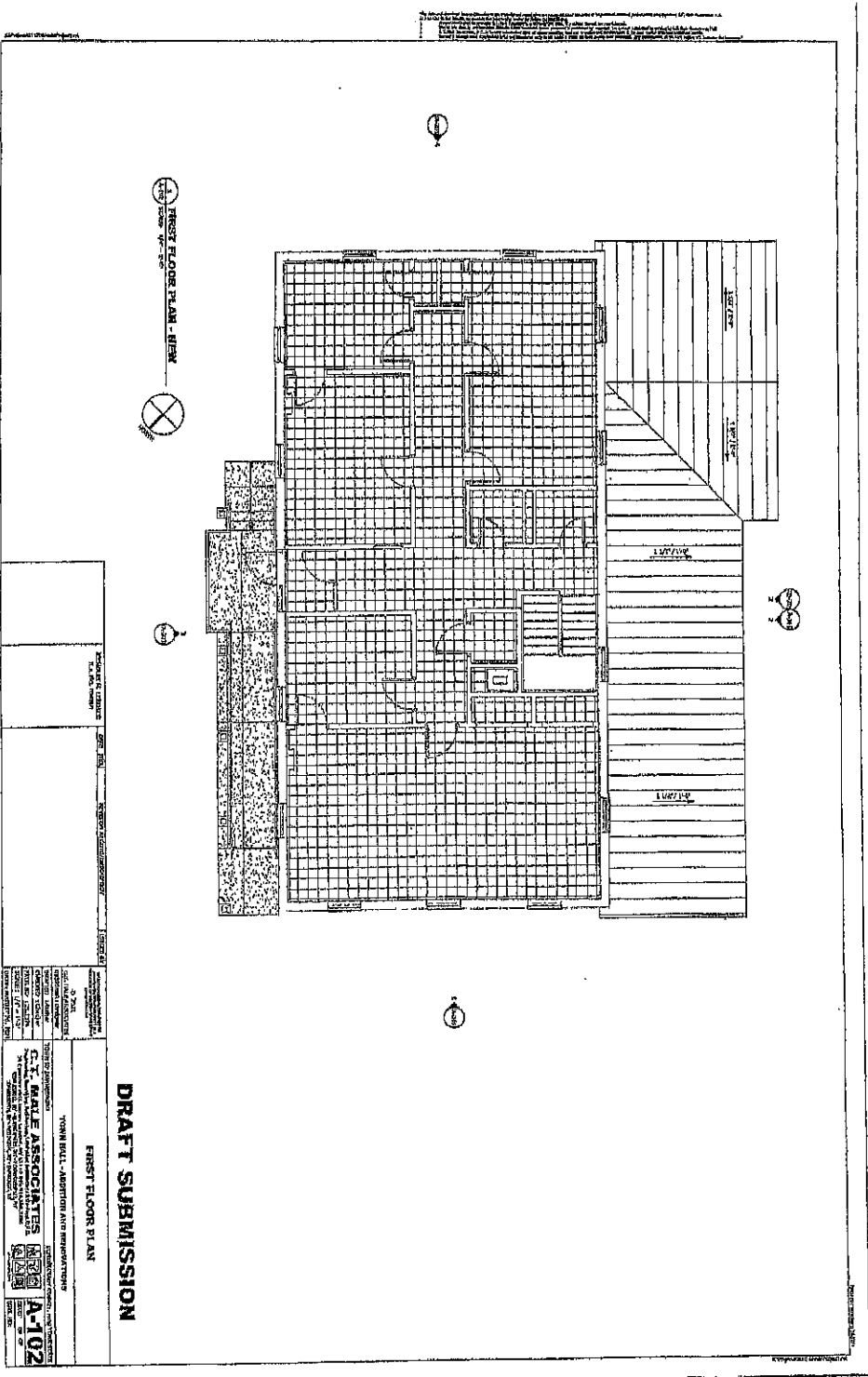


⊗ BASEMENT PLAN - NEW

⊙

⊙

DATE: 08/15/2011	TIME: 10:30 AM	PROJECT: [REDACTED]	SCALE: 1/8" = 1'-0"
DRAFT SUBMISSION			
BASEMENT FLOOR PLAN			
TOWN HALL - GROUND AND BASEMENTS			
CI MALE ASSOCIATES			
ARCHITECTS			
1000 W. 12TH AVENUE, SUITE 100			
DENVER, CO 80202			
TEL: 303.733.1100			
WWW.CI-MALE.COM			
A-101			



1-1 FIRST FLOOR PLAN - R/W

DRAFT SUBMISSION

PROJECT NUMBER: 001-101 PROJECT LOCATION: 1000 10TH AVENUE CITY: NEW YORK, NY 10018	
DATE: 3/20/11 SCALE: AS SHOWN DRAWN BY: J.M.	CHECKED BY: J.M. DATE: 3/20/11
ARCHITECT: C.T. MALE ASSOCIATES 1000 10TH AVENUE, 10TH FLOOR NEW YORK, NY 10018 TEL: (212) 512-1000 FAX: (212) 512-1001 WWW.CTMALE.COM	
ENGINEER: YOUNG HILL, ARBITRINI AND ROSENTHAL 1000 10TH AVENUE, 10TH FLOOR NEW YORK, NY 10018 TEL: (212) 512-1000 FAX: (212) 512-1001 WWW.YHARR.COM	
PROJECT TITLE: FIRST FLOOR PLAN	DRAWING NUMBER: A-102

Architectural elevations of a house, including front, side, and rear views. The drawings show a two-story structure with a gabled roof, multiple windows, and a central entrance. Callouts indicate window and door locations with alphanumeric codes.

DRAFT SUBMISSION

ELEVATIONS

PROJECT: THORN HILL - ASSISTING ARCHITECTURE
 ARCHITECT: C.J. MALE ASSOCIATES
 DRAWING NO: A-201
 DATE: 10/15/10
 SCALE: AS SHOWN
 SHEET NO: 1 OF 1

DATE: 10/15/10	PROJECT: THORN HILL - ASSISTING ARCHITECTURE
SCALE: AS SHOWN	ARCHITECT: C.J. MALE ASSOCIATES
SHEET NO: 1 OF 1	DRAWING NO: A-201

Account#	Account Description	Fee Description	Qty	Local Share
	Building Permit Renewal	Building Permit Renewal	2	85.00
	Marriage License Fee	Marriage License Fee	4	70.00
	Misc. Fees	Certified Copies - Death	38	380.00
		Certified Copies - Marriage	1	10.00
	septic repair	septic repair	1	50.00
		Sub-Total:		\$595.00
A1255	Conservation	Conservation	16	101.88
		Sub-Total:		\$101.88
A2544	AFTER 30 DAYS	AFTER 30 DAYS	4	20.00
	Dog Licensing	Exempt Dogs	1	0.00
		Female, Spayed	37	518.00
		Male, Neutered	35	490.00
		Male, Unneutered	6	132.00
		Sub-Total:		\$1,160.00
B2555	Building Permits	Building Permits	9	1,190.00
	Special Use Permit	Special Use Permit	1	100.00
		Sub-Total:		\$1,290.00
			Total Local Shares Remitted:	\$3,146.88
Amount paid to:	NYS Ag. & Markets for spay/neuter program			90.00
Amount paid to:	NYS Environmental Conservation			1,837.12
Amount paid to:	State Health Dept. For Marriage Licenses			90.00
Total State, County & Local Revenues:				\$5,164.00
			Total Non-Local Revenues:	\$2,017.12

To the Supervisor:

Pursuant to Section 27, Sub 1, of the Town Law, I hereby certify that the foregoing is a full and true statement of all fees and monies received by me, Jennifer Howe, Town Clerk, Town of Duanesburg during the period stated above, in connection with my office, excepting only such fees and monies, the application of which are otherwise provided for by law.

_____ Supervisor	_____ Date	_____ Town Clerk	_____ Date
---------------------	---------------	---------------------	---------------

Monthly Statement of the Town Supervisor

TO THE TOWN BOARD OF THE TOWN OF DUANESBURG, NEW YORK:

Pursuant to Section 119 of Town Law, I hereby render the following statement of all money received and disbursed by this office during the month August 2021.

Revenues

Fund	Amount
General Fund	\$ 38,686.00
Highway Fund	\$ 14,524.13
Fire Protection	\$ 0.00
Parks & Recreation	\$ 0.00
Parklands	\$ 0.00
Service Award	\$ 0.00
Sewer District #1	\$ 0.00
Sewer District #2	\$ 0.00
Sewer District #3	\$ 0.00
Total	<u>\$ 53,207.13</u>

Disbursements

General Fund	\$ 445,651.40
Highway Fund	\$ 51,528.49
Fire Protection	\$ 0.00
Park & Recreation	\$ 0.00
Parklands	\$ 0.00
Sewer District #1	\$ 11,713.56
Sewer District #2	\$ 10,649.52
Sewer District #3	\$ 2,755.69
Total	<u>\$ 522,298.66</u>

Dated September 9, 2021

Supervisors Office – Town of Duaneburg

A-General Fund - 01

Town of Duaneburg
Operating Statement
As of August 31, 2021

	Month Ending	Year To Date		Summary
	08/31/2021	Budget	08/31/2021	
Expenses				
1010.100 - Town Board-Personal Svcs	2,341.52	28,100.00	9,385.78	33.4 %
1010.200 - Town Board-Equipment	0.00	0.00	(69.99)	0.0 %
1010.400 - Town Board-Contractual	0.00	750.00	604.69	80.6 %
1110.100 - Justices-Personal Svcs	2,614.61	32,633.00	11,088.62	34.0 %
1110.101 - Justices-Court Clerk	2,322.00	17,500.00	5,286.62	30.2 %
1110.103 - Justices-Court Security	420.00	4,500.00	2,312.50	51.4 %
1110.200 - Justices-Equipment	0.00	500.00	500.00	100.0 %
1110.400 - Justices-Contractual	46.99	2,000.00	702.57	35.1 %
1220.100 - Supervisor-Personal Svcs	1,626.16	21,140.00	6,067.72	28.7 %
1220.101 - Supervisor-Personal Svcs-Clerk	2,800.00	36,400.00	12,600.00	34.6 %
1220.102 - Supervisor-Personal Svcs-Deputy Supv	234.38	2,813.00	937.96	33.3 %
1220.200 - Supervisor-Equipment	0.00	1,000.00	1,000.00	100.0 %
1220.400 - Supervisor-Contractual	0.00	500.00	211.14	42.2 %
1340.100 - Budget-Personal Svcs	0.00	5,000.00	3,750.00	75.0 %
1355.100 - Assessor-Personal Svcs	1,346.16	17,500.00	6,057.72	34.6 %
1355.101 - Assessor-Personal Svcs-Clerk	1,260.00	16,380.00	7,812.00	47.7 %
1355.103 - Assessor-Personal Svcs-Support	(10,190.00)	0.00	0.00	0.0 %
1355.106 - Assessor-Greivance Board Personal Svcs	0.00	500.00	(59.13)	(11.8) %
1355.200 - Assessor-Equipment	0.00	1,000.00	1,000.00	100.0 %
1355.400 - Assessor-Contractual	32.49	2,000.00	1,264.02	63.2 %
1355.401 - Assessor-Assessment Support Contract	10,190.00	17,500.00	7,310.00	41.8 %
1355.406 - Assessor-Greivance Board Contractual	0.00	200.00	200.00	100.0 %
1380.400 - Fiscal-Fiscal Agent Fees	2,500.00	35,000.00	17,500.00	50.0 %
1410.100 - Town Clerk-Personal Svcs	3,500.84	45,511.00	15,753.78	34.6 %
1410.101 - Town Clerk-Personal Svcs-Clerk	2,674.92	34,774.00	12,037.14	34.6 %
1410.200 - Town Clerk-Equipment	0.00	500.00	500.00	100.0 %
1410.400 - Town Clerk-Contractual	0.00	4,500.00	3,853.79	85.6 %
1420.400 - Attorney-Contractual	3,096.51	20,000.00	(18,577.97)	(92.9) %
1440.203 - Long Term Project Expense	371,909.00	0.00	(249,456.81)	0.0 %
1440.400 - Engineer-Contractual	0.00	0.00	(9,298.75)	0.0 %
1460.100 - Records Management-Personal Svcs	154.06	3,000.00	925.82	30.9 %
1460.400 - Records Management-Contractual	456.84	3,300.00	832.97	25.2 %
1620.100 - Buildings-Personal Svcs	1,914.00	12,500.00	426.36	3.4 %
1620.200 - Buildings-Equipment	0.00	500.00	500.00	100.0 %
1620.400 - Buildings-Contractual	2,276.06	30,000.00	3,379.28	11.3 %
1660.400 - Central Garage-Contractual	592.90	17,500.00	7,157.24	40.9 %
1670.400 - Central Printing-Central Print/Mail	103.77	2,000.00	850.48	42.5 %
1680.200 - Data Processing-Equipment	0.00	8,500.00	3,372.35	39.7 %
1680.400 - Data Processing-Contractual	987.50	1,500.00	1,500.00	100.0 %
1910.400 - Unallocated Insurance	(130.93)	63,034.00	(11,901.44)	(18.9) %
1920.400 - Municipal Dues	0.00	1,100.00	1,100.00	100.0 %
1990.400 - Contingency	0.00	10,000.00	10,000.00	100.0 %

Town of Duaneburg
Vouchers per Fund

Fund		Amount
General Fund		\$ 75,427.03
Highway Fund		\$ 6,835.80
Sewer District # 1		\$ 1,795.69
Sewer District # 2		\$ 162,069.31
Sewer District # 3		\$ 933.11
	Total	\$ 247,060.94

(September 7, 2021)

LEGAL NOTICE
NOTICE OF PUBLIC HEARING
TOWN BOARD
TOWN OF DUANESBURG

PLEASE TAKE NOTICE, that the Town Board of the Town of Duanesburg, New York, will meet at the Town Offices of Duanesburg, 5853 Western Turnpike, on **Thursday, September 23, 2021 at 7:00 p.m.** for the purpose of hearing all persons interested in the adoption of:

Local Law No. 2 of 2021 entitled “2021 Temporary Moratorium Law on Major Solar Energy Systems including Battery Energy Storage Systems.” The proposed law would establish a temporary moratorium on the review of Major Solar Energy Systems and Battery Energy Storage Systems to give the Town Board sufficient time to evaluate the Town’s existing law and to make changes to that law, or adopt a new law regulating such systems, if warranted.

BY ORDER OF THE TOWN BOARD
TOWN OF DUANESBURG

Local Law No. 2 for 2021
Temporary Moratorium
(September 7, 2021)

Town of Duanesburg

Local Law No. 2 of the year 2021

A local law enacting a temporary moratorium on Major Solar Energy Systems Authorized under Local Law 1 of the year 2016 and on Battery Energy Storage Systems

Be it enacted by the Town Board of the Town of Duanesburg as follows:

SECTION I.
SHORT TITLE

This local law shall be cited as Local Law # 2 of 2021 of the Town of Duanesburg and is entitled the “2021 Temporary Moratorium Law on Major Solar Energy Systems and Battery Energy Storage Systems.”

SECTION II.
LEGISLATIVE FINDINGS

The Town Board seeks to carefully review the Town Comprehensive Plan Update, the Town Zoning Ordinance and Local Laws, particularly Local Law #1 of 2016 which allows the establishment of Major Solar Energy Systems in the Town of Duanesburg. The Town has approved several of these Major Solar Energy Systems and believes that the Town of Duanesburg Zoning Code and Local Law #1 of 2016 should be evaluated in light of the Planning Board and Zoning Board experience in reviewing these projects and to protect and promote the public health, welfare and safety within the Town of Duanesburg. This moratorium also expressly applies to Battery Energy Storage Systems which may be proposed as part of a Major Solar Energy System or as a stand-alone facility. This moratorium is necessary in order to temporarily prohibit the establishment of additional Major Solar Energy Systems or Battery Energy Storage Systems in the Town to preserve the status quo while affording the Town Board sufficient time to evaluate and to amend the Town Zoning Ordinance and Local Law #1 of 2016, or to adopt new laws relating to Major Solar Energy Systems and Battery Energy Storage Systems.

SECTION III.
AUTHORITY

This moratorium is enacted by the Town Board of the Town of Duanesburg pursuant to its authority to adopt local laws under Article IX of the New York State Constitution and Municipal Home Rule Law Section 10.

**SECTION IV.
MORATORIUM**

- (A) For a period of six (6) months from the effective date of this Local Law, no applications shall be accepted or considered by the Planning Board of the Town of Duaneburg for Major Solar Energy Systems as that term is defined in Local Law No. 1 of 2016 or for Battery Energy Storage Systems, defined as one or more devices, assembled together, capable of storing energy in order to supply electrical energy at a future time, not to include a stand-alone 12-volt car battery or an electric motor vehicle. A battery energy storage system is classified as a Tier 1 or Tier 2 Battery Energy Storage System as follows: A. Tier 1 Battery Energy Storage Systems have an aggregate energy capacity less than or equal to 600kWh and, if in a room or enclosed area, consist of only a single energy storage system technology. B. Tier 2 Battery Energy Storage Systems have an aggregate energy capacity greater than 600kWh or are comprised of more than one storage battery technology in a room or enclosed area. Such Tier 1 or Tier 2 Battery Energy Storage Systems, whether as part of such Major Solar Energy System or stand-alone.
- (B) This moratorium may be extended by one (1) additional period of up to six (6) months by resolution of the Town Board upon a finding of the necessity for such extension.

**SECTION V.
EXEMPTIONS TO MORATORIUM**

The foregoing restriction shall not apply to the Major Solar Energy Systems approved by the Town Planning Board: (A) Onyx on Alexander Road, which has been constructed and which is under operation; and (B) the two Oak Hill Solar Projects proposed by Eden Renewables which have been approved by the Town Planning Board, for which amended approvals are currently being sought relative to the Major Solar Energy Systems and Battery Energy Storage Systems and which have not commenced construction. This moratorium does not apply to these listed projects or to any further Town Board, Planning Board, Zoning Board of Appeals or administrative action on these projects.

**SECTION VI.
VARIANCES.**

The Town Board shall have the authority, after a public hearing, to vary or modify the application of any provision of this Local Law upon its determination that strict application of this Local Law would impose practical difficulties or extraordinary hardships upon an applicant and that the variance granted would not adversely affect the health, safety or welfare of the citizens of the Town or significantly conflict with the general purpose and intent of this Local Law. Any request for a variance shall be in writing and filed with the Town Clerk and shall include a fee of Two Hundred Fifty Dollars (\$250.00) for the processing of such application. All such applications shall promptly be referred to the Town Board, which shall conduct a Public Hearing on the application on not less than five (5) days public notice and shall make its decision within thirty (30) days after the close of the Public Hearing.

Local Law No. 2 for 2021
Temporary Moratorium
(September 7, 2021)

SECTION VII.
SEVERABILITY

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this Local Law shall not affect the validity of any other part of this Local Law which can be given effect without such invalid part or parts.

SECTION VIII.
REPEAL OF OTHER LAWS

All local laws in conflict with provisions of this Local Law are hereby superseded and suspended for the duration of this moratorium and for any additional period that this Local Law is extended. This Local Law also supersedes, amends and takes precedence over any inconsistent provisions of New York State Town Law, the Town's Municipal Home Rule powers, pursuant to Municipal Home Rule Law Sections 10 and 22. The Town Law provisions intended to be superseded include all of the Article 16 of the Town Law, Sections 261-285 inclusive and any other provision of law that the Town may supersede pursuant to the Municipal Home Rule Law and the Constitution of the State of New York. The courts are directed to take notice of this legislative intent and to apply such intent in the event the Town has failed to specific any provisions of law that may require supersession. The Town Board hereby declares that it would have enacted this local law and superseded such inconsistent provision had it been apparent.

SECTION IX.
EFFECTIVE DATE

This Local Law shall take effect immediately, as provided by law, upon filing with the New York State Secretary of State.

(September 7, 2021)

RESOLUTION ADOPTING LOCAL LAW NO. 2 of 2021

RESOLUTION NO. 1132021

September 9, 2021

WHEREAS, the Town of Duanesburg has adopted a local law, local law No. 1 of 2016 regulating solar facilities, including Major Solar Facilities;

WHEREAS, the Town Board has received recommendations for modifications to the regulation of Major Solar Facilities in the Town from the Town Planning Board, the Zoning Board of Appeals and members of the public and is in the process of amending Local Law No. 1 of 2016;

WHEREAS, the Town Board previously imposed a temporary moratorium on the review of Major Solar Facilities which lapsed, however, the modification to the regulation of Major Solar Facilities in the Town has not progressed due to the pandemic and limitations on the ability of the public to participate in person on the proposed changes to Local Law No. 1 of 2016;

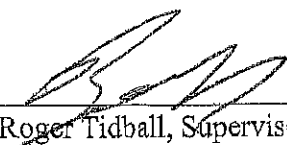
WHEREAS, the Town Board is hereby introducing a proposed local law (the "Proposed Local Law") to re-establish a temporary moratorium on the review of Major Solar Facilities and expanding the moratorium to apply to Battery Energy Storage Systems to give the Town Board sufficient time to continue to evaluate the existing law on Major Solar Facilities and to make changes to that law if warranted, as well as to evaluate the need for changes to zoning to address Battery Energy Storage Systems;

WHEREAS, the purpose of the moratorium is to maintain the status quo while such legislation is being considered and adopted and the adoption of such a moratorium is a Type 2 action pursuant to the NYS Environmental Quality Review Act; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby introduces the attached Proposed Local Law re-establishing a temporary moratorium on the review of Major Solar Facilities including establishing a temporary moratorium on the review of Batter Energy Storage Systems while the Town Board considers changes to its zoning and other local laws;

BE IT FURTHER RESOLVED, that a duly noticed public hearing be held on September 23, 2021, at 7 p.m. at the regular meeting of the Town Board of the Town of Duanesburg at the Town Offices at 5853 Western Turnpike, Duanesburg New York 12056; and

BE IT FURTHER RESOLVED, that the Proposed Local Law be referred to Schenectady County Planning as required by the NYS General Municipal Law.



Roger Tidball, Supervisor



Town Clerk/Deputy Town Clerk

(September 7, 2021)

Present: ALL

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	<u>Yea</u>	Nay	Abstain

From: Susan Biggs <azurevista@hotmail.com>
Date: September 9, 2021 at 2:42:12 PM EDT
To: Jennifer Howe <JHowe@duanesburg.net>
Subject: Privledge of the Floor September 9, 2021 Town Board Meeting

Dear Town Clerk, Please confirm receipt of this email to azurevista@hotmail.com and provided it to the town board for tonight's meeting. Thank you for your assistance. Mrs. Biggs

PO Box 160
Quaker Street, NY 12141

Roger Tidball, Supervisor Town of Duaneburg
Town Board
Town of Duaneburg
5853 Western Turnpike
Duaneburg, NY 12056

Transmitted via email: Town Clerk jhowe@duanesburg.net

September 9, 2021

Re: Privilege of the Floor comments Town Board Meeting September 9, 2021

Dear Supervisor Tidball and the Town Board,

Please read this email correspondence into the official record of the Town Board meeting Privilege of the Floor and include it in the meeting minutes as posted on the town website.

I would like to thank the town for providing zoom and phone accessibility for the September 9, 2021 Planning Board Workshop. This is a safe method for all residents to participate and learn from the workshop during the COVID resurgence.

Thank you for posting the August 26, 2021 DRAFT town board minutes within two weeks in accordance with New York State Open Meeting law.

At the August 19, 2021 Planning Board meeting Amp Solar informed the planning board they would like to extend the September 19, 2019 Oak Hill Special Use Permit. I request that the town board carefully review this request. Eden Renewables May 2018 application contained numerous errors and omissions which appears to misrepresent the Project and mislead the town and residents. By December 2019 the Project transferred ownership from Eden to Amp Solar. The contractor's, GreenCells, July 2021 request for an Amendment clearly documents the significant change of scale and scope of the Project. I request that any extension of Eden Renewable's 2019 Special Use permit be denied and that the current owner submit a new application. Permits should not be transferable between developers.

I support the town board's actions to adopt a moratorium on solar and a moratorium on battery storage. Thank you.

Respectfully,
Susan Biggs
azurevista@hotmail.com

9 September 2021

Dear Supervisor Tidball and Planning Board Chair Schmitt,

Please read my comments into the record of the 9 September 2021 Town Board meeting.

Please distribute this email to members of the Planning Board for their review for the Workshop scheduled for 9 September 2021.

I am requesting the adoption of a moratorium on solar array development and a moratorium on battery storage to allow the town time to secure any technical interpretive assistance needed to allow informed review, ensure that all laws and regulations are strictly adhered to with the goal of protecting the town and its residents.

Thank you for initiating the process of hiring third party engineers to review Oak Hill Solar 1 and 2 LLC's project documentation including initial application and amendments. I attended the 19 August 2021 Public Hearing for this project and reviewed the notes for the meeting held the previous month. I do not believe that battery storage was discussed. The September 2019 Resolution does not include mention of a battery storage system (BESS). The SEQR Negative Declaration does not include BESS. A third-party review, for both engineering and to ensure adherence to all laws and regulations, is an excellent and wise decision and will help protect the towns assets, residents' safety and property values.

It appears that Eden misled the planning board and misrepresented their project to the town, neighbors and residents. I will be presenting a detailed summary of my concerns at the meeting of the Planning Board to be held 16 September 2021. In 2019 Eden quickly sold the project to AMP Solar Group followed by multiple modifications and to the original flawed proposal. Following the engineering report of omissions and deficiencies highlighted at the last Planning Board Meeting I would respectfully encourage the revoking of the Special Use Permit. It is my understanding that this Permit expires this month.

I believe that projects of this nature are being proposed throughout rural upstate NY and approved in error without adequate specialist evaluation and interpretation. Volunteer Boards in many areas do not have the knowledge base to ensure adherence to all applicable legal and environmental laws. The public and our beautiful rural landscape and clean environment need to be protected. This is the responsibility of the Planning and Town Boards.

Please provide Zoom coverage for all Planning Board Meetings and Workshops to allow full transparency and protect citizens during COVID. Please post the supporting application documents and meeting recordings on the town website. The Planning Board's decision concerning BESS at Oak Hill Solar impacts the entire town as well as the surrounding towns emergency responders. All resident should be provided full and free online access to the Planning Board's meetings, recordings and documents so that we may assist the town to preserve our environment, uphold our Comprehensive Plan and set a precedent that all Duanesburg residents can support.

Thank you for your consideration in this matter and for your time a service to our town,

Respectfully,

Pamela H. Rowling

pamelarowling@yahoo.com

(203)-444-2535

Owner of 71.4 acre parcel abutting Oak Hill Solar Project, Parcel Number 74.003.-19

From: lynne bruning <lynnebruning@gmail.com>
Date: September 9, 2021 at 3:39:32 PM EDT
To: Jennifer Howe <JHowe@duanesburg.net>
Subject: Prilege of the Floor comment September 9, 2021

Dear Town Clerk, Please confirm receipt of this email to lynnebruning@gmail.com and provide it to the town board for tonight's meeting. Thank you for your assistance.lynne bruning

PO Box 160
Quaker Street, NY 12141

Roger Tidball, Supervisor Town of Duanesburg
Town Board
Town of Duanesburg
5853 Western Turnpike
Duanesburg, NY 12056

Transmitted via email: Town Clerk jhowe@duanesburg.net

September 9, 2021

Re: Privilege of the Floor comments Town Board Meeting September 9, 2021

Dear Supervisor Tidball and the Town Board,

Please read this email correspondence into the official record of the Town Board meeting Privilege of the Floor and include it in the meeting minutes as posted on the town website.

I would like to thank the town for providing zoom and phone accessibility for the September 9, 2021 Planning Board Workshop.

I request that the developers of Oak Hill Solar 1, LLC and Oak Hill Solar 2, LLC provide a project page which provides a link to the application documents in color PDFs that can be downloaded. This will allow the citizens and town to access and understand the entire application. It will also assist in tracking change orders and updated documents.

Based upon the Freedom of Information requests that the town has provided me there are more than 2,000 pages of documents. This volume of paper

should be organized in an orderly and cost effective manner on the internet so that the application is freely and fully accessible to all taxpayers.

Additionally, the town clerks should not have to fulfill multiple Freedom of Information requests and the residents should not have to pay 0.25 cents per page to understand this Project.

Thank you for your time and consideration.

Respectfully,
lynnebruning@gmail.com
720-272-0956

Town of Duaneburg
Vouchers per Fund

Fund		Amount
General Fund		\$ 173,598.59
Highway Fund		\$ 3,622.10
Sewer District # 1		\$ 3,933.63
Sewer District # 2		\$ 2,094.02
Sewer District # 3		\$ 819.76
	Total	\$ 184,068.17 184,201.17

(September 7, 2021)

LEGAL NOTICE
NOTICE OF PUBLIC HEARING
TOWN BOARD
TOWN OF DUANESBURG

PLEASE TAKE NOTICE, that the Town Board of the Town of Duanesburg, New York, will meet at the Town Offices of Duanesburg, 5853 Western Turnpike, on **Thursday**, September 23, 2021 at 7:00 p.m. for the purpose of hearing all persons interested in the adoption of:

Local Law No. 2 of 2021 entitled "2021 Temporary Moratorium Law on Major Solar Energy Systems including Battery Energy Storage Systems." The proposed law would establish a temporary moratorium on the review of Major Solar Energy Systems and Battery Energy Storage Systems to give the Town Board sufficient time to evaluate the Town's existing law and to make changes to that law, or adopt a new law regulating such systems, if warranted.

BY ORDER OF THE TOWN BOARD
TOWN OF DUANESBURG

Town of Duanesburg

Local Law No. 2 of the year 2021

A local law enacting a temporary moratorium on Major Solar Energy Systems Authorized under Local Law 1 of the year 2016 and on Battery Energy Storage Systems

Be it enacted by the Town Board of the Town of Duanesburg as follows:

SECTION I.
SHORT TITLE

This local law shall be cited as Local Law # 2 of 2021 of the Town of Duanesburg and is entitled the “2021 Temporary Moratorium Law on Major Solar Energy Systems and Battery Energy Storage Systems.”

SECTION II.
LEGISLATIVE FINDINGS

The Town Board seeks to carefully review the Town Comprehensive Plan Update, the Town Zoning Ordinance and Local Laws, particularly Local Law #1 of 2016 which allows the establishment of Major Solar Energy Systems in the Town of Duanesburg. The Town has approved several of these Major Solar Energy Systems and believes that the Town of Duanesburg Zoning Code and Local Law #1 of 2016 should be evaluated in light of the Planning Board and Zoning Board experience in reviewing these projects and to protect and promote the public health, welfare and safety within the Town of Duanesburg. This moratorium also expressly applies to Battery Energy Storage Systems which may be proposed as part of a Major Solar Energy System or as a stand-alone facility. This moratorium is necessary in order to temporarily prohibit the establishment of additional Major Solar Energy Systems or Battery Energy Storage Systems in the Town to preserve the status quo while affording the Town Board sufficient time to evaluate and to amend the Town Zoning Ordinance and Local Law #1 of 2016, or to adopt new laws relating to Major Solar Energy Systems and Battery Energy Storage Systems.

SECTION III.
AUTHORITY

This moratorium is enacted by the Town Board of the Town of Duanesburg pursuant to its authority to adopt local laws under Article IX of the New York State Constitution and Municipal Home Rule Law Section 10.

SECTION IV.
MORATORIUM

- (A) For a period of six (6) months from the effective date of this Local Law, no applications shall be accepted or considered by the Planning Board of the Town of Duanesburg for Major Solar Energy Systems as that term is defined in Local Law No. 1 of 2016 or for Battery Energy Storage Systems, defined as one or more devices, assembled together, capable of storing energy in order to supply electrical energy at a future time, not to include a stand-alone 12-volt car battery or an electric motor vehicle. A battery energy storage system is classified as a Tier 1 or Tier 2 Battery Energy Storage System as follows: A. Tier 1 Battery Energy Storage Systems have an aggregate energy capacity less than or equal to 600kWh and, if in a room or enclosed area, consist of only a single energy storage system technology. B. Tier 2 Battery Energy Storage Systems have an aggregate energy capacity greater than 600kWh or are comprised of more than one storage battery technology in a room or enclosed area. Such Tier 1 or Tier 2 Battery Energy Storage Systems, whether as part of such Major Solar Energy System or stand-alone.
- (B) This moratorium may be extended by one (1) additional period of up to six (6) months by resolution of the Town Board upon a finding of the necessity for such extension.

SECTION V.
EXEMPTIONS TO MORATORIUM

The foregoing restriction shall not apply to the Major Solar Energy Systems approved by the Town Planning Board: (A) Onyx on Alexander Road, which has been constructed and which is under operation; and (B) the two Oak Hill Solar Projects proposed by Eden Renewables which have been approved by the Town Planning Board, for which amended approvals are currently being sought relative to the Major Solar Energy Systems and Battery Energy Storage Systems and which have not commenced construction. This moratorium does not apply to these listed projects or to any further Town Board, Planning Board, Zoning Board of Appeals or administrative action on these projects.

SECTION VI.
VARIANCES.

The Town Board shall have the authority, after a public hearing, to vary or modify the application of any provision of this Local Law upon its determination that strict application of this Local Law would impose practical difficulties or extraordinary hardships upon an applicant and that the variance granted would not adversely affect the health, safety or welfare of the citizens of the Town or significantly conflict with the general purpose and intent of this Local Law. Any request for a variance shall be in writing and filed with the Town Clerk and shall include a fee of Two Hundred Fifty Dollars (\$250.00) for the processing of such application. All such applications shall promptly be referred to the Town Board, which shall conduct a Public Hearing on the application on not less than five (5) days public notice and shall make its decision within thirty (30) days after the close of the Public Hearing.

**SECTION VII.
SEVERABILITY**

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this Local Law shall not affect the validity of any other part of this Local Law which can be given effect without such invalid part or parts.

**SECTION VIII.
REPEAL OF OTHER LAWS**

All local laws in conflict with provisions of this Local Law are hereby superseded and suspended for the duration of this moratorium and for any additional period that this Local Law is extended. This Local Law also supersedes, amends and takes precedence over any inconsistent provisions of New York State Town Law, the Town's Municipal Home Rule powers, pursuant to Municipal Home Rule Law Sections 10 and 22. The Town Law provisions intended to be superseded include all of the Article 16 of the Town Law, Sections 261-285 inclusive and any other provision of law that the Town may supersede pursuant to the Municipal Home Rule Law and the Constitution of the State of New York. The courts are directed to take notice of this legislative intent and to apply such intent in the event the Town has failed to specific any provisions of law that may require supersession. The Town Board hereby declares that it would have enacted this local law and superseded such inconsistent provision had it been apparent.

**SECTION IX.
EFFECTIVE DATE**

This Local Law shall take effect immediately, as provided by law, upon filing with the New York State Secretary of State.

RESOLUTION ADOPTING LOCAL LAW No. 2 of 2021

RESOLUTION NO. -2021

September 23, 2021

WHEREAS, the Town of Duanesburg has adopted a local law, local law No. 1 of 2016 regulating solar facilities, including Major Solar Facilities;

WHEREAS, the Town Board has received recommendations for modifications to the regulation of Major Solar Facilities in the Town from the Town Planning Board, the Zoning Board of Appeals and members of the public and is in the process of amending Local Law No. 1 of 2016;

WHEREAS, the Town Board previously imposed a temporary moratorium on the review of Major Solar Facilities which lapsed, however, the modification to the regulation of Major Solar Facilities in the Town has not progressed due to the pandemic and limitations on the ability of the public to participate in person on the proposed changes to Local Law No. 1 of 2016;

WHEREAS, the Town Board is hereby introducing a proposed local law (the “Proposed Local Law”) to re-establish a temporary moratorium on the review of Major Solar Facilities and expanding the moratorium to apply to Battery Energy Storage Systems to give the Town Board sufficient time to continue to evaluate the existing law on Major Solar Facilities and to make changes to that law if warranted, as well as to evaluate the need for changes to zoning to address Battery Energy Storage Systems;

WHEREAS, the purpose of the moratorium is to maintain the status quo while such legislation is being considered and adopted and the adoption of such a moratorium is a Type 2 action pursuant to the NYS Environmental Quality Review Act;

WHEREAS, the Town Board introduced at its meeting on September 9 the attached Proposed Local Law re-establishing a temporary moratorium on the review of Major Solar Facilities including establishing a temporary moratorium on the review of Battery Energy Storage Systems while the Town Board considers changes to its zoning and other local laws and called for a public hearing;

WHEREAS, the Town Board held a duly noticed public hearing on September 23, 2021 and carefully considered any public comment;

WHEREAS, the proposed local law was referred to Schenectady County Planning as required by the NYS General Municipal Law and Schenectady County Planning responded on _____ finding that _____;

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby finds that the adoption of the proposed Local Law 2 of 2021 attached hereto establishing a temporary moratorium on Major Solar Facilities and Battery Energy Storage Systems is a Type 2 action under the SEQRA; and

BE IT FURTHER RESOLVED that the Town Board hereby adopts proposed Local Law 2 of 2021 and directs that it be filed with the NYS Secretary of State's Office.

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

ZONING COORDINATION REFERRAL

For Use By SCDEDP

SCHENECTADY COUNTY DEPT. OF ECONOMIC DEVELOPMENT & PLANNING
Recommendations shall be made within 30 days after receipt of a full statement of the proposed action.

Received 9-21-21
Case No. D-821
Returned _____

FROM: Legislative Body
 Zoning Board of Appeals
 Planning Board

Municipality:
Town of Duaneburg

TO: Schenectady County Department of Economic Development and Planning
Schaffer Heights, 107 Nott Terrace, Suite 303
Schenectady, NY 12308

(tel.) 386-2225
(fax) 382-5539

ACTION: Zoning Code/Law Amendment
 Zoning Map Amendment
 Subdivision Review
 Site Plan Review

Special Permit
 Use Variance
 Area Variance
 Other (specify) _____

PUBLIC HEARING OR MEETING DATE: September 23, 2021

SUBJECT: A local law enacting a temporary moratorium on Major Solar Energy Systems Authorized under Local Law 1 of the year 2016 and on Battery Energy Storage Systems.


REQUIRED ENCLOSURES:

1. Public hearing notice & copy of the application.
2. Map of property affected. (Including Tax Map I.D. number if available)
3. Completed environmental assessment form and all other materials required by the referring body in order to make its determination of significance pursuant to the state environmental quality review act.

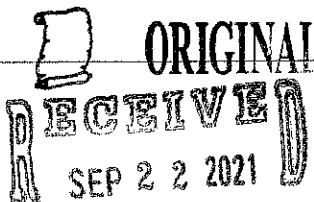
1. This zoning case is forwarded to your office for review in compliance with Sections 239-l, 239-m and 239-n of Article 12-B of the General Municipal Law, New York State.
2. This material is sent to you for review and recommendation because the property affected by the proposed action is located within 500 feet of the following:
 - the boundary of any city, village or town;
 - the boundary of any existing or proposed County or State park or other recreation area;
 - the right-of-way of any existing or proposed County or State parkway, thruway, expressway, road or highway;
 - the existing or proposed right-of-way of any stream or drainage channel owned by the County or for which the County has established channel lines;
 - the existing or proposed boundary of any County or State-owned land on which a public building or institution is situated;
 - the boundary of a farm operation located in an agricultural district, as defined by Article 25-AA of the agriculture and markets law. The referral requirement of this subparagraph shall not apply to the granting of area variances.

SUBMITTED BY:

Name: Melissa Deffer Title: Planning/Zoning Clerk
Address: 5853 Western Turnpike Duaneburg, NY 12056
E-mail: mdeffer@duaneburg.net Phone: (518) 895-2040


Signature

Date: _____


ORIGINAL RECEIVED
SEP 22 2021



PLANNING & ZONING COORDINATION REFERRAL

Case No. D-08-21

Applicant Town Board

Referring Officer Melissa Deffer

Municipality Duanesburg

Considerations: Local law enacting a temporary moratorium on the review of Major Solar Energy and Battery Energy Storage Systems.

RECOMMENDATION

Receipt of zoning referral is acknowledged on September 17, 2021. Please be advised that the undersigned Commissioner of Economic Development and Planning of the County of Schenectady (having under the Schenectady County Charter the powers and duties of a County Planning Board) has reviewed the proposed action stated on the opposite side of this form and makes the following recommendations:

- *Approve of the proposal.
- Defer to local consideration (No significant county-wide or inter-community impact)
- Modify/Conditionally Approve. Conditions:

Advisory Note:

Disapprove. Reason:

*A recommendation of approval should not be interpreted that the County has reviewed all local concerns and/or endorses the project; rather the proposed action has met certain County considerations.

Section 239-m of the general Municipal Law requires that within 30 days after final action, the referring body shall file a report of the final action it has taken with the Schenectady County Department of Economic Development and Planning. A referring body which acts contrary to a recommendation of modification or disapproval of a proposed action shall set forth the reasons for the contrary action in such report.

9/22/21

Date

Ray Gillen / S/P

Ray Gillen, Commissioner
Economic Development and Planning

**LEGAL NOTICE
NOTICE OF PUBLIC HEARING
TOWN BOARD
TOWN OF DUANESBURG**

PLEASE TAKE NOTICE, that the Town Board of the Town of Duanesburg, New York, will meet at the Town Offices of Duanesburg, 5853 Western Turnpike, on **Thursday, October 14, 2021** at **7:00 p.m.** for the purpose of hearing all persons interested in the adoption of Local Law No. 3 of 2021.

The Proposed Local Law No. 3 of 2021 is entitled “Tax Cap Override for FY 2022.” The proposed local law will allow the Town of Duanesburg to override the limit on the amount of real property taxes that may be levied, pursuant to General Municipal Law § 3-C, and allow the Town of Duanesburg to adopt a town budget for fiscal year 2022 that requires a tax levy in excess of the tax levy limit. A copy of the proposed local law is on file at the office of the Town of Duanesburg Town Clerk, 5853 Western Turnpike, Duanesburg, New York, 12056.

BY ORDER OF THE TOWN BOARD
TOWN OF DUANESBURG

Dated: September 23, 2021

TOWN OF DUANESBURG LOCAL LAW NO. 3 OF 2021

TAX CAP OVERRIDE FOR FY 2022

BE IT ENACTED by the Town Board of the Town of Duanesburg in the County of Schenectady as follows:

Section 1. Title of the Local Law.

This local law shall be entitled “Tax Cap Override for FY 2022.”

Section 2. Authorization.

This local law is adopted pursuant to subdivision 5 of the General Municipal Law § 3-C, which expressly authorizes the town board to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the Town Board.

Section 3. Purpose.

The purpose of this local law is to permit the override of the limit on the amount of real property taxes that may be levied by the Town of Duanesburg, County of Schenectady, pursuant to General Municipal Law § 3-C, and to allow the Town of Duanesburg to adopt a town budget for the fiscal year 2022 (“FY 2022”) that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law § 3-C.

Section 4. Tax Cap Override for FY 2022

The Town Board of the Town of Duanesburg, County of Schenectady, is hereby authorized to adopt a budget for FY 2022 that requires a real property tax levy in excess of the amount otherwise proscribed in General Municipal Law § 3-C.

Section 5 Supersession.

Pursuant to the powers granted by the Municipal Home Rule, this Local Law supersedes all provisions of the Town of Duanesburg Town Code, in so far as such statues are inconsistent with this Local Law and any other laws or regulations of the Town of Duanesburg are superseded to the extent necessary to give this Local Law full force and effect. All other provisions shall remain the same.

Section 6. Severability.

Each separate provision of this Local Law shall be deemed independent of all other provisions therein, and if any provisions shall be deemed or declared invalid, all other provisions hereof shall remain valid and enforceable.

Section 7. Effective Date.

This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with Municipal Home Rule Law § 27.

RESOLUTION INTRODUCING LOCAL LAW

RESOLUTION NO. -2021

September 23, 2021

WHEREAS, the Town of Duanesburg is subject to a tax levy limitation as a result of the New York State Property Tax Cap Legislation set forth in General Municipal Law § 3-C; and

WHEREAS, General Municipal Law § 3-C(5) provides that a Town Board may adopt a budget that requires a tax levy that is greater than the tax levy limit for the coming fiscal year only if the Town Board first enacts, by a vote of sixty percent of the total voting power of the Town Board, a local law to override such limit for such coming fiscal year only; and

WHEREAS, Local Law No. 3 of 2021 is entitled “Tax Cap Override for FY 2022” (the “Proposed Local Law”) is hereby introduced; and

WHEREAS, adoption of the Proposed Local Law is a Type II action under SEQRA.

NOW THEREFORE BE IT RESOLVED, that each member of the Town Board has received the attached Proposed Local Law attached hereto; and

BE IT FURTHER RESOLVED, that the Town Board directs the Town Clerk to publish a notice of public hearing on the local law in the Schenectady Gazette and post to the Town’s bulletin board and website, all to appear once no later than five (5) days before the date of the public hearing which shall take place at the regular meeting of the Town of Duanesburg Town Board at the Town Offices at 5853 Western Turnpike, Duanesburg, NY 12056 on October 14, 2021 at 7:00 p.m.

By (unanimous/majority) vote of the Town Board of the Town of Duanesburg at its regular meeting of September 23, 2021.

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

**LEGAL NOTICE
NOTICE OF PUBLIC HEARING
TOWN BOARD
TOWN OF DUANESBURG**

PLEASE TAKE NOTICE, that the Town Board of the Town of Duanesburg, New York, has completed the assessment roll in connection with the Duanesburg/Delanson Sewer District No. 1, the Mariaville Lake Sewer District No. 2, and the Duanesburg Sewer District No. 3 and filed the same with the Town Clerk of the Town of Duanesburg.

PLEASE TAKE FURTHER NOTICE, that the Town Board of the Town of Duanesburg, New York, will meet at the Town Offices of Duanesburg, 5853 Western Turnpike, on **Thursday, October 14, 2021 at 7:00 p.m.** for the purpose of conducting a hearing to consider any objections which may be made to said assessment roll.

BY ORDER OF THE TOWN BOARD
TOWN OF DUANESBURG

Dated: September 23, 2021

TOWN OF DUANESBURG TOWN BOARD

RESOLUTION

September 23, 2021

WHEREAS, the Assessor to the Town of Duanesburg has completed and filed the assessment roll for the Duānesburg/Delanson Sewer District No. 1, the Mariaville Lake Sewer District No. 2, and the Duanesburg Sewer District No. 3 (the “Roll”), pursuant to Article 15 of the New York State Town Law.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Town Law § 239, the Town Board shall meet and hold a public hearing on October 14, 2021 at 7:00 p.m. at the Town of Duanesburg Town Hall, 5853 Western Turnpike, Duanesburg, New York, to hear and consider any objections which may be made to the Roll (the “Public Hearing”); and

BE IT FURTHER RESOLVED, the Town Board directs the Town Clerk to publish the Notice of Public Hearing, attached hereto, in the Schenectady Daily Gazette to appear once not less than ten (10) and no more than twenty (20) days before the date of the Public Hearing; and

BE IT FURTHER RESOLVED, the Town Board directs the Town Clerk to cause the Letter Notice of Public Hearing, also attached hereto, to be mailed to each property owner not less than ten (10) and no more than twenty (20) days before the date of the Public Hearing; and

BE IT FURTHER RESOLVED, the Town Board directs the Town Clerk to cause a copy of the Notice of Public Hearing to be posted on the sign board of the Town of Duanesburg, and the Town of Duanesburg website, not less than ten (10) and no more than twenty (20) days before the date of the Public Hearing.

By (unanimous/majority) vote of the Town Board of the Town of Duanesburg at its regular meeting on September 23, 2021.

Roger Tidball, Supervisor

Town Clerk/Deputy Town Clerk

Present:

Absent:

Council 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. __ - 2021

September 23, 2021

WHEREAS, the Town of Duanesburg Town Board (the "Town Board") wishes to retain the professional services of Lawrence J. O'Connor, PE, LS, F.NSPE ("O'Connor"), for consulting services in the areas construction plan review and/or building code analysis for solar projects; and

WHEREAS, the Town Board has reviewed the attached agreement under which the compensation for such professional services is \$150/hour plus certain expenses.

NOW, THEREFORE, BE IT RESOLVED, the Town Board approves and authorizes the Town Supervisor to execute the attached agreement and retain O'Connor for the professional services set forth in the agreement.

By (unanimous/majority) vote of the Town Board of the Town of Duanesburg at its regular meeting of September 23, 2021.

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

CONSULTING AGREEMENT FOR PROFESSIONAL SERVICES OF
Lawrence J. O'Connor, PE, LS, F.NSPE

CONSULTING AGREEMENT FOR EXPERT SERVICES OF
Lawrence O'Connor JEFFREY IAN ROSS

~~Proposal for Services August 24~~ Revised: Wednesday April June _____, 2021 65

This Consulting Agreement (the "Agreement") is entered into between Lawrence J. O'Connor Jeffrey Ian Ross Consulting (hereafter "Consultant") and the Town of Duaneburg, New York ("the Client").

RECITALS

WHEREAS, the Client is in need of assistance with construction plan reviews research and/or building code litigation consulting services; and

WHEREAS, Consultant has agreed to perform expert professional consulting services as directed by the Client/Client's Town Supervisor, Town Attorney or Building Inspector;

The parties hereby agree as follows:

1. Consultant's Services. Consultant shall provide to the Client professional consulting services in the requested areas of construction plan reviews and/or building code research, analysis, and/or testimony as further set forth on Exhibit A attached hereto and made a part hereof (hereafter "Consulting Services").

Consultant represents that he has the capability, means and experience to perform the Consulting Services and will maintain that capability during the term of this Agreement. No subcontractors shall be engaged by Consultant to perform any part of the Services without the express written consent of Client. Client reserves the right to the reasonable and timely review of qualifications of any individuals assigned by Consultant on work hereunder and the right to reasonably reject those who are not, in Client's opinion, qualified. This in no way relieves Consultant of the obligation to select and assign qualified personnel to the work or of the liability incurred therefrom.

The standard of care for all Consulting Services performed or furnished by Consultant under this Agreement will be the care and skill ordinarily used by the members of Consultant's profession practicing under similar conditions at the same time and in the same locality. Consultant will perform all Consulting Services in a manner consistent with federal, state and local codes and law, and such other standards and specifications as reasonably may be required by Client.

2. Consideration.

~~A. RATE. In consideration for the Consulting Services to be performed by Consultant under this Agreement, the Client shall will pay the Consultant at the rate of \$150,000,000 \$150.00 (USD)/hour for Consulting Services. The requirement for a \$2,0400 retainer is hereby waived will be required before work commences. The retainer~~

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CONSULTING AGREEMENT FOR PROFESSIONAL SERVICES OF
Lawrence J. O'Connor, PE, LS, F.NSPE

~~amount and all future payments will be paid from a financial institution located in the United States. If the financial institution is not located in the United States, a service charge of \$25.00 will be added to each payment to cover bank service charges. Invoices shall be submitted on a monthly basis for Town Board review and approval. Estimates for tasks assigned will be provided in writing for the written approval by of the Town Supervisor, Town Attorney or Building Inspector prior to commencement of any task. Alternatively, client may pay through PayPal or bank transfer.~~

~~B. EXPENSES. Additionally, the Client will pay the Consultant for the following reasonable expenses incurred while the Agreement between Consultant and the Client exists including, but not limited to:~~

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- ~~• Vehicle Mileage reimbursement at the standard Federal rate Express mail (this includes return of contracts, addendum, drafts, and final report if the client so chooses this method); and~~
- ~~• Bank transfer charges; and (if client elects to pay consultant via bank transfer method);~~
- ~~• Travel, photocopying, parking, telephone, delivery costs, purchase of books/material related to the Consulting Services.~~

~~Expenses are expected to be minimal. Should any All single expenses over \$250.00 be required (USD), this per transaction, will be cleared with the Town Supervisor/Client/Client's Attorney in writing and in advance.~~

~~Consultant shall submit receipts where available, which reflect/itemizing the nature and dates on which expenses were incurred. The Client shall pay Consultant the amounts due per normal process of the Town of Duaneburg with payment promptly after approval by the Town Board, 14 days after a report is sent to the Client.~~

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~~Consultant agrees not to exceed 15 hours/week without written permission from the client.~~

~~Customer will be invoiced for at least each 5+5 hours of work performed and expenses incurred. The invoice will provide daily entries of the number of hours worked and a brief description of work performed and the expenses incurred.~~

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~~Amounts not paid within 7 business days of billing will result in consultant temporarily suspending work. All invoices not paid within 30 days of receipt, will bear interest from the due date at 10 % per annum and all costs of collection (including attorney's fees/costs).~~

CONSULTING AGREEMENT FOR PROFESSIONAL SERVICES OF
Lawrence J. O'Connor, PE, LS, F.NSPE

2. Future use of work/Proprietary Nature of information gathered. Unless the information is of a confidential nature, the Consultant is free to use the information gathered for future research/litigation purposes (e.g., publication in peer reviewed journal, integration into a textbook, etc.).

3. Insurance. During the term of this Agreement, Consultant shall maintain liability insurance in customary amounts. At minimum, such insurance shall include: (a) General Liability (including contractual liability) with a per occurrence limit of not less than One Million Dollars (\$1,000,000) for bodily injury and One Million Dollars (\$1,000,000) for property damage; and (c) Automobile Liability with a per occurrence limit of not less than One Million Dollars (\$1,000,000) for bodily injury and One Million Dollars (\$1,000,000) for property damage. All such insurance shall name Client as an additional insured and shall be written by insurance companies reasonably acceptable to Client. Consultant shall furnish the Client with certificates of insurance evidencing the above-referenced insurance coverage prior to commencing any Services.

4. Right to Inspect. Client shall have the right to inspect Consultant's work product at any time. In no event shall Client's inspection, election not to inspect or acceptance of Consultant's work by Client, relieve Consultant of its obligations or responsibilities as set forth herein.

53. Independent Consultant. Nothing herein shall be construed to create an employer-employee relationship between the Client and Consultant. Consultant is an independent contractor and not an employee of the Client or any of its subsidiaries or affiliates. It is understood that the Client will not withhold any amounts for payment of taxes from the compensation of Consultant hereunder. Consultant will not represent to be or hold herself out as an employee of the Client.

64. Confidentiality. In the course of performing Consulting Services, the parties recognize that the Consultant may meet or become familiar with information that the Client or its subsidiaries or affiliates may consider confidential. This information may include, but is not limited to, information pertaining to the Client, which information may be of value to a competitor. Consultant agrees to keep all such information confidential and not to discuss or divulge it to anyone other than appropriate Client personnel or their designees.

75. Retention of Materials. Unless otherwise agreed upon in writing, upon completion of the work, all photocopies, reports, and books purchased remains the property of the Consultant. Both consultant and client will retain records for 2 years from signing of contract.

86. Term. This Agreement shall commence on the date the consultant agreement is approved by the Town Board and signed by the Town Supervisor receives complete payment which deposit via PayPal, check, clears bank, or wire transfer is deposited into Consultants' bank account. Consultant will deliver report _____ days after this point in

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CONSULTING AGREEMENT FOR PROFESSIONAL SERVICES OF
Lawrence J. O'Connor, PE, LS, F.NSPE

~~time to Client and/or Client's representative. Agreement lasts until _____ days after Consultant submits report/affidavit to Client and/or Client's representative. Revisions of the report/affidavit will take place during the _____ days following initial submission to Client and/or Client's representative. (In short, failure to sign and return this contract, and the addendum, and make suitable and timely arrangements for payment deposit/amount to Consultant will result in a delay of the start date). Either party may terminate this Agreement upon written notice (via snail mail, or e-mail).~~

This Agreement may be terminated by either party upon not less than seven (7) days written notice should the other party fail to perform in accordance with the terms of this Agreement through no fault of the party initiating the termination.

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Client may terminate this Agreement for its convenience upon not less than seven (7) days written notice to Consultant. In the event of such termination, Consultant shall be compensated for Services actually performed and expenses incurred prior to the date of termination.

97. Notice. Any notice or communication permitted or required by this Agreement shall be deemed effective when personally delivered or deposited, postage prepaid, in the first class mail of the United States properly addressed to the appropriate party at the address set forth below:

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i. Notices to Consultant: Lawrence O'Connor, 1696 Main Street, Delanson, NY 12053~~XXXXXXXXXXXXXXXXXXXX~~ Jeffrey Ian Ross, Ph.D., Jeffrey Ian Ross Consulting, 2447 Tunlaw Rd. N.W. Washington DC, 20007 ~~jeffreyianross@hotmail.com~~

ii. Notices to the Client: Town Clerk, Town Hall, Route 20, Duanesburg, NY 12056 ~~[specify address XXXXXXXXXXXXXXXXXXXXXXXXXX]~~
(please write your American Address here)

~~8. Both parties are excused from delay if delay is beyond consultant's control (e.g. terrorist attack, rolling blackout), or failure of Client to pay within 7 business days of billing.~~

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109. Miscellaneous.

109.1 Entire Agreement and Amendments. This Agreement constitutes the entire agreement of the parties with regard to the subject matter hereof, and replaces and supersedes all other agreements or understandings, whether written or oral. No amendment or extension of the Agreement shall be binding unless in writing and signed by both parties.

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CONSULTING AGREEMENT FOR PROFESSIONAL SERVICES OF
Lawrence J. O'Connor, PE, LS, F.NSPE

~~109.2 Binding Effect, Assignment. This Agreement shall be binding upon and shall inure to the benefit of Consultant and the Client and to the Client's successors and assigns. Nothing in this Agreement shall be construed to permit the assignment by Consultant of any of its rights or obligations hereunder, and such assignment is expressly prohibited without the prior written consent of the Client.~~

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~~If any part of this Agreement the agreement is found to be void, the rest of the contract Agreement is still valid~~

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~~Termination of contract is upon material breach that is not repaired within 20 days, or written notice of 30 days; certain clauses (such as confidentiality) last beyond termination.~~

~~109.3 Governing Law, Severability. This Agreement shall be governed by the laws of New York, with regard to its conflict of law principles, Washington, DC. The invalidity or unenforceability of any provision of the Agreement shall not affect the validity or enforceability of any other provision. The parties irrevocably consent to the selection of the New York State and United States courts within Schenectady County, New York as the exclusive forums for any legal or equitable action or proceeding arising from or relating to this Agreement.~~

~~10.4 Counterparts. This Agreement may be executed in two or more counterparts, each of which when so executed and delivered will be deemed an original, and all of which together shall constitute one and the same agreement.~~

~~10.5 Indemnification. Consultant shall defend, indemnify and hold Client, its officers, employees and agents, harmless from and against any liability, loss, expense, including without limitation reasonable attorneys' fees, arising from or connected with Consultant's performance of the Consultant Services or breach of this Agreement.~~

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~~9.4 The parties agree that any dispute arising under this agreement shall be resolved by arbitration pursuant to the Rules of the American Arbitration Association. The decision of the arbitrator(s) shall be final. All disputes arising from this agreement will be handled through binding arbitration in New York at a location to be determined by AAA rules, the city of Washington, DC.~~

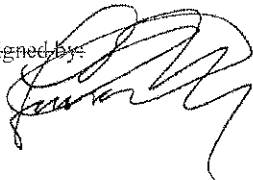
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~~9.5 The Client shall defend, indemnify and hold the Consultant, his employees and agents harmless from and against any liability, loss, expense, including reasonable attorneys' fee, or claims for injury or damages arising out of the performance of this Agreement.~~

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WHEREFORE, the parties have executed this Agreement as of the date written below.

Signed by:



CONSULTING AGREEMENT FOR PROFESSIONAL SERVICES OF
Lawrence J. O'Connor, PE, LS, F.NSPE

_____ - August 24, 2021 _____
Lawrence J. O'Connor _____ Date Jeffrey Ian Ross, Ph.D.
Consultant _____ Date _____ Consultant

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_____ _____
Town of Duaneburg Client _____ Date _____
Client

Town of Duanesburg Town Board

RESOLUTION NO. __ - 2021

September 23, 2021

WHEREAS, the Town of Duanesburg Town Board has established Duanesburg Sewer Districts Nos. 1 and 3; and

WHEREAS, the Delanson Wastewater Treatment Plant (the "Delanson WWTP") serves Duanesburg Sewer Districts Nos. 1 and 3; and

WHEREAS, the Town Board retained Delaware Engineering, D.P.C., ("Delaware") for professional services in connection with Long Term Improvements Project at the Delanson WWTP (the "Project"); and

WHEREAS, Delaware has submitted an invoice for Town Board review in the amount of \$5959.20 for professional services provided during August 2021 ("Professional Services Invoice No. 18").

NOW, THEREFORE, BE IT RESOLVED, the Town Board authorizes the Town Supervisor to submit the documentation to the NYS EFC to obtain the funds to pay Professional Services Invoice No. 18 and upon receipt of such funds authorizes payment to Delaware in the amount of \$5959.20.

By (unanimous/majority) vote of the Town Board of the Town of Duanesburg at its regular meeting of September 23, 2021.

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


DELAWARE ENGINEERING, D.P.C.

 55 South Main Street
 Oneonta, NY 13820

 Tel: 607.432.8073
 Fax: 607.432.0432

ORIGINAL

September 13, 2021

 Town of Duanesburg
 Attn.: Roger Tidball, Town Supervisor
 Town Hall
 5853 Western Turnpike
 Duanesburg, NY 12056

 Re: Delanson WWTP (SD#1 & SD#3)
 Long Term Improvements Project - Professional Services Invoice #18

Dear Roger:

Attached for Town review, processing and payment is our invoice totaling \$5,959.20 for services related to the above referenced project.

Services provided during August 2021 include:

- Continued communications with Town and regulatory agencies
- Review contractor's payment requests
- Travel to site to review project status with Town and contractors
- NYSEFC compliance documentation
- Onsite construction inspection

Services anticipated to be provided during September 2021 include:

- Continued communications with Town and regulatory agencies
- Review contractor's payment and change order requests
- Travel to site to review project status with Town and contractors
- Onsite construction inspection

Please contact me at 607-432-8073 if you have any questions.

 Respectfully,
DELAWARE ENGINEERING, D.P.C.

 Bill Brown, P.E. for
 Dave Ohman, P.E.

Attachment

CC: Cheryl DeCarr, Delaware Engineering, D.P.C. (w/enclosures)

09-2021 Duanesburg (T) Delanson WWTP Long Term Improvements CL 18

821-150



Delaware Engineering, D.P.C.
28 Madison Ave. Ext.
Albany, NY 12203
(518) 452-1290



ORIGINAL

Town of Duaneburg
Town Hall
5853 Western Turnpike
Duaneburg, NY 12056

Invoice number 19-1712-18
Date 09/08/2021

Project 19-1712 Town of Duaneburg - Delanson
WWTP Long Term Improvements

For Services Rendered Through August 29, 2021

3 Construction/Management/Admin

	Units	Rate	Billed Amount
Eric Michelitsch	1.00	110.00	110.00
Michael Primmer	1.50	165.00	247.50
William J. Brown	22.00	155.00	3,410.00
subtotal	24.50		3,767.50

CONSULTANT

	Units	Rate	Billed Amount
ATLANTIC TESTING LAB			624.50
Phase subtotal			4,392.00

4 Construction Inspection

	Units	Rate	Billed Amount
Tucker Lewis	12.00	125.00	1,500.00

REIMBURSABLES

	Units	Rate	Billed Amount
Tucker Lewis			
Mileage - Albany 2021	120.00	0.56	67.20
Phase subtotal			1,567.20

Invoice total 5,959.20

Approved by:
William J. Brown

Please remit payment to:
Delaware Engineering, D.P.C.
28 Madison Ave. Ext.
Albany, NY 12203

B21-150

DELAWARE ENGINEERING, D.P.C.

55 South Main Street, Oneonta, New York 13820 Phone 607-432-8078/FAX 607-432-0482

ORIGINAL

Town of Duanesburg
 Town Hall
 5853 Western Turnpike
 Duanesburg, NY 12056

PROJECT ID 19-1712

PROJECT: Delanson WWTP Long Term Improvements
 INVOICE/REQUISITION No.: 18

	CURRENT COST	PREVIOUS COST	COST TO DATE	BUDGET
1. Task 1 - Design				
Labor	\$ -	\$ 54,532.50	\$ 54,532.50	\$ 55,300.00
Reimbursable Expenses	\$ -	\$ 767.19	\$ 767.19	
Subcontractors (Atlantic Testing Laboratories)	\$ -	\$ 8,700.00	\$ 8,700.00	\$ 8,700.00
Subcontractors (Ryan Biggs Clark Davis Eng & Surveying)	\$ -	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00
Subcontractors (Whitman Engineering)	\$ -	\$ 10,000.00	\$ 10,000.00	\$ 11,000.00
SUBTOTAL - TASK 1	\$ -	\$ 98,999.69	\$ 98,999.69	\$ 100,000.00
2. Task 2 - Bid/Award				
Labor	\$ -	\$ 7,496.25	\$ 7,496.25	
Reimbursable Expenses	\$ -	\$ -	\$ -	
SUBTOTAL - TASK 2	\$ -	\$ 7,496.25	\$ 7,496.25	\$ 7,500.00
3. Task 3 - Construction Management/Admin				
Labor	\$ 3,767.50	\$ 33,773.75	\$ 37,541.25	
Reimbursable Expenses	\$ -	\$ 504.00	\$ 504.00	
Subcontractors (Atlantic Testing Laboratories)	\$ 624.50	\$ 1,243.00	\$ 1,867.50	
SUBTOTAL - TASK 3	\$ 4,392.00	\$ 35,520.75	\$ 39,912.75	\$ 50,000.00
4. Task 4 - Construction Inspection				
Labor	\$ 1,500.00	\$ 54,832.50	\$ 56,332.50	
Reimbursable Expenses	\$ 67.20	\$ 2,294.88	\$ 2,362.08	
SUBTOTAL - TASK 4	\$ 1,567.20	\$ 57,127.38	\$ 58,694.58	\$ 74,000.00
5. Task 5 - As Built Drawing Preparation				
Labor	\$ -	\$ -	\$ -	\$ 500.00
Reimbursable Expenses	\$ -	\$ -	\$ -	
Subcontractors (Synergetic Solutions, LLC)	\$ -	\$ -	\$ -	\$ 3,000.00
SUBTOTAL - TASK 5	\$ -	\$ -	\$ -	\$ 3,500.00

DELAWARE ENGINEERING, D.P.C.

55 South Main Street, Oneonta, New York 13820 Phone 607-482-8078/FAX 607-482-0488

ORIGINAL

	<u>CURRENT COST</u>	<u>PREVIOUS COST</u>	<u>COST TO DATE</u>	<u>BUDGET</u>
6. Task 6 - NYSEFC Contract Coordination				
Labor	\$ -	\$ 4,998.75	\$ 4,998.75	\$ 5,000.00
Reimbursable Expenses	\$ -	\$ -	\$ -	
Subcontractors (Deroo Consulting)	\$ -	\$ 5,801.43	\$ 5,801.43	\$ 10,000.00
SUBTOTAL - TASK 6	\$ -	\$ 10,800.18	\$ 10,800.18	\$ 15,000.00
7. Task 7 - Preliminary Engineering				
Labor	\$ -	\$ 70,894.70	\$ 70,894.70	\$ -
Reimbursable Expenses	\$ -	\$ -	\$ -	
SUBTOTAL - TASK 7	\$ -	\$ 70,894.70	\$ 70,894.70	\$ 70,894.70
TOTAL	<u>\$ 5,959.20</u>	<u>\$ 280,838.95</u>	<u>\$ 286,798.15</u>	<u>\$ 320,894.70</u>
AMOUNT DUE FOR CURRENT SERVICES	<u>\$ 5,959.20</u>			
AMOUNT PAST DUE		<u>\$ 23,210.55</u>	Invoice #17, 8/10/2021	
TOTAL NOW DUE		<u>\$ 29,169.75</u>		
BUDGET BALANCE		\$ 34,096.55		

THIS STATEMENT REFLECTS PAYMENTS RECEIVED ON OR BEFORE BILLING DATE

B24-150



ATLANTIC TESTING LABORATORIES ORIGINAL

Remit To: 6431 US Highway 11
Canton, New York 13617
Phone: 315-386-4578

Inquiries To: 22 Corporate Drive
Clifton Park, New York 12065
Phone: 518-383-9144

WBE certified company

July 31, 2021

Accounts Payable
Delaware Engineering, D.P.C.
28 Madison Ave. Extension
Albany, NY 12203

Client Information

Contact: Bill Brown
Telephone: 607-432-8073

RECEIVED
RECEIVED

AUG 18 2021
AUG 18

DELAWARE ENGINEERING
DELAWARE ENGINEERING

#19-1712 #3

REQUEST FOR PAYMENT

Construction Materials Engineering and Testing Services
Duanesburg Waste Water Treatment Plant
Delanson, New York
ATL Project No. AT3479
ATL Contract No. AT998-1081-05-21

Service dates: June 28, 2021 through July 26, 2021

Service	Quantity	Unit Fee	Amount
Atlantic Testing Laboratories			
Technical Personnel - CMET			
Project Manager	0.50	\$99.00 / Hour	\$49.50
Concrete Field Testing Technician	1	\$240.00 / Half Day	\$240.00
Miscellaneous - CMET			
Sample Pickup - When no other services are performed	2	\$120.00 / Trip	\$240.00
Travel - Includes Labor and Mileage	1	\$95.00 / Trip	\$95.00
TOTAL			\$624.50

An Itemized Schedule of Services is attached for your reference.

Invoice Summary

Previously Invoiced:	\$1,243.00
Current Invoice:	\$624.50
Total Invoiced to Date:	\$1,867.50

PROJECT NO. _____

APPROVED BY _____

Invoice No. 234668

Accounts are due when rendered. Accounts 10 days and over are subject to a SERVICE CHARGE, which is computed by a PERIODIC RATE of 1.5% per month or an ANNUAL RATE of 18%. If written response is not received within 10 days of invoice, the invoice will be considered correct. Terms Net - Upon Receipt of Invoice.

B21-150

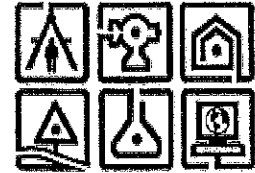
Itemized Schedule of Services for Invoice No. 234688
Duanesburg Waste Water Treatment Plant
Delaware Engineering, D.P.C.
ATL Project No. AT3479
July 31, 2021

 ORIGINAL

Date	Concrete Field Testing Technician	Sample Pickup	Travel
	Half Day	Trip	Trip
06/28/2021		1	
07/01/2021	1		1
07/02/2021		1	
Totals:	1	2	1

Motion to approve payment to C.T. Male Associates for \$10,410.66.

C.T. MALE ASSOCIATES
 Engineering, Surveying, Architecture, Landscape Architecture & Geology, D.P.C.
 50 Century Hill Drive
 Latham, New York 12110
 Tel. 518.786.7400 Fax 518.786.7299 www.ctmale.com



Terms subject to interest after 30 days,
 1.25% Interest compounded monthly.

Invoice RECEIVED

Town of Duanesburg
 Town Hall
 5853 Western Turnpike
 Duanesburg, NY 12056

SEP 15 2021
 TOWN OF DUANESBURG
 TOWN CLERK

September 13, 2021
 Project No: 21.1374
 Invoice No: 89516

Project 21.1374 Town of Duanesburg – Town Hall Addition

Professional Services from August 5, 2021 to September 4, 2021

Fee

1440.01.400 ✓

Billing Phase	Fee	Percent Complete	Earned
Pre-Design Phase	14,900.00	69.2903	10,324.25
Total Fee	14,900.00		10,324.25
		Previous Fee Billing	0.00
		Current Fee Billing	10,324.25
		Total Fee	10,324.25

Reimbursable Expenses

Other Travel-Mileage			
7/13/2021	LOBOSCO, NICHOLAS	Follow up meeting	30.24
8/6/2021	LOBOSCO, NICHOLAS	MEP Field Work	30.24
8/6/2021	GARRISON, BRAD	Site Visit	25.93
	Total Reimbursables		86.41

Total this Invoice \$10,410.66

	Current	Prior	Total
Billings to Date	10,410.66	0.00	10,410.66

22 September 2021

Dear Supervisor Tidball and Planning Board Chair Schmitt,

Please read my comments into the record of the Town Board Meeting scheduled for 23 September 2021.

Please distribute this email to members of the Planning board for their review.

I implore the Town Board to adopt the Moratorium on Solar Development with the important inclusion of the Oak Hill Solar Hill Project. I believe if this is not done, potentially dangerous precedents will be established.

Projects of this scope and potential long lifespan (30+ years) must not be considered lightly. Our children will pay the price for poor planning in the future.

The town has a unique opportunity to take a thoughtful and reasoned approach to future solar development and battery energy storage systems (BESS). Moving forward the town must take into full account the safety and property values of neighboring landowners which are protected by the town's Comprehensive Plan, Zoning Ordinance and Solar Law. The town and its residents should not bear the potential negative burdens resulting from the activities of speculative developers whose major goal is making money for their shareholders.

I thought that I would retire to my land where the distant views of the Schoharie Creek, Amsterdam and the more distant Adirondacks are so magical. I am reconsidering my decision with the thought of looking uphill to looming, potentially 14-foot-high solar panels and imposing, dangerous battery storage trailers. No evergreen screening is proposed to protect my uphill view. The Project is permitted to use herbicides and pesticides. Water runoff and surface and groundwater pollution is a real threat. There are so many concerns that I have expressed in previous meetings of the Town and Planning Boards that I feel have fallen on deaf ears. It is at the Town's Board's discretion to include Oak Hill Solar in the Moratorium. What documents prevent the Board from including Oak Hill Solar in tonight's Moratorium?

Again, I support the Moratorium on Solar Development with the inclusion of the Oak Hill Solar Project. As I have previously stated, developers should be required to present complete plans at the time of application and not granted multiple

change modifications significantly altering the project from that originally granted Special Permit status.

Thank you for your consideration in this matter.

Pamela H. Rowling

Owner 71.4 acres on Youngs Road, adjoining proposed Solar Farm Site

PO Box 160
Quaker Street, NY 12141

Supervisor Tidball
Town Board
Town of Duaneburg
5853 Western Turnpike
Duaneburg, NY 12056

September 23, 2021

Re: Public Hearing Comment for Moratorium on Solar and BESS September 23, 2021

Dear Supervisor Tidball and the Town Board,

I request that the Oak Hill Solar Amendment for battery energy storage systems (BESS) be included in the Moratorium on Solar and the Moratorium on BESS to be discussed at the September 23, 2021 Town Board Public Hearing.

Eden Renewables did not present BESS to the planning board and taxpayers at the July and August 2019 Public Hearings. BESS is not shown or referenced in the site plan, resolution, or negative declaration as approved September 19, 2019.

The County did not find BESS in the application documents. Please see attached letter Bruning to Schenectady County Economic Development.

NYSERDA did not find BESS in Edens funding application documents. Please see Freedom of Information documents obtained from NYSERDA. There are multiple emails between NYSERDA and Eden which clearly document that BESS is not reflected in the September 2019 site plan, resolution and SEQR.

Eden sold Oak Hill Solar 1, LLC and Oak Hill Solar 2, LLC to Amp Solar Group in November or December 2019. The developer's failure to understand that the Project did not include BESS is not the town's responsibility.

At the September 9, 2021 Town Board meeting the town attorney stated that including Oak Hill Solar in the Moratorium is at the Board's discretion. Please refer to minute 38 of the September 9, 2019 town board meeting recording as found on Youtube <https://youtu.be/GbYHoCEVTj0?t=2277>

Please include Oak Hill Solar Amendment as presented to the planning board July 2021 in tonight's Moratorium on Solar and BESS. This will allow the town and taxpayers time to learn about BESS, consult with experts and approve a BESS law that will protect the current and future town board, planning board, zoning board and the residents.

Thank you for your time and consideration.

Respectfully,
Lynne Bruning
720-272-0956
lynnebruning@gmail.com



lynne bruning <lynnebruning@gmail.com>

RE: Oak Hill Solar

1 message

Ray Gillen <RGillen@schenectadymetroplex.org>
To: lynne bruning <lynnebruning@gmail.com>
Cc: Jesse McGuire <jesse.mcguire@schenectadycounty.com>

Fri, May 14, 2021 at 11:36 AM

We did not see battery storage on the plans submitted to the County Planning office for this project.

Ray Gillen, Chair
Schenectady County
Metroplex Development Authority
433 State Street
Schenectady, NY 12305
(518) 377-1109, ext.1

From: lynne bruning <lynnebruning@gmail.com>
Sent: Friday, May 14, 2021 1:33 PM
To: Ray Gillen <RGillen@schenectadymetroplex.org>
Cc: Jesse McGuire <jesse.mcguire@schenectadycounty.com>
Subject: Oak Hill Solar

Dear Commissioner Gillian,

Please accept the attached four page PDF correspondence requesting clarification of battery energy storage at Oak Hill Solar located at 13390 Duanesburg Road, Delanson, NY 12053.

Please confirm receipt to lynnebruning@gmail.com

Thank you for your time and attention to this matter.

Respectfully,

Lynne Bruning

720-272-0956

lynnebruning@gmail.com

From: [Stephanie Pullafico](#)
To: [erda.sm.energystorage](#); [Gillian Black](#)
Subject: Fwd: Application 214683 - 13590 Duanesburg Rd - Retail Storage
Date: Tuesday, October 1, 2019 4:12:30 PM
Attachments: [Eden_OH1_E-101-SLD.pdf](#)
[Eden_OH2_E-101-SLD.pdf](#)
[Eden_OH2_Dynapower BTM enclosure 600kWh.pdf](#)
[Eden_OH2_xgi_1500_datasheet_rev_1_december_2018.pdf](#)
[Eden_OH2_SDI_ME2_286s_Technical_Specs.pdf](#)
[Eden_OH2_Dynapower DPS-500 cut sheet.pdf](#)
[Eden_OH2_Dynapower DPS-500 Specification January 2019.pdf](#)
[Eden_ELMBROOK_E-101-SLD.pdf](#)

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Ben,

See attached, corrected SLD, apologies for uploading the wrong ones. Also attached are the equipment cut sheets. I also uploaded the SLD for Brookview Road just in case you need that one too.

I am working with the towns to get minutes for you.

Thanks,
Stephanie

On Tue, Oct 1, 2019, 2:56 PM Retail Energy Storage <energystorage@nyserda.ny.gov> wrote:

Stephanie,

Provide the following 2 items within the next 24 hours to prevent your application from being rejected:

- Hardware specification documents. The zoning application form is helpful, though we also require the hardware specification documents for the application.
- Zoning board meeting minutes. The zoning and planning form is missing the storage capacity value and I see it does include a note on storage. However, we require the zoning board meeting minutes as well.

Can you confirm that the 11790 kWh is the usable installed energy storage capacity in kilowatt hours (kWh) measured in AC power? I'm not seeing this clearly labeled on the design drawing or site plan.

Thank you,

Ben

Application Number 0000214683

From: [Falber, Benjamin I \(NYSERDA\)](#)
To: [Stephanie Puliafico](#)
Cc: [Gillian Black](#)
Subject: RE: Resolution approving site plan applications 0000214683 0000214694
Date: Wednesday, October 2, 2019 5:08:00 PM

Great, thank you.

From: Stephanie Puliafico <stephanie.puliafico@edenrenewables.com>
Sent: Wednesday, October 02, 2019 5:03 PM
To: Falber, Benjamin I (NYSERDA) <Benjamin.Falber@nyserda.ny.gov>
Cc: Gillian Black <gillian.black@edenrenewables.com>
Subject: Re: Resolution approving site plan applications 0000214683 0000214694



Ben,

Attached are minutes calling out the inclusion of storage. Additionally, the SLD, equipment cut sheets and appendix k all explain the storage solution design for each project.

Please let me know if there's anything else you need.

Thanks,
Stephanie

On Wed, Oct 2, 2019, 3:54 PM Falber, Benjamin I (NYSERDA) <Benjamin.Falber@nyserda.ny.gov> wrote:

Stephanie,

I'm not seeing any mention of storage in the resolution approving the 2 Duaneburg Rd sites. Was there a SEQR neg dec associated with this approval that was inclusive of storage and not just solar? If we're using this instead of the zoning board meeting minutes, we'll need to see approval of the storage as well as the solar. Let me know if I'm missing something.

Thank you,
Ben

From: Falber, Benjamin I (NYSERDA)
Sent: Wednesday, October 02, 2019 12:42 PM
To: Stephanie Puliafico <stephanie.puliafico@edenrenewables.com>; Gillian Black <gillian.black@edenrenewables.com>
Subject: RE: Resolution approving site plan applications 0000214683 0000214694

Stephanie,

This looks all set. I'll get back to you by the end of the day if there are any more questions.

Thank you,
Ben

From: Stephanie Puliafico <stephanie.puliafico@edenrenewables.com>
Sent: Wednesday, October 02, 2019 12:19 PM
To: Falber, Benjamin I (NYSERDA) <Benjamin.Falber@nyserda.ny.gov>; Gillian Black <gillian.black@edenrenewables.com>
Subject: Resolution approving site plan applications 0000214683 0000214694

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Ben,

I am unable to upload documents to the portal once the application is in (I think it's likely just a kink from the new setup. Attached is the resolution for both the Duanesburg applications. We will be resubmitting the Schodack application shortly. I will also get the payee forms completed. Please confirm this wraps up the requirements for this application.

Thank you for your help.

Stephanie

Stephanie Puliafico
Eden Renewables
Mobile: +1 (518) 441-0904
Email: stephanie.puliafico@edenrenewables.com
Website: <https://www.edenrenewables.com/>



From: erda.sm.energystorage
To: [Stephanie Puliafico](mailto:Stephanie.Puliafico@edenrenewables.com); erda.sm.energystorage
Cc: gillian.black@edenrenewables.com
Subject: RE: 13590 Duanesburg Rd - Retail Storage applications 191916 and 214694
Date: Monday, October 7, 2019 10:58:52 AM

Great, thank you Stephanie.

From: Stephanie Puliafico <stephanie.puliafico@edenrenewables.com>
Sent: Monday, October 07, 2019 10:34 AM
To: erda.sm.energystorage <energystorage@nysesda.ny.gov>
Cc: gillian.black@edenrenewables.com
Subject: Re: 13590 Duanesburg Rd - Retail Storage applications 191916 and 214694

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Ben,

Good morning. Attached, please find the signed planning forms for both Duanesburg Road projects. Please let me know if you have any questions.

Thanks again for all your help.

Stephanie

On Thu, Oct 3, 2019 at 1:26 PM Stephanie Puliafico <stephanie.puliafico@edenrenewables.com> wrote:

Ben,

I'll send a request over to Dale.

Thanks,

Stephanie

On Thu, Oct 3, 2019 at 1:25 PM erda.sm.energystorage <energystorage@nysesda.ny.gov> wrote:

Stephanie, Gillian,

Are you able to provide this form? <https://www.nysesda.ny.gov/-/media/Files/Programs/Energy-Storage/Planning-zoning.pdf> I'm asking because the storage

capacity is missing from the NYSERDA zoning forms you submitted. Alternatively, I can email Dale Warner from Duanesburg for confirmation, but wanted to let you know before I did that.

Thank you,

Ben

From: noreply@salesforce.com <noreply@salesforce.com> **On Behalf Of** Benjamin Falber

Sent: Thursday, October 03, 2019 12:32 PM

To: gillian.black@edenrenewables.com; Stephanie Puliafico <stephanie.puliafico@edenrenewables.com>

Cc: Neligan, Alison L (NYSERDA) <Alison.Neligan@nysesda.ny.gov>; erda.sm.energystorage <energystorage@nysesda.ny.gov>

Subject: 13590 Duanesburg Rd - Retail Storage applications 191916 and 214694

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Hi Stephanie, Gillian,

I have updated the status of this application to pending approval and submitted it to our legal team & senior management for final approval.

Looking at the SEQR neg dec in your associated NY-Sun applications 191916 and 181604 for this site and the zoning/planning board approval for the site, I do not see any mention of storage. I see mention of storage in the meeting minutes in the notes and attachments for this project application, so this application can move forward. Ultimately, we'll be looking for these items by the time we reach milestone 1 along with the other items detailed in the retail storage program manual (<https://www.nyserda.ny.gov/retailstorage>). This note applies to both your retail storage applications 214683 and 214694 (Oak Hill Solar 1 and Oak Hill Solar 2) at this site.

Thank you,

Ben

Application Number 0000214683

--

Stephanie Puliafico
Eden Renewables
Mobile: +1 (518) 441-0904
Email: stephanie.puliafico@edenrenewables.com
Website: <https://www.edenrenewables.com/>



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Stephanie Puliafico
Eden Renewables
Mobile: +1 (518) 441-0904
Email: stephanie.puliafico@edenrenewables.com
Website: <https://www.edenrenewables.com/>



