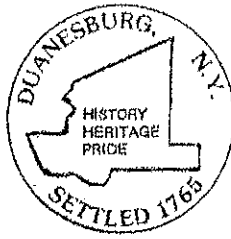


Roger Tidball, Town Supervisor
Jennifer Howe, Town Clerk
Brandy Fall, Deputy Town Clerk
William Reed, Highway Superintendent



John D. Ganther, Council Member
Charles Leoni, Council Member
Francis R. Potter, Council Member
Jeffrey Senecal, Council Member

Wednesday April 3, 2019
Special Town Board Meeting
Meeting Time: 8:00AM

Meeting called to order by Supervisor Tidball at 8:00AM

Present: Supervisor Tidball, Council Members Ganther, Potter, Senecal and Leoni, Town Attorney Terresa Bakner, Town Clerk Jennifer Howe

Absent:

Pledge of Allegiance

Supervisor Tidball stated that at the end of the meeting, the board would be going in to executive session to seek advice of counsel.

Resolution 50-19: Supervisor Tidball motioned, seconded by Council Member Potter to approve and authorize the Town Supervisor to amend the agreement as described in the "Amendment to Owner-Engineer Agreement No. 1".

Motion carried, 5 ayes

Resolution 51-19: Council Member Ganther motioned, seconded by Council Member Leoni to authorize and set a public referendum of eligible voters of the Town of Duanesburg Fire Protection District No. 2.

Motion carried, 5 ayes

Privilege of the Floor: Opened at 8:08 am

Floor Closed: 8:09 am

Supervisor Tidball motioned, seconded by Council Member Leoni to go into Executive Session to seek attorney advice.

Motion passed, 5 ayes

No decisions were made in executive session.

Supervisor Tidball motioned, seconded by Council Member Ganther to come out of Executive Session.

Motion passed, 5 ayes

Resolution 52-19: Supervisor Tidball motioned, seconded by Council Member Senecal to move the next town board meeting from April 11, 2019 @ 7pm to Tuesday, April 9, 2019 @ 7pm.

Motion carried, 5 ayes

8:25am

I, Jennifer Howe, Town Clerk of the Town of Duanesburg, so hereby certify that this is a true and accurate transcript of the Special Town Board Meeting held on Wednesday, April 3, 2019 at the Duanesburg Town Hall, 5853 Western Turnpike, Duanesburg, New York 12056.

RESOLUTION OF THE TOWN BOARD

RESOLUTION NO. 502019

April 3, 2019

WHEREAS, the Town of Duanesburg (the "Town") retained Delaware Engineering, D.P.C. ("DE"), through a professional engineering services agreement (the "Agreement"), for services relating to the long-term improvements to the Delanson WWTP including, but not limited to, planning and/or design of the improvements, bidding/award, construction management and inspection, and grant administration assistance; and


WHEREAS, the Town and DE wish to amend the Agreement as described in the "Amendment to Owner-Engineer Agreement Amendment No. 1," attached hereto.

NOW, THEREFORE, BE IT RESOLVED, the Town Board approves and authorizes the Town Supervisor to execute the attached amendment to the Agreement.

By (unanimous/majority) vote of the Town Board of the Town of Duanesburg at its regular meeting of April 3, 2019.


Roger Tidball, Supervisor

4/3/19
Date


Town Clerk/Deputy Town Clerk
4/3/2019
Date

Present: ALL
Absent:

Town Board 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
Charles Leoni	<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

This an EXHIBIT, consisting of 2 pages,
To the Agreement between Owner
and Engineer for Professional
Services dated 02/___/2019.

AMENDMENT TO OWNER-ENGINEER AGREEMENT
Amendment No. 1

The Effective Date of this Amendment is: March 2019.
Background Data

Effective Date of Owner-Engineer Agreement: February ___ 2019

Owner: Town of Duanesburg, NY

Engineer: Delaware Engineering, D.P.C.

Project: Town of Duanesburg - Delanson WWTP

Nature of Amendment: [Check those that are applicable and delete those that are
Inapplicable.]

- ☐ Additional Services to be performed by Engineer
- ☐ Modifications to services of Engineer
- ☐ Modifications to responsibilities of Owner
- ☐ Modifications of payment to Engineer
- ☐ Modifications to time(s) for rendering services
- ☒ Modifications to other terms and conditions of the Agreement

Description of Modifications:

Owner and Engineer acknowledge and agree that the Town of Duanesburg remains
responsible to the New York State Environmental Facilities Corporation for administration
of MWBE/EEO requirements, notwithstanding the inclusion of such administration in the
services to be rendered by Engineer pursuant to this Owner-Engineer Agreement.

Owner and Engineer hereby agree to modify the above-referenced Agreement as set forth
in this Amendment. All provisions of the Agreement not modified by this or previous
Amendments remain in effect.

[SIGNATURE PAGE FOLLOWS]

OWNER:

ENGINEER:

By: _____
Print
name: Roger Tidball

Title: Town Supervisor

Date Signed: _____

By: _____
Print
name: Mary Beth Bianconi

Title: Partner

Date Signed: _____

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF DUANESBURG

In the matter of amending the Town of Duanesburg Fire Protection District No. 2 Service Award Program by lowering the monthly service award from \$20 to \$10 for new volunteers who become program participants on or after January 1, 2020

Whereas eligible voting residents of the Town of Duanesburg Fire Protection District No. 2 approved a referendum to establish a Service Award Program for active volunteer firefighter members of the Mariaville Volunteer Fire Department, effective January 1, 1995, in accordance with Article 11-A of the New York State General Municipal Law (hereinafter the "Law");

Whereas the Town of Duanesburg is the Program Sponsor and Program Administrator of the Town of Duanesburg Fire Protection District No. 2 Service Award Program (hereinafter the "Program");

Whereas the current Program provisions provide that a Participant shall accrue a \$20 Monthly Service Award payment for each calendar year during which such Participant earns 50 or more points under the Service Award Program Point System, up to a maximum payment of \$500 per month. Payments to the Participant commence at age 65;

Whereas the Law authorizes the Town of Duanesburg Town Board (hereinafter the "Town Board") to seek voter approval of amendments to the Program and these amendments may be intended to enable the Town to meet its obligations to fund the Program properly; now, therefore, be it

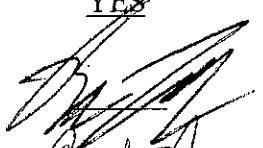
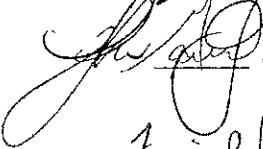
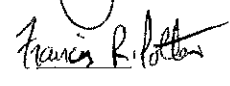
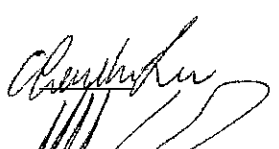

Resolved, that the Town Board of the Town of Duanesburg Fire Protection District No. 2, as authorized by the Law, directs that there shall be a public referendum of eligible voters of the Town of Duanesburg Fire Protection District No. 2 in an election to be held on June 4, 2019 from 12 p.m. to 6 p.m. at the Mariaville Volunteer Fire Department at 9284 Mariaville Road, Pattersonville, New York 12137, to determine whether the Town of Duanesburg Fire Protection District No. 2 Service Award Program shall be amended effective January 1, 2020 to provide that volunteers who first becoming Program participants on or after January 1, 2020 shall earn a \$10 monthly service award payment for each year of service credit earned by the participant up to a maximum payment of \$250 per month with payments commencing at age 65. The proposition to be voted upon is attached hereto and made part of this resolution.

The calendar year 2019 cost of the Town of Duanesburg Fire Protection District No. 2 Service Award Program is approximately \$66,000, or \$1,500 per participant, which includes the cost of administration of about \$3,900. Should voters approve this amendment, the annual cost of the

amended program for each current participant is estimated to remain the same; for new participants the annual cost is estimated on average to be about \$600 per participant. There is no increase in administrative fees expected as a result of this amendment.

All other provisions of the Town of Duanesburg Fire Protection District No. 2 Service Award Program which require voter approval shall not change and the Program shall continue to be administered by the Town in accordance with the Law as such law is amended from time to time.

Board Member Ganther moved, Board Member Leoni seconded, and the Town of Duanesburg Board voted as follows:

	<u>YES</u>	<u>NO</u>
Roger Tidball		_____
John Ganther		_____
Rick Potter		_____
Charles Leoni		_____
Jeff Senecal		_____

Signatures witnessed by:


Town Clerk

April 3, 2019
Date

PROPOSITION
FOR SUBMISSION TO ELECTORS OF THE
TOWN OF DUANESBURG FIRE PROTECTION DISTRICT NO. 2

REFERENDUM ON AN AMENDMENT
TO THE SERVICE AWARD PROGRAM FOR ACTIVE
VOLUNTEER FIREFIGHTER MEMBERS OF THE
MARIAVILLE VOLUNTEER FIRE DEPARTMENT

THE TOWN BOARD OF THE TOWN OF DUANESBURG ("BOARD") ADOPTED A RESOLUTION ON APRIL 3, 2019, AUTHORIZING, PURSUANT TO ARTICLE 11-A OF THE GENERAL MUNICIPAL LAW OF THE STATE OF NEW YORK, A PUBLIC REFERENDUM OF ELIGIBLE VOTERS OF THE TOWN OF DUANESBURG FIRE PROTECTION DISTRICT NO. 2.

THE BOARD IS SEEKING APPROVAL OF AN AMENDMENT TO THE FIRE PROTECTION DISTRICT'S DEFINED BENEFIT SERVICE AWARD PROGRAM WHICH WAS ESTABLISHED EFFECTIVE JANUARY 1, 1995. THE PROGRAM IS SPONSORED BY THE TOWN, AND IS ADMINISTERED BY THE TOWN, FOR ACTIVE VOLUNTEER FIREFIGHTER MEMBERS OF THE MARIAVILLE VOLUNTEER FIRE DEPARTMENT.

THE AMENDMENT WOULD BE EFFECTIVE JANUARY 1, 2020 AND IF APPROVED, WOULD PROVIDE THAT VOLUNTEERS BECOMING PROGRAM PARTICIPANTS ON OR AFTER JANUARY 1, 2020 SHALL ACCRUE A \$10 MONTHLY SERVICE AWARD FOR EACH YEAR OF SERVICE CREDIT EARNED BY THE PARTICIPANT UP TO A MAXIMUM OF \$250 PER MONTH. VOLUNTEERS WHO BECAME PARTICIPANTS BEFORE JANUARY 1, 2020 WILL CONTINUE TO ACCRUE A \$20 MONTHLY SERVICE AWARD. PAYMENTS WOULD CONTINUE TO COMMENCE AT AGE 65 TO PARTICIPANTS.

THE CALENDAR YEAR 2019 COST OF THE PROGRAM IS APPROXIMATELY \$66,000, OR \$1,500 PER CURRENT PARTICIPANT, WHICH INCLUDES THE COST OF ADMINISTRATION OF ABOUT \$3,900. SHOULD VOTERS APPROVE THIS AMENDMENT, THE ANNUAL COST FOR EACH CURRENT PARTICIPANT IS ESTIMATED TO REMAIN THE SAME; FOR NEW PARTICIPANTS THE ANNUAL COST IS ESTIMATED TO BE ABOUT \$600 PER PARTICIPANT. THERE WILL BE NO INCREASE IN THE ADMINISTRATION COST AS A RESULT OF THIS AMENDMENT.

SHALL THE STATED RESOLUTION TO AMEND THE TOWN OF DUANESBURG FIRE PROTECTION DISTRICT NO. 2 SERVICE AWARD PROGRAM BE APPROVED?

YES

NO