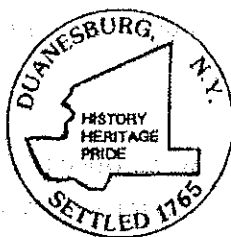


Roger Tidball, Town Supervisor
Jennifer Howe, Town Clerk
Brandy Fall, Deputy Town Clerk
William Reed, Highway Superintendent



John D. Ganther, Council Member
Randy Passonno, Council Member
Francis R. Potter, Council Member
Jeffrey Senecal, Council Member

Thursday August 23, 2018
Regular Town Board Meeting
Meeting Time: 7:00PM

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

Present: Supervisor Tidball, Council Members Ganther, Potter, Senecal, Town Attorney Teresa Bakner, Highway Superintendent Reed, Deputy Town Clerk Brandy Fall

Absent: Council Member Potter

Pledge of Allegiance

Public Hearing: Proposed Local Law No.4 of 2018 entitled "Fees Required For Non-Residents Reserving Town of Duanesburg Facilities in Town Parks".

Town Supervisor Roger Tidball read the public notice published in the Gazette.

Supervisor Tidball motioned, seconded by Council Member Potter to open the floor for comments.

Motion carried, 4 ayes

No one wished to comment.

Supervisor Tidball motioned, seconded by Council Member Senecal to close the floor for comments.

Motion carried, 4 ayes

Public Hearing: Proposed Local Law No. 5 of 2018 entitled "Trucks Prohibited on Certain Roads".

Town Supervisor Roger Tidball read the public notice published in the Gazette.

Supervisor Tidball motioned, seconded by Council Member Senecal to open the floor for comments.

Motion carried, 4 ayes

No one wished to comment.

Supervisor Tidball motioned, seconded by Council Member Ganther to close the floor for comments.

Motion carried, 4 ayes

Presentation from GE Solar: Kimberly Cupicha and her team from GE Solar presented the sites that GE Solar is looking at within the town to the Town Board for feedback. There are seven sites in Duanesburg that they are looking at to possibly have a solar farm. Please see attached the GE Solar Site Plan Details sheets.

Site #1G - North Knight Road #1 – 10.45 acres. Supervisor Tidball stated that it would be hard to get residents on board with this site due to the amount of tree clearance needed for this site. The site is off of Duanesburg Churches Rd. along the upper reservoir, there are no roads bordering the site and it is well beyond the wetland limits.

Counsel to the Town Board noted that all sites are on Town or Village owned property. The Town Board can also determine that the project is exempt from zoning because it is on Town or Village property based on the Monroe County test. If the Town Board does not find the projects to be exempt from Town zoning then they would go to the Planning Board and then the Zoning Board as necessary. GE Solar is here tonight to get feedback from the Town Board on the sites and for the Town Board to decide whether to agree to the Schenectady County Legislature being lead agency for the SEQRA review of the projects.

Council Member Potter stated that he feels if it is a project that the town is interested in then the town needs to be flexible. Council Member Senecal who was on the Planning Board prior to becoming a Town Board Member stated that when the Planning Board they would consider any solar farm as long as it was shielded from view and didn't become an eyesore. Then the Planning Board had the discretion to allow or disallow depending on circumstances. Council

Member Ganther stated that it does look like this site would be incased in forest and that the property is one of the higher points in Town, so you wouldn't be looking down on it and seeing it. Council Member Senecal stated that it may be a good spot to clear out as a site. Supervisor Tidball stated that it is an area that you wouldn't even know it was there unless you were to fly over it. However the clear cut will bother some people but it is an area that you would not even know it was there. Attorney Bakner questioned Ms. Cupicha if there was a potential timber value and if they had a forester look at the area. Mr. Cupicha stated that they did have a forester look at the sites and are waiting on getting the value of it from them.

Site #1H – North Knight Road – 10.64 acres. Council Member Senecal noticed that this property backs up to a residents' open field. He stated that there would need to be some sort of buffer and that the goal is to try to have them not seen unless you are standing right in front of them looking at it.

Site #3L – Duanesburg Water Treatment Plant – 6.38 acres. Supervisor Tidball, Council Member Potter, Council Member Ganther and Council Member Senecal all agreed that this would be a good site and that it cannot be seen from the road. The clear cut needing to be done would be the only drawback.

Site #3F – Cole Road – 11.79 acres. This site is right next to Site # 3L. Supervisor Tidball, Council Member Potter, Council Member Ganther and Council Member Senecal all again agreed that this would be a good site and that it cannot be seen from the road. That again, the clear cut needing to be done would be the only drawback. Council Member Potter stated that it is accurate that is a lot of clear cut but that if someone else bought the property to build homes on, they would have to cut the trees down also.

Site #3E – Delanson Western Turnpike – 8.11 acres. Supervisor Tidball, Council Member Potter, Council Member Ganther and Council Member Senecal all agreed that this is not a good site at all. This is on the corner of Route 20 and 395. Both are major roads with lots of traffic and that this would be an eyesore.

Site #3B – Delanson Main St. – 3.23 acres. Supervisor Tidball, Council Member Potter, Council Member Ganther and Council Member Senecal all again agreed that this is not a good site either. This is on 395 where the reservoir is. This is on a main road and would be an eyesore as well. Council Member Ganther stated that is a nice pristine area and that it would not look good.

Site #2C – Duquesburg Landfill – 8.42 acres. Supervisor Tidball, Council Member Potter, Council Member Ganther and Council Member Senecal all agreed that this would make a great site. This can't be seen from anywhere and the property is useless for anything else. Attorney Bakner stated that the landfill has been covered for a long time now so that is good. Nothing on this site would be driven into the landfill, everything would be put above ground with a ballast and rack system.

Supervisor Tidball asked where GE was with looking at the cost of connection with these projects. They are looking to get the feedback from the utility in the October timeframe. Supervisor Tidball stated that that could be a big deterrent. Kim stated that depending on what the utility on some sites come back at, they could fall out on their own on a connection standpoint along with distance. They will come back when site plans are completed in the next few weeks to both the Planning Board and Town Board meetings.

Public Comments on Agenda: Opened by Supervisor Tidball for public comments on agenda items listed in the Business Meeting section of the Agenda. Comments limited to 2 minutes per person.

No one wished to comment. Floor closed.

Resolution 130-18: Council Member Senecal motioned, seconded by Council Member Ganther to approve the Town Board Meeting minutes of Thursday, August 9, 2018.

Motion carried, 3 ayes

Council Member Potter abstained

Resolution 131-18: Council Member Ganther motioned, seconded by Council Member Passonno to pay the following claims:

Motion carried, 4 ayes

Vouchers to be Paid

August 23, 2018

General Fund: #272-284	\$4,483.00
SD#1: #84-87	\$1,179.99
SD#2: #86-89	\$943.10
SD#3: #13	\$16,004.25
In-House: #8	\$151.20
Hwy:#127-138	\$35,725.93
Total Vouchers to be Paid=	\$58,487.47

Committee Reports

Highway: Superintendent Reed reported that paving has been pushed back to Monday due to the rain. Mowing will start back up tomorrow and then pick back up on it after paving is done. The Grade-All is still at Advantage Equipment for repairs for bad relays. The next large project to be done will be Gage Road. Superintendent Reed stated that Gage Road needs to be ground up and have some road base added and that the County has offered to help with their paver. There will be a base coat done this year and then top it next year. There have been no more problems with the small International truck. There was an issue with the back-up alarm but it seems to be ok now after unplugging it and rewiring. A technician at Utica Mack came and looked at the Mack truck and seems to think it was an upgrade that was not done. In the meantime the truck was needed back and then when they are done needing it, they will take it back and have the upgrade done.

Public Safety: Council Member Senecal stated there was nothing new to report on Public Safety.

Parks: Council Member Senecal reported that the park program just finished up. Supervisor Tidball stated that the town has received rave reviews about the program and that Vanessa and her crew do a great job. He also stated that it is sad and that he would like to go to a Princetown Board meeting to find out why Princetown did away with helping to fund the program. Many of the children that come to the park program and counselors that work for the program are residents of Princetown. The residents of Princetown are still welcome to the program. The restroom project for Van Patten Park should be back in progress again soon now that the park program is completed.

Sewer District #1, 2 & 3: Council Member Potter reported that in SD#2 Mariaville, there was a broken curb box at a residents' home that he and Council Member Ganther had gone out and taken a look at due to the situation. The curb box was damaged when plowing in the winter by the resident however it was installed in the middle of the driveway and the warranty has long expired. They do not believe that the resident should be responsible for the bill due to where the curb box was originally placed in the middle of the residents' driveway. Council Member Senecal stated that the homeowners' insurance policy should cover it. Attorney Bakner will look at the Sewer Law to see if the homeowner or the Town is responsible.

Bill Brown from Delaware Engineering reported that SD#3 with final payment request to J Squared for work at the Delanson Plant. Everything will be under warranty for a year. A level Sensor at the Pump Station needed to be removed and replaced which required them to remove the sealant to get to the sensor. The sealant helps to keep gases out of the control panel. Bill is suggesting putting in a junction box outside the control panel to help relieve possible future problems. He has received one quote for \$2500.00 and will look into getting two more quotes. It has to be an explosion proof junction box, making the cost higher. It is not something that has to be done right away. It can be planned to do next year when the SD#3 is fully funded. There is funding in place to pay for up to 75% of a UV disinfection system if it has been mandated by the state in which our case it has. The application to finance the DEC mandated UV project for SD#2 has been submitted.

Technology: Council Member Ganther reported that he is working to coordinate a call with himself, an Omnis technician and Judge Wren to see how they can keep the court files secure without having to add a second server. Supervisor Tidball reported that there has not been anything new on the Broadband front since the meeting with Congressman Tonko. He will be getting an update from the franchise representative to see what the projects are and where does it leave the town now that New York State has told Spectrum to get out.

Supervisor Tidball reported where the town stands with new buildings. He stated that they are working through how they want to contract for the Jehovah's Witness building. He will try to set up a meeting with Metroplex to possibly help broker a deal. All the paperwork is signed and due diligence items were due on August 18th, 2018. CT Male will do a Phase 1 environmental audit, etc. of the 2261 Western Turnpike building.

Business Meeting:

Resolution 132-18: Council Member Potter motioned, seconded by Council Member Ganther to approve Local Law No. 4 of 2018 entitled "Fees Required From Non-Residents Reserving Town of Duanesburg Facilities in Town Parks".

Motion carried, 4 ayes

Resolution 133-18: Council Member Ganther motioned, seconded by Council Member Potter to approve Local Law No. 5 of 2018 entitled "Trucks Prohibited on Certain Roads".

Motion carried, 4 ayes

Resolution 134-18: Council Member Senecal motioned, seconded by Council Member Ganther to approve final payment application Payment No. 6 in the amount of \$16,004.25 to J Squared.

Motion carried, 4 ayes

Resolution 135-18: Council Member Ganther motioned, seconded by Council Member Senecal to allow the Schenectady County Legislature to be lead agency for the SEQRA review of the Type 1 action that comprises all of the solar projects, including those in the Town of Duanesburg, that are part of the consortium between GE and Schenectady County and the participating Town such as Duanesburg.

Motion carried, 4 ayes

Privilege of the Floor: Opened at 8:13 pm

No one wished to comment.

Floor Closed: 8:14 pm

Council Member Ganther motioned, seconded by Council Member Senecal to adjourn the meeting.

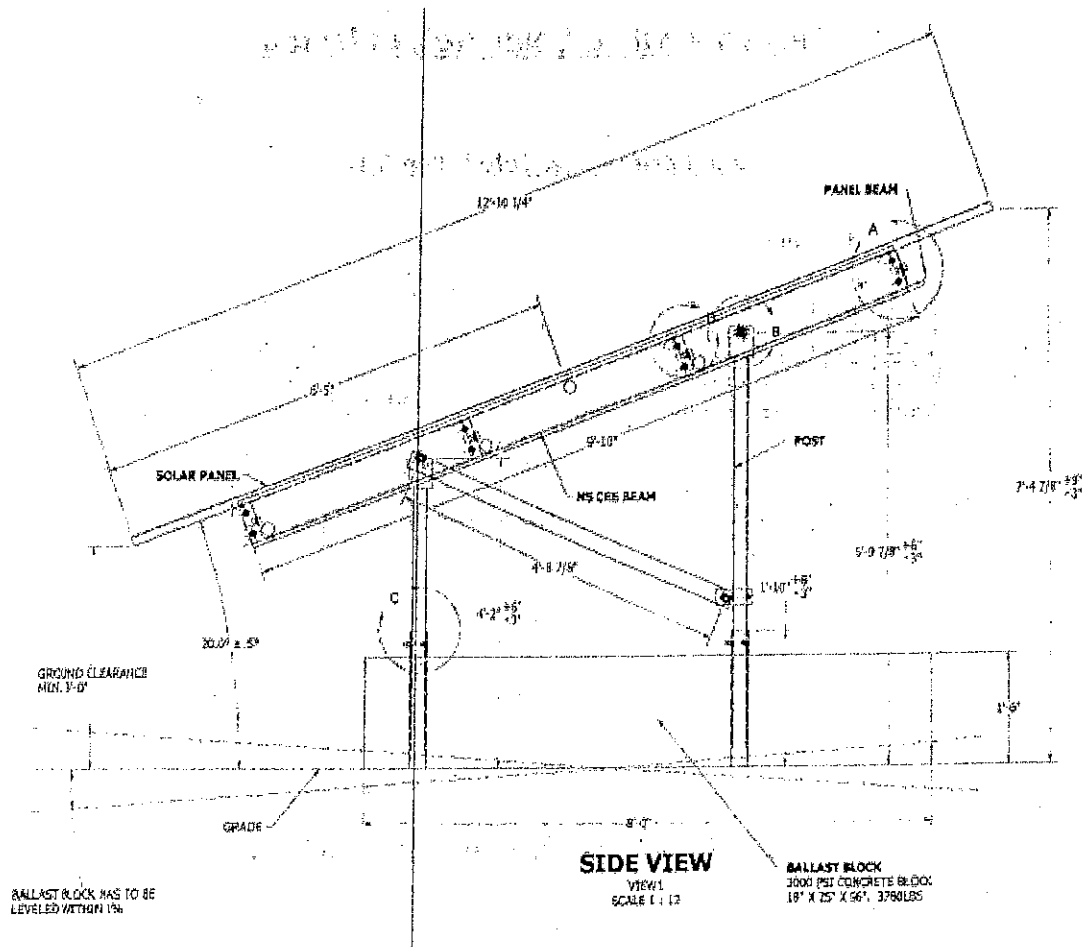
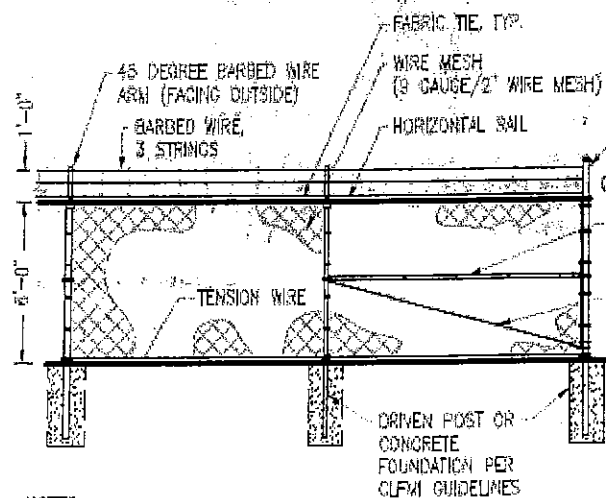
Motion carried, 4 ayes

Meeting adjourned at 8:15 pm

I, Brandy Fall, Deputy Town Clerk of the Town of Duanesburg, so hereby certify that this is a true and accurate transcript of the Regular Town Board Meeting held on Thursday August 23, 2018 at the Duanesburg Town Hall, 5853 Western Turnpike, Duanesburg, New York 12056.

DUANESBURG SOLAR PROJECTS SUMMARY

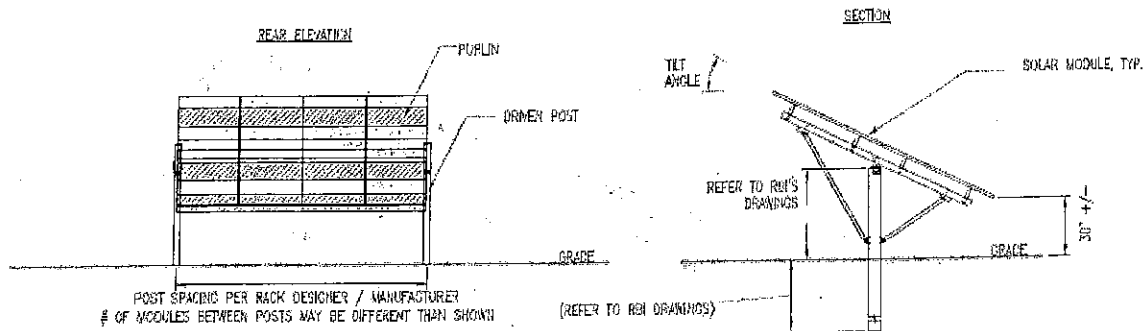
Location	Solar Array Footprint (acres)	Trees removed (acres)	50 tree clearing for clearing (acres)	System type	System size
1E N. Knight Rd N. Knight Road	10.45	10.45	0.56	Pile Driven Groundmount	2949.8 kW DC
1H N. Knight Rd N. Knight Road	10.64	10.64	1.08	Pile Driven Groundmount	2992.7 kW DC
3B Delanson Main St Main Street	3.23	0.45	0.28	Pile Driven Groundmount	740kW DC
3E Delanson Western Turnpike Western Turnpike	8.11	8.11	0.76	Single Access Tracker Groundmount	1024 kW DC
3F Duaneburg Cole Road 1776 Cole Road	11.79	11.79	1.50	Pile Driven Groundmount	3525.12 kW DC
3L Duaneburg Water Treatment Cole Road	6.38	6.38	1.25	Pile Driven Groundmount	1547 kW DC
2C Duaneburg Landfill	8.42	0	0	Ballasted Groundmount	1982.9 kW DC

**Solar Panel Rack Detail- Ballasted System****Fencing Detail**

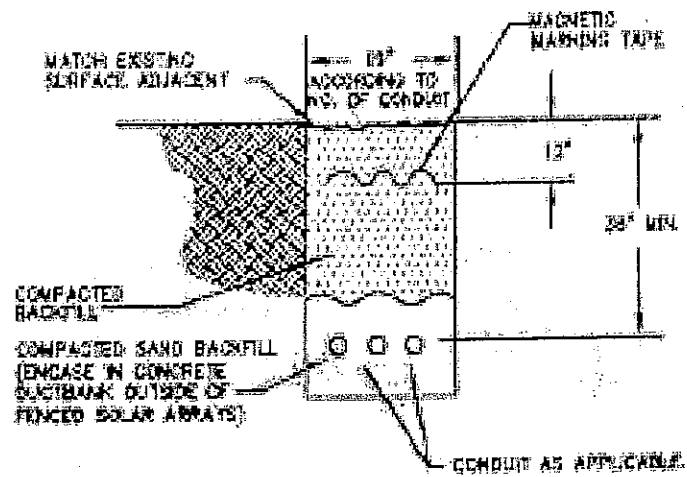


Representative Solar Project Details

Solar Panel Rack Detail- Pile Driven



Low Voltage Electrical Conduit Trench Detail



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, August 23, 2018 at 7:00 p.m.** for the purpose of hearing all persons interested in the adoption of:

Local Law No. 4 of 2018 entitled "Fees Required From Non-Residents Reserving Town of Duanesburg Facilities in Town Parks." The proposed law would assess a fee of \$40.00 for non-residents who wish to reserve Town facilities in the Town parks.

BY ORDER OF THE TOWN BOARD
TOWN OF DUANESBURG

**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, August 23, 2018 at 7:00 p.m.** for the purpose of hearing all persons interested in the adoption of:

Local Law No. 5 of 2018 entitled "Trucks Prohibited on Certain Roads." The proposed law would prohibit trucks, commercial vehicles, tractors, tractor-trailers combinations, tractor-semitrailer combinations, or tractor-trailer-semitrailer combinations with a gross weight in excess of 20,000 pounds from traveling upon certain roads within the Town of Duanesburg, except for the delivery or pickup of merchandise or other property.

**BY ORDER OF THE TOWN BOARD
TOWN OF DUANESBURG**

TOWN OF DUANESBURG TOWN BOARD

RESOLUTION NO. 133 -2018

August 23, 2018

**Making a SEQRA Determination and Adopting
Local Law No. 5 of 2018 Prohibiting Trucks on Certain Roads**

WHEREAS, Local Law No. 5 entitled "Trucks Prohibited on Certain Roads" (the "Proposed Local Law") prohibits trucks, commercial vehicles, tractors, tractor-trailers combinations, tractor-semitrailer combinations, or tractor-trailer-semitrailer combinations with a gross weight in excess of 22,400 pounds from traveling upon certain roads within the Town of Duanesburg, except for the delivery or pickup of merchandise or other property; and

WHEREAS, the proposed local law was introduced at the meeting of July 26, 2018 of the Town Board and each member of the Town Board received the Proposed Local Law; and

WHEREAS, the Town Board determined the proposed local law is a Type II action and, therefore, exempt from SEQRA review;

WHEREAS, a public hearing was duly noticed and held on August 23, 2018.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby adopts Local Law No. 5 of 2018 and directs that the local law be filed in the Town Clerk's office and with the New York State Secretary of State's Office.

Motion made by Councilmember Ganther

Motion seconded by Councilmember Potter

Roger Tidball, Supervisor Brandy L. Fall
Town Clerk/Deputy Town Clerk

William J. Senecal
Town Highway Superintendent
So Ordered

Present: Supervisor Tidball, Councilmember Ganther, Councilmember Potter, Councilmember Senecal

Absent: Councilmember Passonno

Council Members:

Roger Tidball	<u>Yea</u>	Nay	Abstain
John Ganther	<u>Yea</u>	Nay	Abstain
Rick Potter	<u>Yea</u>	Nay	Abstain
Randy Passonno	Yea	Nay	Abstain Absent
Jeff Senecal	<u>Yea</u>	Nay	Abstain

TOWN OF DUANESBURG LOCAL LAW NO. 5 OF 2018

TRUCKS PROHIBITED ON CERTAIN ROADS

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 "Trucks Prohibited on Certain Roads."

Section 2. Authorization.

This local law is enacted pursuant to the Municipal Home Rule Law and Article 16 of the Town Law of the State of New York.

Section 3. Purpose.

To protect public health, safety, and welfare by limiting the use of certain roads within the Town by trucks with a gross weight in excess of 22,400 lbs (to be expressed on Town signs as "10 tons"). This limitation will help ensure that such trucks are prohibited from using roads that may be steep, narrow and with insufficient road base. The Town Highway Superintendent has observed that such truck usage is damaging to the roadways. Members of the public have also complained that such truck usage has resulted in unsafe situations.

Section 4. Trucks Prohibited on Certain Roads

Trucks, commercial vehicles, tractors, tractor-trailers combinations, tractor-semitrailer combinations, or tractor-trailer-semitrailer combinations with a gross weight in excess of 22,400 pounds (expressed on Town signs as "10 tons") are prohibited from traveling upon the following roads. Such exclusion shall not be construed to prevent the delivery or pickup of merchandise or other property along the highways from which such vehicles or combinations are otherwise excluded. This local law shall only apply to the following roads and portions of such roads that are within the Town of Duanesburg. Signs notifying drivers of such prohibition and exclusion therefrom shall be installed on each road or portions of such road identified herein.

Name of Road

- Cole Road (Schenectady County Road)
- Youngs Road (Schenectady County Road)
- Mudge Road (Town of Duanesburg Road)
- Alexander Road (Town of Duanesburg Road)
- Turnbull Road (Town of Duanesburg Road)
- Gage Road (Town of Duanesburg Road)
- Crow Hill Road (Town of Duanesburg Road)
- Fitzdom Road (Town of Duanesburg Road)

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 statutes 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.

TOWN OF DUANESBURG TOWN BOARD

RESOLUTION NO. 132-2018

August 23, 2018

**Making a SEQRA Determination and
Adopting Local Law No. 4 of 2018
Establishing Fees From Non-Residents Reserving Town Facilities**

WHEREAS, Local Law No. 4 entitled "Fees Required From Non-Residents Reserving Town Facilities" (the "Proposed Local Law") establishes a fee of \$40.00 for non-residents who wish to reserve Town facilities in Town parks.


WHEREAS, the proposed local law was introduced at the meeting of July 26, 2018 of the Town Board and each member of the Town Board received the Proposed Local Law; and

WHEREAS, the Town Board determined the proposed local law is a Type II action and, therefore, exempt from SEQRA review;

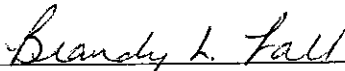
WHEREAS, a public hearing was duly noticed and held on August 23, 2018.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby adopts Local Law No. 4 of 2018 and directs that the local law be filed in the Town Clerk's office and with the New York State Secretary of State's Office.

Motion made by Councilmember Potter
Motion seconded by Councilmember Ganther



Roger Tidball, Supervisor



Town Clerk/Deputy Town Clerk

Present: Supervisor Tidball, Councilmember Ganther, Councilmember Potter, Councilmember Senecal

Absent: Councilmember Passonno

Council Members:

Roger Tidball	<u>Yea</u>	Nay	Abstain
John Ganther	<u>Yea</u>	Nay	Abstain
Rick Potter	<u>Yea</u>	Nay	Abstain
Randy Passonno	Yea	Nay	Abstain <i>Absent</i>
Jeff Senecal	<u>Yea</u>	Nay	Abstain

TOWN OF DUANESBURG LOCAL LAW NO. 4 OF 2018

FEES REQUIRED FROM NON-RESIDENTS RESERVING TOWN FACILITIES

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 "Fees Required From Non-Residents Reserving Town of Duanesburg Facilities in Town Parks."

Section 2. Authorization.

This local law is enacted pursuant to the Municipal Home Rule Law and Article 16 of the Town Law of the State of New York.

Section 3. Purpose.

The purpose of this local law is to assess a fee of \$40.00 for non-residents who wish to reserve Town facilities in the Town parks.

Section 4. Fees Required From Non-Residents Reserving Town Facilities

The fee for non-residents to reserve facilities in the Town parks owned or operated by the Town of Duanesburg shall be \$40.00.

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 statutes 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.

TOWN OF DUANESBURG TOWN BOARD

RESOLUTION NO. 134-2018

August 23, 2018

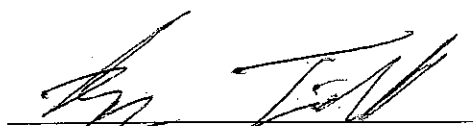
WHEREAS, the Town Board of the Town of Duanesburg contracted with J Squared Construction Corporation ("J Squared") for the implementation of short term improvements at the Delanson Wastewater Treatment Plant within Sewer District No. 3 (the "Work"); and

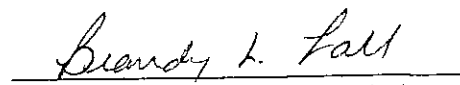
WHEREAS, Delaware Engineering has reviewed J Squared's application for Payment No. 6 in the amount of **\$16,004.25** dated July 25, 2018 and attached hereto, and has advised the Town Board that the Work was undertaken pursuant to the terms of the contract via correspondence from Bill Brown, P.E. of Delaware Engineering to Town Supervisor Tidball dated August 16, 2018; and

WHEREAS, this is the final payment application from J Squared for the Work and, thus, the balance to finish the Work including retainage is **\$0.00**.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby approves the application for payment in the amount of **\$16,004.25**.

By (unanimous/majority) vote of the Town Board of the Town of Duanesburg at its regular meeting on August 23, 2018.


Roger Tidball, Supervisor


Town Clerk/Deputy Town Clerk

Present: Supervisor Tidball, Councilmember Ganther, Councilmember Potter, Councilmember Senecal

Absent: Councilmember Passonno

Town Board Members:

Roger Tidball	<u>Yea</u>	Nay	Abstain
John Ganther	<u>Yea</u>	Nay	Abstain
Rick Potter	<u>Yea</u>	Nay	Abstain
Randy Passonno	Yea	Nay	Abstain <i>Absent</i>
Jeff Senecal	<u>Yea</u>	Nay	Abstain

Vouchers to be Paid

August 23, 2018

General Fund: #272-284	\$4,483.00
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