

**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 February 13, 2020**  
**Regular Town Board Meeting**  
**Meeting Time: 7:00PM**

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

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

**Absent:** Highway Superintendent Reed

**Pledge of Allegiance**

**Prayer/Moment of Reflection offered by Pastor McHeard**

**Resolution 43-20:** Council Member Potter motioned, seconded by Council Member Senecal to approve the Town Board Meeting minutes of Thursday, January 23, 2020.

Motion carried, 5 ayes

**Town Clerk, Jennifer Howe, read the Town Clerk's Report for January 2020 (see attached).**

**Resolution 44-20:** Council Member Potter motioned, seconded by Council Member Ganther to pay the following claims:

Motion carried, 5 ayes

## Vouchers to be Paid

January 23, 2020

General Fund A:	\$68,977.89
General Fund B:	\$23,072.72
Highway Fund DA:	\$29,915.89
Highway Fund DB:	\$28,297.97
SD#1 Fund:	\$10,815.25
SD#2 Fund:	\$15,0007.83
SD#3 Fund:	\$3,807.17
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Total To Be Paid:	\$179,894.72

**Highway:** Council Member Potter reported that the transfer case blew in Truck #17 today and will be down for a while. The chipper is fixed. Sand has been delivered to the park for the septic system.

**Public Safety:** Council Member Wenzel reported that there was not a meeting and nothing to report.

**Parks:** Council Member Wenzel reported that he attended the park meeting last Tuesday night. The park program sent an invoice to Princetown for their portion of the park program last summer. They are looking into planning a cleanup day for the town parks. The park committee will be reaching out to the school and local scouts to see if any kids would like some community service time.

**Sewer District #1, 2 & 3:** Council Member Ganther reported that we are waiting on reports from DEC. We are continuing to have problems with the rags and wipes clogging the grinder pumps. Dale is going to draft a letter to go to the residents again notifying them and advising them to please stop using these types of products as they are causing the taxpayers money in maintenance problems. The CUPS program that the sewer department uses will be obsolete by the end of the year and Dale is looking into alternate programs. The sewer department is also looking into purchasing another set of disc filters for the plant to phase out the old ones. A new set runs around \$10,000 and we will need to decide if this is something we want to do. Corey will be getting prices on a tonneau cover for the new sewer truck and should have them for next meeting.

The Duane Lake Association had a meeting on a potential sewer system for the lake. Delaware Engineering gave a proposal. The directors of the lake association sent out a survey to get feedback from the residents that would be affected by this proposed system. The proposed system would run each resident in that district around \$2000 a year. There is a grant available that should cover half the cost and we would need to finance through EFC for the other half. This proposed system would require a leech field and a large septic system and would not be run through the plant.

Bill Brown of Delaware Engineering stated that the long-term improvements invoice should be presented at the next meeting and the project should be completed by the end of next year.

**Technology:** Council Member Ganther reported that the website training is on hold until we finalize the transfer of jobs. The broad band committee had a meeting and they are happy to say that Mountain View and Arquette Way are now wired. Still waiting on news on the creek road project. Spectrum is currently focusing on Schoharie Turnpike right now. The next broadband committee meeting is scheduled for Wednesday April 1<sup>st</sup> 6:30 downstairs at Town Hall.

**Comprehensive Plan:** They have been eating each month. The committee is asking for some feedback from the board. The next meeting is next Thursday, if the board could review before then it would be great. They are hoping to have a draft ready for the board in April.

**Business Meeting:**

**Resolution 45-20:** Council Member Potter motioned, seconded by Council Member Ganther to publish a Public Hearing Notice on proposed Local Law No. 2 of 2020 entitled "A Local Law Establishing a Date for the First Meeting of the board of Assessment Review".

Motion carried, 5 ayes

**Resolution 46-20:** Council Member Ganther motioned, seconded by Council Member Potter to accept the Mariaville Fire Department Service Award Program Certification of Fire Personnel that have earned the required points for 2019.

Motion carried, 5 ayes

**Resolution 47-20:** Council Member Wenzel motioned, seconded by Council Member Ganther to approve Bill's Auto Parts Inc. as a new vendor.

Motion carried, 5 ayes

**Resolution 48-20:** Council Member Senecal motioned, seconded by Council Member Potter to do a budget transfer from budget line item 2801.01 in the amount of \$4000 to budget line item 71102.01.200 as a budget amendment for the purchase of a lawn mower.

Motion carried, 5 ayes

**Resolution 49-20:** Council Member Potter motioned, seconded by Council Member Ganther to appoint Cara Avery as the Building and Assessment Clerk.

Motion carried, 5 ayes

**Resolution 50-20:** Council Member Ganther motioned, seconded by Council Member Potter to appoint Carmie Cervera as the Human Resources & Supervisor's Clerk.

Motion carried, 5 ayes

**Privilege of the Floor:** Opened at 7:32 p.m.

Lynn Bruning read a statement (see attached).

Eric Allen of Lea Drive wanted to bring to the board's attention the substandard plowing job that is being done this winter. There have been many incidents where the roads have not been cleaned up in a timely manner and when they are cleaned up, they are up to standards.

Supervisor Tidball suggested that he reach out to Highway Superintendent Reed to voice his complaint.

Charles Parker asked if we have heard anything on the consolidation of the fire departments and ambulance. He also asked if with the new code enforcement officer hired if there have been any letters sent out in regards to the blight in town. Supervisor Tidball responded with Domenic has been reviewing our laws and sitting with Dale to go over how things are done here in Duanesburg.

Floor Closed: 7:45 p.m.

Supervisor Tidball motioned, seconded by Council Member Potter to go into executive session to discuss litigation.

Motion carried, 5 ayes

Supervisor Tidball motioned, seconded by Council Member Potter to come out of executive.

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 February 13, 2020 at the Duanesburg Town Hall, 5853 Western Turnpike, Duanesburg, New York 12056.

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Account#	Account Description	Fee Description	Qty	Local Share	
		Animal Shelter Boarding Fees	2	130.00	
	Building Permit Renewal	Building Permit Renewal	1	30.00	
	Freedom Of Information	Freedom Of Information	23	16.25	
	Misc. Fees	Certified Copies - Death	7	70.00	
		Photo Copies	4	0.60	
	Operating Permit	Operating Permit	2	60.00	
	Subdivision Major	Subdivision Major	1	100.00	
	subdivision minor	Subdivision	1	75.00	
		<b>Sub-Total:</b>		<b>\$481.85</b>	
A1255	Conservation	Conservation	2	2.59	
		<b>Sub-Total:</b>		<b>\$2.59</b>	
A2544	AFTER 30 DAYS	AFTER 30 DAYS	9	45.00	
	Dog Licensing	Female, Spayed	25	350.00	
		Male, Neutered	28	392.00	
		Male, Unneutered	6	132.00	
		Replacement Tags	1	5.00	
		<b>Sub-Total:</b>		<b>\$924.00</b>	
B2555	Building Permits	Building Permits	3	600.00	
		<b>Sub-Total:</b>		<b>\$600.00</b>	
		<b>Total Local Shares Remitted:</b>		<b>\$2,008.44</b>	
Amount paid to: NYS Ag. & Markets for spay/neuter program				71.00	
Amount paid to: NYS Environmental Conservation				44.41	
<b>Total State, County &amp; Local Revenues:</b>		<b>\$2,123.85</b>	<b>Total Non-Local Revenues:</b>		<b>\$115.41</b>

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

**Town of Duanesburg  
Cash Requirements Per Fund**

<b>Fund</b>	<b>From</b>	<b>To</b>	<b>Amount</b>
A	NBT-General Fund MM	NBT-Accounts Payable	\$ 68,977.89
B	NBT-General Fund MM	NBT-Accounts Payable	\$ 23,072.72
DA	NBT-General Fund MM	NBT-Accounts Payable	\$ 29,915.89
DB	NBT-General Fund MM	NBT-Accounts Payable	\$ 28,297.97
SS1	NBT-Sewer District 1	NBT-Accounts Payable	\$ 10,815.25
SS2	NBT-Sewer District 2	NBT-Accounts Payable	\$ 15,007.83
SS3	NBT-Sewer District 3	NBT-Accounts Payable	\$ 3,807.17
<b>Total Tranfer Amount</b>			<b>\$ 179,894.72</b>

## Monthly Report January 2020

### Submitted by: Dale Warner 2/3/2020

Dale – Contacted Owner of 111 Darby Hill Rd – Capping Sewer Connection – House fire – 1/8/20

Cory- Plowed snow at Town Hall – 1/19/20

DEC – Annual Inspection of WWTP 1 & 2 - 1/23/20

Dale – Asked Andrew to provide DMR's for July, September, October, November, and December of 2019 both districts. 1/24/20

### SD#1

#### Plant:

1. Cory – Greased blowers – Routine Maintenance. 1/18/20
2. Cory – Plowed snow – 1/19/20
3. Cory – Clean WWTP – 1/22/20
4. Cory – Blower Room – Install brackets for SBR#1 & SBR #2 blowers. 1/28/20
5. Cory – Sampled and tested for Tim (Sick) 1/29/20

#### Collection System:

1. Cory – Installed degreaser in all pump stations – Routine Maintenance. 1/8/20
2. Cory – Checked all pump stations – Routine Maintenance. 1/16/20
3. Cory – Checked all pump stations – Routine Maintenance. 1/23/20

### SD#2

#### Plant:

1. Cory, Tim, and Andrew – Changed disc filters – cleaned set and put back on shelf. 1/6/20
2. Cory & Andrew – Pump SBR #1 into digester #2 then pumped out SBR#2 into SBR#1. 1/15/20
3. Cory & Blue Diamond brought a load of sludge to put into SBR#1 then hauled a load out of Digester #2. 1/17/20
4. Cory – Greased blowers – Routine Maintenance. 1/17/20
5. Cory – Plowed snow. 1/19/20
6. Cory – Changed oil in blowers – Routine maintenance 1/21/20
7. Cory – Clean WWTP – 1/22/20
8. Cory – Sampled & tested for Tim (Sick) 1/29/20
9. Cory – SBR#2 went into tank decanter plugged with rags. 2/30/20

#### Collection System:

1. Cory – 159 & 160 Pump station – Replaced Vacuum Pump on Pump#2 – Changed Air line filters both pumps. 1/2/20
2. Cory – 2146 Weast Rd. Residential Grinder Pump – High water alarm – pumped basin cleaned out clog in pump – tested. 2/3/20
3. Cory – Hilltop Pump Station – reset pump #2 and tested. 1/6/20
4. Cory – 648 S Shore Rd. Residential Grinder Pump – changed On & Off floats and tested. 1/6/20
5. Cory – Installed degreaser in all pump stations – Routine Maintenance. 1/7/20



6. Cory & A-Team – Hilltop Pump Station – Pulled Pump #2 full of rags - reinstalled and tested. 1/7/20
7. Cory – S Shore Rd. Pump station #2 – reset pump #1 tripped out. 1/10/20
8. Cory & Andrew – S Shore pump station #2 – Pulled pump #1 removed rags. 1/10/20
9. Cory - 722 S Shore Rd. Residential Grinder Pump – Replaced Alarm float – tested – found wire for On float was not making good contact replaced float and wire. 1/10/20
10. Cory – 194 Mill Rd. Residential Grinder Pump – Changed Alarm Float & tested. 1/11/20
11. Cory – S Shore Rd. Pump station #1 replaced pump #1. 1/13/20
12. Cory – S Shore Rd. Pump station #2 – pulled Pump #1 pump full of rags. 1/13/20
13. Cory – S Shore Rd. Pump station #1 – replaced pump #2. 1/13/20
14. Cory – S Shore Rd. Pump Station #1 pump #1 not working – replaced start capacitor. 1/14/20
15. Cory – Checked all pump stations – Routine Maintenance – 1/16/20
16. Cory – Checked all pump stations – Routine Maintenance – 1/23/20
17. Cory & Brian – Contacted Mission Control communications to see if pump#1 is reading in Pump station #2. 1/31/20
18. Cory & Brian pulled pump #1 in Pump station #2. 1/31/20

**SD#3**

**Collection System:**

1.

**Town of Duanesburg Town Board**

**RESOLUTION INTRODUCING LOCAL LAW**

**RESOLUTION NO. 45 - 2020**

**February 13, 2020**

**WHEREAS**, section 512(1) of the NY Real Property Tax Law provides that the Board of Assessment Review ("BAR") shall meet to hear complaints, beginning on the fourth Tuesday of May, or such other date as is established by the governing body by local law. The date is commonly referred to as "Grievance Day"; and

**WHEREAS**, Subsection 1-a of Section 512 of the NY Real Property Tax Law authorizes the town board to establish the first meeting date for hearing complaints to another date when the assessor is employed by another assessing unit; and

**WHEREAS**, the current Assessor for the Town of Duanesburg is employed by another assessing unit and has requested that the Town of Duanesburg establish a date for BAR hearings to commence on a date other than the fourth Tuesday of May; and

**WHEREAS**, Local Law No. 2 of 2020 entitled "A Local Law Establishing a Date for the First Meeting of the Board of Assessment Review" would repeal Local Law No. 1 of 2002 and change the date for commencement of the BAR hearings to the fourth Wednesday of May (the "Proposed Local Law"); and

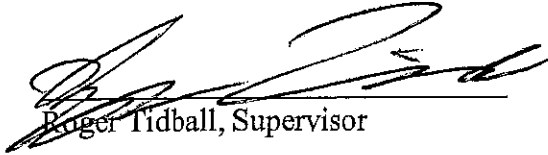
**WHEREAS**, Local Law No. 2 of 2020 is hereby introduced; and

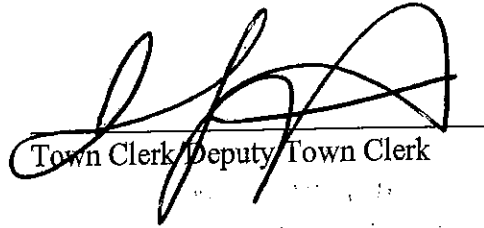
**WHEREAS**, adoption of the Proposed Local Law is a type II action under SEQRA.

**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 to appear once no later than ten (10) 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 February 27, 2020 at 7:00 p.m.

By (unanimous/majority) vote of the Town Board of the Town of Duanesburg at its regular meeting of February 13, 2020.

  
Roger Tidball, Supervisor

  
Town Clerk Deputy Town Clerk

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

**Town of Duanesburg  
Local Law 2 of the Year 2020**

**A local law establishing a date for the first meeting of the Board of Assessment Review.**

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

**Section I. Purpose and Findings**

Section 512(1) of the NY Real Property Tax Law provides that the Board of Assessment Review ("BAR") shall meet to hear complaints, beginning on the fourth Tuesday of May, or such other date as is established by the governing body by local law. The date is commonly referred to as "Grievance Day." Subsection 1-a of Section 512 of the NY Real Property Tax Law authorizes the town board to establish the first meeting date for hearing complaints to another date when the assessor is employed by another assessing unit. The current Assessor for the Town of Duanesburg is employed by another assessing unit and has requested that the Town of Duanesburg establish a date for BAR hearings to commence on a date other than the fourth Tuesday of May. Pursuant to the authority granted in NY Real Property Tax Law § 512, the Town is repealing Local Law No. 1 of 2002 and establishing a new date for the first meeting of the Board of Assessment Review of the Town of Duanesburg.

**Section II. Amendment of Town Code**

The date of the first meeting of the Town of Duanesburg, New York Board of Assessment Review for hearing complaints shall be the fourth Wednesday in May.

**Section III. Authority**

This law 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, Article 18 of the General Municipal Law, and the Municipal Home Rule Law, and pursuant to the authority granted in Section 512 of the New York Property Tax Law.

**Section IV. Severability**

If any word, phrase or part of this law shall be declared invalid or unconstitutional, the same shall be severed and separated from the remainder of the law and said remainder shall continue in full force and effect.

**Section V. Effective Date**

This local law shall be effective immediately upon filing with the Secretary of State.

**Section VI. Repeal of Other Laws.**

This local law shall repeal Local Law No. 1 of 2002. In addition, all local laws in conflict with provisions of this Local Law are hereby superseded.

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

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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, February 27, 2020 at 7:00 p.m.** for the purpose of hearing all persons interested in the adoption of:

**Local Law 2 of 2020** entitled "A Local Law Establishing a Date for the First Meeting of the Board of Assessment Review." The proposed local law would repeal Local Law No. 1 of 2002 and change the date the Board of Assessment Review hearings commence (also known as "Grievance Day") to the fourth Wednesday of May.

BY ORDER OF THE TOWN BOARD  
TOWN OF DUANESBURG

PO Box 160  
Quaker Street, NY 12141

Supervisor Tidball  
Town Board  
5853 Western Turnpike  
Duanesburg, NY 12056

February 13, 2020

Dear Supervisor Tidball,

Please include my statement in its entirety with tonight's minutes

The next Sensible Solar Summit is Monday February 17, 2020 from 5 - 7 PM at Christ Church. The speaker will be Jim Sullivan from Bennington County Regional Commission. In Vermont the towns select solar sites and then a Request for Proposals is announced. Jim told me one solar site received over 100 proposals. This allowed the town to select the best possible developer for the project and their community. I hope you will join us and learn more about this approach to siting solar power plants.

At the January Summit Tara Donadio of Capital District Region Planning Commission provide a presentation on cost saving information for municipalities through the LED Street Lighting Project. She also spoke about how CDRPC's analysis of Greene County identified locations where solar plants could best be sited. I have included her contact information and would like the Town to invite her to give a presentation on these cost saving measures available for Duanesburg.

Tara Donadio

Website: <https://cdrpc.org/>

Phone: 518-453-0850

Email: [tara.donadio@cdrpc.org](mailto:tara.donadio@cdrpc.org)

I would like to submit a property maintenance violation report for 13590 Duanesburg Road. At the September 19, 2019 Planning Board meeting the Resolution for Oak Hill Solar 1 and Solar 2 was, read, edited, and approved. September 20, 2019 was the first time the Resolution was available to the residents. According to the video I filmed during the meeting Ms. Bakner stated that a Condition of demolition for this abandoned home was required within two months. The structure is still standing and is a blight on our community. In fact a rocking chair has been left outside the property since September of 2019. I hope this lack of concern for Duanesburg zoning laws is not an indicator of Eden Renewables continued quality of work.

December 4, 2019 Eden Renewables was issued a Building Permit to cut trees at 13590 Duanesburg Road. The permit does not include any conditions nor contain a limitation of tree clearing to 20,000 square feet. Resolution 3.f. "The Project preserves existing on site vegetation to the maximum extent practicable and does not propose to clear cut all trees in a single contiguous area exceeding 20,000 square feet on the property;" I bring this to your attention because June 6, 2019 letter from EDP to Planning Board Doug Cole references 60,000 square feet of trees being cleared and EDP states "minimal". I ask the Town to be vigilant on the area Eden Renewables clear cuts. As Planning Board member Marty Williams has said multiple times stormwater run off is problem on this site.

Resolution for Oak Hill 2. f. The Planning Board requested an updated planting plan and maintenance agreement. Has Eden Renewables submitted an updated planting plan and maintenance agreement?

Board of Ethics posted a meeting announcement for February on the Town bulletin board. It is my understanding that the Board of Ethics does not provide an Agenda or record Minutes. The Town webpage for Legal Notices and Public Notices <https://www.duanesburg.net/legal-notices-and-public-notices> most recent entry is October 2018.

Is there a record of Ethics Board meeting dates, times, and topic? Is this posted on the Town website? Would Ethics Board meetings be posted in this section?

I have not seen any meetings to address the solar moratorium and review the solar law posted on the Town website. Have there been any meetings? Where would Duanesburg residents find this information?

Thank you.

Lynne Bruning