

**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 July 26, 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, Passonno, Potter, Senecal, Town Attorney Terresa Bakner, Highway Superintendent Reed, Deputy Town Clerk Brandy Fall

**Absent:**

**Pledge of Allegiance**

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

**Public Hearing: Proposed improvements to Mariaville Lake Sewer District No. 2 pursuant to Town Law §202-b.**

Town Supervisor Roger Tidball spoke regarding the public notice published in the Gazette. Bill Brown from Delaware Engineering explained the project.

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

Motion carried, 5 ayes

No one wished to comment.

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

Motion carried, 5 ayes

**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 on the agenda.

**Resolution 115-18:** Council Member Ganther motioned, seconded by Council Member Passonno to approve the Town Board Meeting minutes of Thursday, July 12, 2018. Council Member Potter abstained. Motion carried, 4 ayes

**Resolution 116-18:** Council Member Passonno motioned, seconded by Council Member Potter to pay the following claims:  
Motion carried, 5 ayes

**Vouchers to be Paid**  
**July 26, 2018**

<b>General Fund:#235-245</b>	<b>\$34,980.96</b>
<b>SD#1: #75-78</b>	<b>\$1,178.79</b>
<b>SD#2: #73-76</b>	<b>\$716.13</b>
<b>In-House:#7</b>	<b>\$137.05</b>
<b>Highway #112-120</b>	<b>\$3,550.09</b>
<b>Total Vouchers to be Paid=</b>	<hr/> <b>\$40,563.02</b>

## **Committee Reports**

**Highway:** Superintendent Reed reported that they finished ditching on South Shore Road for the time being but had requests to do more which will happen at a later date. They have started prep work on Mountain View upper end with drainage issues. They started hauling stone in for paving projects on Mudge Road, Delevan Road and upper Mountain View. It will be around \$154,700 from the Chip Fund reimbursement for the motor pave phase which is a scaled back version of what he wanted to do, due to time constraints with contractors. Truck 17 is up & running. There was an issue with the truck when it was hauling rock and a rock flew out and chipped a residents' vehicle. Supervisor Tidball will check with the insurance company regarding the repair. Council Member Passonno reported that he, Council Member Potter and Highway Superintendent Reed all met with Alan Knight regarding Duane Lake. He showed them areas of concern and they will talk with him further and Highway Supervisor Reed will follow up with an email to him.

**Public Safety:** Council Member Senecal reported that there was a UCC meeting that he was unable to attend and that he is waiting to receive the notes and will follow up at the next meeting.

**Parks:** Council Member Senecal reported that the summer recreation program has begun and they are happy with the overall condition of the park. He has heard many good comments regarding the park program around town. Supervisor Tidball agreed that he has heard a lot of good things regarding the program and that it is a shame that Town of Princetown has decided not to help fund it even though a number of their residents utilize the park program.

**Sewer District #1, 2 & 3:** Council Member Ganther reported that there were a few issues. The first was an issue with the curbstop, grinder pump and check valve on Weast Road was damaged. They believe it was damaged during the winter when the resident was plowing. The total for that repair from JB's Line cleaning was \$4450.00. Attorney Bakner suggested that the home owner should talk to their insurance company regarding it. Council Member Senecal suggested that their Home Owner's Insurance should cover it. According to the Sewer Law, the resident is responsible as it is on their property and is Sewer District #2 which has been there for around 15 years. Council Member Ganther and Attorney Bakner will get together and send the resident information regarding the law with the bill and suggest that the homeowner should contact their insurance company. Council Member Senecal stated that he had a similar situation with a customer of his business and that it was covered under that persons' home owners insurance. There was also an issue on Cole Road where the county had hired a company to do the road work. A manhole cover was torn up and the cover and a lot of debris fell down into the manhole. There has been some clean up but more is required. The county should be responsible for the bill and clean up. This happened July 4<sup>th</sup> and they still have not sent a truck to get the remaining debris out. Supervisor Tidball will contact the county to have them cover it. Council Member Ganther also reported that there was a leak at 8055 Duanesburg Road. Flowers Mountain Construction came out to fix the issue for \$4500.00. Bill Brown from Delaware Engineering

stated that it is under warranty and that we can pay the bill to Flowers Mountain Construction and then that amount will be taken off the final bill from Vacri. Delaware Engineering sent a summary to DEC.

Council Member Ganther also reported there was an issue with standing water on Weaver Road. Bill Brown from Delaware Engineering stated that he took a look at. He believes it is ground water from where the sewer was run through the property and that there will need to be some drainage work done there. Bill will get the town options to fix it.

Every five years they must do a Chemical Bulk Storage Spill Prevention Report which includes a site inspection. Council Member Ganther reached out for quotes at the end of June. He received a quote from McDonald Prime but has not received a quote back from Delaware Engineering yet. Bill Brown will work on getting them a quote.

Bill Brown is also going to get 2 additional quotes on a CAT Walk and railings for SD#3. He will then give the information to the Town Board for approval. They are at the end of budget for SD#3 so it will need to be budgeted for next year.

Council Member Ganther stated that McDonald Engineering has been changed to Prime Engineering. SD#2 Inspections were done. There were nine problems found (which is not a large number considering there are 74 grinder pumps there) three of which have already been repaired. The other six are I & I problems. They will pick a rainy day to get out with the new camera that was purchased for this reason. Jamie at DEC is still very complementary of the work done and the fact that the town bought the camera.

Bill Brown reported that Friday they are going to be replacing a transducer on Friday for SD#3. He also spoke about the Mariaville Project and that next month he will be requesting that the town authorize the funding application for the long term project at Delanson and Equalization Tank. Attorney Bakner let him know that it has already been authorized.

**Technology:** Council Member Ganther reported that Town Hall will be switching email systems. He wants to make sure all old emails are captured. At the last Broadband meeting it was decided that they would make a Facebook page. The page is Duanesburg Broadband Committee. Congressman Tonko would like to meet with the Broadband Committee and come to a meeting on 8/10, 8/21 or 8/22 if possible.

**Other:** Supervisor Tidball stated that on August 20<sup>th</sup> from 4-8PM, The Historical Society will be holding a grand opening of the Duanesburg Historical Research and Archive Center. The Dedication Ceremony is at 6PM.

#### **Business Meeting:**

**Resolution 117-18:** Council Member Potter motioned, seconded by Council Member Ganther to approve the proposed improvements to Mariaville Lake Sewer District No. 2 pursuant to Town Law §202-b.

Motion carried, 5 ayes

**Resolution 118-18:** Council Member Ganther motioned, seconded by Council Member Potter to approve the Bond Resolution authorizing financing of improvements for Sewer District No. 2.

Motion carried, 5 ayes

**Resolution 119-18:** Council Member Passonno motioned, seconded by Council Member Senecal to approve the introduction of Local Law No. 4 of 2018 entitled "Fees required for non-residents reserving Town facilities" and to set a public hearing date for August 23, 2018.

Motion carried, 5 ayes

**Resolution 120-18** Council Member Potter motioned, seconded by Council Member Passonno to approve the introduction of Local Law No. 5 of 2018 entitled "Trucks Prohibited on Certain Roads" and to set a public hearing date for August 23, 2018.

Motion carried, 5 ayes

**Resolution 121-18** Supervisor Tidball motioned, seconded by Council Member Ganther to accept the resignation of Lynn Lestage from the Planning Board.

Motion carried, 5 ayes

**Resolution 122-18** Council Member Passonno motioned, seconded by Council Member Senecal to appoint Phil Sexton as the Planning Board Chair.

Motion carried, 5 ayes

**Resolution 123-18** Council Member Potter motioned, seconded by Council Member Passonno to appoint Jeff Schmitt as Planning Board Vice-Chair.

Motion carried, 5 ayes

**Resolution 124-18** Council Member Ganther motioned, seconded by Council Member Senecal to appoint Mike Harris to the Planning Board as a full member.

Motion carried, 5 ayes

**Resolution 125-18** Council Member Passonno motioned, seconded by Council Member Senecal to appoint Josh Houghton to the Planning Board as a full member.

Motion carried, 5 ayes

**Privilege of the Floor:** Opened at 8:21 pm

No one wished to speak.

Floor closed.

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

Meeting adjourned at 8:22.

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, July 26, 2018 at the Duanesburg Town Hall, 5853 Western Turnpike, Duanesburg, New York 12056

Account#	Account Description	Fee Description	Qty	Local Share
	Building Permit Renewal	Building Permit Renewal	1	50.00
	Marriage License Fee	Marriage License Fee	3	52.50
	Misc. Fees	Certified Copies - Marriage	3	30.00
	Operating Permit	Operating Permit	3	95.00
	septic repair	septic repair	1	50.00
	subdivision minor	Subdivision	1	100.00
		<b>Sub-Total:</b>		<b>\$377.50</b>
2110	Variance Application	Variance Application	1	100.00
		<b>Sub-Total:</b>		<b>\$100.00</b>
A1255	Conservation	Conservation	10	13.54
		<b>Sub-Total:</b>		<b>\$13.54</b>
A2544	AFTER 30 DAYS	AFTER 30 DAYS	4	20.00
	Dog Licensing	Female, Spayed	22	308.00
		Female, Unspayed	4	88.00
		Male, Neutered	31	434.00
		Male, Unneutered	5	110.00
		Replacement Tags	2	10.00
		<b>Sub-Total:</b>		<b>\$970.00</b>
0	Zoning Variances	Zoning Variances	1	100.00
		<b>Sub-Total:</b>		<b>\$100.00</b>
B2555	Building Permits	Building Permits	11	1,265.00
	Special Use Permit	Special Use Permit	1	100.00
	Subdivision	Subdivision	2	200.00
		<b>Sub-Total:</b>		<b>\$1,565.00</b>
Sewer Dist #3	Permit & Connection Fee	Permit & Connection Fee	4	1,040.00
		<b>Sub-Total:</b>		<b>\$1,040.00</b>
<b>Total Local Shares Remitted:</b>				<b>\$4,166.04</b>
Amount paid to:	NYS Ag. & Markets for spay/neuter program			80.00
Amount paid to:	NYS Environmental Conservation			231.46
Amount paid to:	State Health Dept. For Marriage Licenses			67.50
<b>Total State, County &amp; Local Revenues:</b>				<b>\$4,545.00</b>
<b>Total Non-Local Revenues:</b>				<b>\$378.96</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

# 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 June 2018.

## REVENUES

FUND	AMOUNT
GENERAL FUND	\$ 148,789.43
HIGHWAY FUND	\$ 12,974.28
FIRE PROTECTION	\$ -
PARK & RECREATION	\$ 0.12
PARKLANDS	\$ 0.35
SERVICE AWARD	\$ 0.70
SEWER DISTRICT #1	\$ 8.00
SEWER DISTRICT #2	\$ 12.88
SEWER DISTRICT #3	\$ 170,525.74
<b>TOTAL</b>	<b>\$ 332,311.50</b>

## DISBURSEMENTS

GENERAL FUND	\$ 106,396.23
HIGHWAY FUND	\$ 62,893.72
FIRE PROTECTION	\$ -
PARK & RECREATION	\$ -
PARKLANDS	\$ -
SERVICE AWARD	\$ 3,340.00
SEWER DISTRICT #1	\$ 24,261.43
SEWER DISTRICT #2	\$ 15,426.80
SEWER DISTRICT #3	\$ 3,915.01
<b>TOTAL</b>	<b>\$ 216,233.19</b>

Dated: July 12, 2018

Supervisor's Office  
Town of Duanesburg



## Monthly Report June 2018

Submitted by: Dale Warner 7/6/18

Inspection of Treatment Plants #1 and #2 was conducted by DEC on 6/14/18

### SD#1

Plant:

1. Clean Plant and UV System 6/12/18

Collection System:

1. Installed new curb stop to replace a damaged curb stop @ 7898 Duanesburg Rd. 6/7/18
2. Top soil graded 7898 Duanesburg Rd. 6/8/18
3. Finish Top Soil graded, seeded, and mulched 7898 Duanesburg Rd. 6/12/18
4. Picked up 20 Risers and 2 covers for Cole Rd. County Paving 6/21/18
5. Repair pipe to pump, untangle and replace floats in EQ Tank 6/22/18
6. Clean and Inspect UV System 6/26/18
7. County reported contractor hit MH cover needs a replacement Cole Rd. 6/26/18
8. Back up of sewage on Cole Rd. due to construction debris in MH-Called for pumping and cleaned out some of debris will need help broken cover and ground asphalt inside MH 6/28/18
9. Removed loosened ground asphalt from MH Basin opening partially clear flow should be ok County can't come out until Monday 6/29/18

### SD#2

Plant:

1. Clean Plant 6/12/18
2. Replace Disc Filters 6/13/18
3. Spray Bleach/Water solution on Foam SBR #1 6/22/18
4. Spray Bleach/Water solution on Foam SBR#1 6/25/18

Collection System:

1. Tried getting estimate from Steven Miller Contracting for curb stop replacement @ 2147 Weast Rd. no response
2. Received quote from JB's Sewer and Septic put in request for Emergency work @2147 Weast Rd. work to be scheduled.

### SD#3

Collection System:

1. Alarms are up and running at Firehouse Pump Station 6/1/18
2. Problem noted at 6728 Duanesburg Rd. and Reported to Bill Brown (Delaware Eng.) 6/15/18
3. Pump Station Level Sensor not working 6/25/18
4. Met with Brian Inspector (Delaware Engineering) Issues on Duanesburg Rd. 6/28/18

**159 South of Spring Rd.**

MH-1 Corner 159 and Spring Rd.  
MH-2 Corner House (old Bait Store)      sludge back up  
MH-3 7980 Mariaville Rd.  
MH-4 Verizon  
MH-5 7850 Mariaville Rd.  
7723 Mariaville Rd.-Res Grinder Pump  
MH-6 7784 Mariaville Rd.  
MH-7 7694 Mariaville Rd.      MH Basin Leak  
MH-1A Corner Mariaville and Evergreen      sludge back up  
7675 Mariaville Rd.-Res Grinder Pump  
7615 Mariaville Rd.-Res Grinder Pump  
MH-8 7618 Mariaville Rd.  
MH-9 7585 Mariaville Rd.  
7491 Mariaville Rd.-Res Grinder Pump

**Spring Rd.**

MH-10 138 Spring Rd.  
155 Spring Rd.-Res Grinder Pump  
165 Spring Rd.-Res Grinder Pump  
183 Spring Rd.-Res Grinder Pump  
MH-11 197 Spring Rd.  
MH-12 261 Spring Rd.  
285 Spring Rd.-Res Grinder Pump  
297 Spring Rd.-Res Grinder Pump  
307 Spring Rd.-Res Grinder Pump  
319 Spring Rd.-Res Grinder Pump  
MH-13 319 Spring Rd.  
365 Spring Rd.-Res Grinder Pump  
399 Spring Rd.-Res Grinder Pump  
MH-14 420 Spring Rd.  
MH-15 End 430 Spring Rd.

**Lake Ave.**

MH-16 Corner 159 and Lake Ave.  
MH-17 184 Lake Ave.  
MH-18 228 Lake Ave.  
MH-19 End 270 Lake Ave.

**S. Shore**

MH-23 Corner 159 and S. Shore      replaced cover and riser hit by plow  
4/7/18  
MH-24 144 S. Shore  
MH-25 161 S. Shore  
MH-26 W of inlet

270 S Shore Rd.-Res Grinder Pump

Page 1

274 S Shore Rd.-Res Grinder Pump

278 S Shore Rd.-Res Grinder Pump

MH-27 Corner of Private Rd.

294 S Shore Rd.-Res Grinder Pump

320 S Shore Rd.-Res Grinder Pump

Pipe is cracked

340 S Shore Rd.-Res Grinder Pump

352 S Shore Rd.-Res Grinder Pump

MH-28 492 S. Shore

Sand in MH

510 S Shore Rd.-Res Grinder Pump

536 S Shore Rd.-Res Grinder Pump

Repair broken basin 4/19/18

541 S Shore Rd.-Res Grinder Pump

548 S Shore Rd.-Res Grinder Pump

556 S Shore Rd.-Res Grinder Pump

578 S Shore Rd.-Res Grinder Pump

594 S Shore Rd.-Res Grinder Pump

612 S Shore Rd.-Res Grinder Pump

628 S Shore Rd.-Res Grinder Pump

668 S Shore Rd.-Res Grinder Pump

688 S Shore Rd.-Res Grinder Pump

712 S Shore Rd.-Res Grinder Pump

722 S Shore Rd.-Res Grinder Pump

768 S Shore Rd.-Res Grinder Pump

786 S Shore Rd.-Res Grinder Pump

794 S Shore Rd.-Res Grinder Pump

816 S Shore Rd.-Res Grinder Pump

Sand in MH

878 S Shore Rd.-Res Grinder Pump

898 S Shore Rd.-Res Grinder Pump

## Shore

MH-38 near pump station

MH-39 337 Shore Rd.

MH-40 297 Shore Rd.

237 Shore Rd.-Res Grinder Pump

213 Shore Rd.-Res Grinder Pump

MH-41 213 Shore Rd.

197 Shore Rd.-Res Grinder Pump

177 Shore Rd.-Res Grinder Pump

MH-42 177 Shore Rd.

MH-43 158 Shore Rd.

123 Shore Rd.-Res Grinder Pump

## 159 West of Pump Station toward Store

MH-44 front of pump station

MH-50 Corner of Hilltop and 159

8123 Mariaville Rd.-Res Grinder Pump

Page 2

8126 Mariaville Rd.-Res Grinder Pump

8287 Mariaville Rd.-Res Grinder Pump

MH-45 8350 Mariaville Rd.

MH-46 8408 Mariaville Rd.

MH-47 8466 & 8452 Mariaville Rd.

8508 Mariaville Rd.-Res Grinder Pump

MH-48 8508 Mariaville Rd.

MH-49 8522 Mariaville Rd.

### **Weast Rd.**

MH-51 Corner Weast and 159

MH-52 2598 Weast Rd.

MH-53 2534 Weast Rd.

MH-54 2496 Weast Rd.

MH-55 Corner Weast & Hillside Rd.

2426 Weast Rd.-Res Grinder Pump

2418 Weast Rd.-Res Grinder Pump

2408 Weast Rd.-Res Grinder Pump

2400 Weast Rd.-Res Grinder Pump

2388 Weast Rd.-Res Grinder Pump

2378 Weast Rd.-Res Grinder Pump

2364 Weast Rd.-Res Grinder Pump

2344 Weast Rd.-Res Grinder Pump

2326 Weast Rd.-Res Grinder Pump

2253 Weast Rd.-Res Grinder Pump

2242 Weast Rd.-Res Grinder Pump

2223 Weast Rd.-Res Grinder pump

2218 Weast Rd.-Res Grinder Pump

2213 Weast Rd.-Res Grinder Pump

2203 Weast Rd.-Res Grinder Pump (Princetown)

2187 Weast Rd.-Res Grinder Pump (Princetown)

2172 Weast Rd.-Res Grinder Pump (Princetown)

2158 Weast Rd.-Res Grinder Pump (Princetown)

2146 Weast Rd.-Res Grinder Pump (Princetown)

2137 Weast Rd.-Res Grinder Pump (Princetown)

damaged basin 4/20/18

Replace cover and repair

2134 Weast Rd.-Res Grinder Pump (Princetown)

2016 Weast Rd.-Res Grinder Pump (Princetown)

1954 Weast Rd.-Res Grinder Pump (Princetown)

### **Hilltop**

MH-58 Pump station going up Hill 1<sup>st</sup>. MH

MH-59 Corner Hillside & Hilltop

MH-60 first bend in road

MH-61 next going up hill  
MH-62 turn to easement

**Page 3**

MH-63 behind 322  
MH-64 behind 478 (inline with rear corner of house)  
MH-65 behind 528  
MH-66 behind 542  
MH-124 front of 542  
MH-125 602 Jefts (building removed)  
MH-126 684 Hilltop

**Hillside**

MH-68 168 Hillside  
MH-72 189 Hillside  
MH-71 228 Hillside  
*250 Hillside Rd.-Res Grinder Pump*  
MH-70 263 & 293 Hillside  
MH-69 Corner by 327 Hillside  
*341 Hillside Rd.-Res Grinder Pump*  
MH-74 ½ down hill

**Lake Shore & Weast**

MH-75 Corner  
MH-79 2041 Weast  
MH-80 2009 Weast

**Lake Shore Dr.**

MH-82A behind 2097 Weast  
MH-82 2077 Lake Shore  
MH-81 Lake Shore & Island  
MH-83 East of Pump Station  
MH-84 2081 Island (west of Pump station)  
MH-85 End of Island Dr.

**Mariaville Rd. (159)**

MH-92 8648 Mariaville Rd.  
MH-91 8648 & 8660 Mariaville Rd.  
MH-90 8722 Mariaville Rd.  
MH-89 8770 & 8754 Mariaville Rd.  
MH-88 8822 Mariaville Rd.(Wheaton)  
MH-87 Back of 8822 Mariaville  
MH-86A Back of 8866 Mariaville Rd. (Black)  
MH-86 Mariaville Rd. North toward 160  
MH-46 8408 Mariaville Rd.  
MH-93 8548 & 8564 Mariaville Rd.

**Batter St.**

MH-94 Front of Store

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MH-95 Past Dam

MH-96

MH-97 front of B & B

MH-98 216 & 242 Batter St.

MH-99 232 Batter St. (Private Rd.)

MH-100 304 Batter St.

MH-101 Cemetery

MH-102

MH-103 404 Batter St.

MH-104 453 Batter St.

*457 Batter St.-Res Grinder Pump*

*551 Batter St.-Res Grinder Pump*

**Private Rd. (Segrue)**

MH-106 Side of 232 Batter St.

MH-107 Top of Hill

**159 to 160**

MH-115 Near Store

MH-114 8915 Mariaville Rd.

MH-113 Corner Mill Rd. & 159

MH-112 9037 Mariaville Rd.

MH-111 9037 & 160 (Mariaville Scotch Church Rd.)

MH-110 9105 Mariaville Rd.

MH-109 front of Gilbert

MH-108 Pump Station

**Mill Rd.**

No MH

*131 Mill Rd.-Res Grinder Pump*

*169 Mill Rd.-Res Grinder Pump*

*194 Mill Rd.-Res Grinder Pump*

*211 Mill Rd.-Res Grinder Pump*

**159 West of 160**

MH 117 Across from School

MH 118 Across from School

MH 119 9279 Mariaville Rd.

MH 120 9293 Mariaville Rd.

MH 120A 9339 Mariaville Rd.

MH 121 9389 Mariaville Rd.

MH 122 9417 Mariaville Rd.

MH 123 9452 Mariaville Rd.

*9497 Mariaville Rd.-Res Grinder Pump*



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MH-48 8508 Mariaville Rd.

MH-49 8522 Mariaville Rd.

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MH-53 2534 Weast Rd.

MH-54 2496 Weast Rd.

MH-55 Corner Weast & Hillside Rd.

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2408 Weast Rd.-Res Grinder Pump

2400 Weast Rd.-Res Grinder Pump

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MH-59 Corner Hillside & Hilltop

MH-60 first bend in road

MH-61 next going up hill  
MH-62 turn to easement

**Page 3**

MH-63 behind 322  
MH-64 behind 478 (inline with rear corner of house)  
MH-65 behind 528  
MH-66 behind 542  
MH-124 front of 542  
MH-125 602 Jefts (building removed)  
MH-126 684 Hilltop

**Hillside**

MH-68 168 Hillside  
MH-72 189 Hillside  
MH-71 228 Hillside  
*250 Hillside Rd.-Res Grinder Pump*  
MH-70 263 & 293 Hillside  
MH-69 Corner by 327 Hillside  
*341 Hillside Rd.-Res Grinder Pump*  
MH-74 ½ down hill

**Lake Shore & Weast**

MH-75 Corner  
MH-79 2041 Weast  
MH-80 2009 Weast

**Lake Shore Dr.**

MH-82A behind 2097 Weast  
MH-82 2077 Lake Shore  
MH-81 Lake Shore & Island  
MH-83 East of Pump Station  
MH-84 2081 Island (west of Pump station)  
MH-85 End of Island Dr.

**Mariaville Rd. (159)**

MH-92 8648 Mariaville Rd.  
MH-91 8648 & 8660 Mariaville Rd.  
MH-90 8722 Mariaville Rd.  
MH-89 8770 & 8754 Mariaville Rd.  
MH-88 8822 Mariaville Rd.(Wheaton)  
MH-87 Back of 8822 Mariaville  
MH-86A Back of 8866 Mariaville Rd. (Black)  
MH-86 Mariaville Rd. North toward 160  
MH-46 8408 Mariaville Rd.  
MH-93 8548 & 8564 Mariaville Rd.

**Batter St.**

MH-94 Front of Store

Page 4

MH-95 Past Dam

MH-96

MH-97 front of B & B

MH-98 216 & 242 Batter St.

MH-99 232 Batter St. (Private Rd.)

MH-100 304 Batter St.

MH-101 Cemetery

MH-102

~~MH-103 404 Batter St.~~

MH-104 453 Batter St.

*457 Batter St.-Res Grinder Pump*

*551 Batter St.-Res Grinder Pump*

**Private Rd. (Segrue)**

MH-106 Side of 232 Batter St.

MH-107 Top of Hill

**159 to 160**

MH-115 Near Store

MH-114 8915 Mariaville Rd.

MH-113 Corner Mill Rd. & 159

MH-112 9037 Mariaville Rd.

MH-111 9037 & 160 (Mariaville Scotch Church Rd.)

MH-110 9105 Mariaville Rd.

MH-109 front of Gilbert

MH-108 Pump Station

**Mill Rd.**

No MH

*131 Mill Rd.-Res Grinder Pump*

*169 Mill Rd.-Res Grinder Pump*

*194 Mill Rd.-Res Grinder Pump*

*211 Mill Rd.-Res Grinder Pump*

**159 West of 160**

MH 117 Across from School

MH 118 Across from School

MH 119 9279 Mariaville Rd.

MH 120 9293 Mariaville Rd.

MH 120A 9339 Mariaville Rd.

MH 121 9389 Mariaville Rd.

MH 122 9417 Mariaville Rd.

MH 123 9452 Mariaville Rd.

*9497 Mariaville Rd.-Res Grinder Pump*



**Town of Duanesburg Town Board**

**A RESOLUTION SETTING FORTH A PUBLIC HEARING ON THE PROPOSED  
IMPROVEMENTS TO MARIAVILLE LAKE SEWER DISTRICT NO. 2  
PURSUANT TO TOWN LAW § 202-b**

**RESOLUTION NO. 110- 2018**

**July 12, 2018**

**WHEREAS**, the Mariaville Wastewater Treatment Plant (the "Mariaville WWTP") serves Mariaville Lake Sewer District No. 2; and

**WHEREAS**, the New York State Department of Environmental Conservation ("NYSDEC") amended the New York State Pollutant Discharge Elimination System Permit (the "SPDES Permit") for the Mariaville WWTP requiring that the Mariaville WWTP effluent be disinfected; and

**WHEREAS**, Delaware Engineering, D.P.C. ("DE") was directed pursuant to Town Law § 202-b to prepare a map and plan together with an estimate of the costs for the addition of the necessary disinfection equipment to the Mariaville WWTP (the "Map, Plan and Report"); and

**WHEREAS**, the Map, Plan and Report was prepared by DE to meet the requirements imposed by the NYSDEC and the Map, Plan and Report has been filed in the Office of the Town of Duanesburg Town Clerk and is available for public inspection; and

**WHEREAS**, DE is a competent engineer duly licensed by the State of New York; and

**WHEREAS**, the estimated cost of the improvements is \$400,000; and

**WHEREAS**, the Map, Plan and Report states that the Town will pay for the cost of the improvements by issuing obligations pursuant to the Local Finance Law, and that the Town will apply to the New York State Environmental Facilities Corporation for a reduced rate of interest loan and to any other potential funding entity for any other applicable grants and funding that may be available; and

**WHEREAS**, pursuant to Town Law § 202-b, the Town Board may authorize the proposed improvements only after it hears comments and receives evidence given at a public hearing and determines that it is in the public interest to construct the proposed improvements; and


**WHEREAS**, this proposed action is a Type II action under the New York State Environmental Quality Review Act, pursuant to 6 NYCRR § 617.5(c)(7) as the facility modification will involve much less than the addition of 4,000 square feet of gross floor area to the WWTP, but merely the addition of the disinfection equipment which is required by NYSDEC in order for the Mariaville Lake Sewer District No. 2 to comply with the SPDES Permit as amended by NYSDEC.

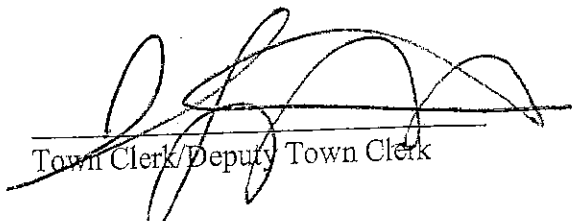
**NOW THEREFORE BE IT RESOLVED**, that the Town Board directs that the Map, Plan and Report be made available to be reviewed by the public, in advance of the public hearing scheduled herein, in the Office of the Town of Duanesburg Town Clerk, at the Town Hall at 5853 Western Turnpike, Duanesburg, New York during regular business hours.

**BE IT FURTHER RESOLVED**, that the Town Board shall meet and hold a public hearing on July 26, 2018 at 7:00 p.m. at the Town Hall, 5853 Western Turnpike, Duanesburg, New York, to hear all persons interested in the subject concerning the proposed improvements to the Mariaville WWTP and for such other action by the Town Board related thereto as may be required by law.

**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) days and no more than twenty (20) days before the date of the public hearing which shall take place at the Duanesburg Town Hall at 5853 Western Turnpike Duanesburg New York 12056 on July 26, 2018 at 7:00 p.m. and the Town Clerk is also directed to cause a copy thereof to be posted on the sign board of the Town of Duanesburg, and the Town of Duanesburg website, not less than ten (10) nor more than twenty (20) days before July 26, 2018.

By (unanimous/majority) vote of the Town Board of the Town of Duanesburg at its regular meeting of July 12, 2018.

  
Roger Tidball, Supervisor

  
Town Clerk/Deputy Town Clerk

Present: Council Members Passonno, Ganther & Senecal, Supervisor Tidball  
Absent: Council Member Potter

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	<u>Yea</u>	Nay	Abstain
Jeff Senecal	<u>Yea</u>	Nay	Abstain

**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 located at 5853 Western Turnpike, on **Thursday, July 26th at 7:00 p.m.** for the purpose of hearing all persons interested in the matter of:

~~The proposed improvements to the Mariaville Wastewater Treatment Plant (the~~  
"Mariaville WWTP"), as hereinafter described, at which time and place said  
Town Board will meet to review the proposed Map and Plan and estimate of costs  
prepared by Delaware Engineering, D.P.C. and hear all persons interested in the  
subject thereof and concerning the same.

The Town has commissioned the preparation of a Map and Plan, and estimated  
cost, of improvements which are needed to install a disinfection system at the  
existing Mariaville WWTP to enable the WWTP to comply with the SPDES  
permit recently amended by the New York State Department of Environmental  
Conservation.

The project cost estimate to install the disinfection system improvements is  
\$400,000.

Persons may appear at the hearing in person or by agent, and may also submit written comments  
to the Town Board prior to or at such hearing.

BY ORDER OF THE TOWN BOARD  
TOWN OF DUANESBURG

Dated: July13, 2018



Res# 111-18

Town of Duanesburg Town Board

**RESOLUTION APPROVING THIRD MODIFICATION  
TO THE ORDER ON CONSENT REGARDING THE  
IMPROVEMENTS AT THE DELANSON WASTEWATER TREATMENT PLAN**

**Town Board Meeting of July 12, 2018**

**WHEREAS**, The Town Board of the Town of Duanesburg, on behalf of Town Sewer District No. 1, signed an Order on Consent (the "Order") with the New York State Department of Environmental Conservation ("DEC") to address, with the assistance of the Town's consulting engineers, Delaware Engineering, issues concerning the Delanson Wastewater Treatment Plant within Sewer District No. 1;

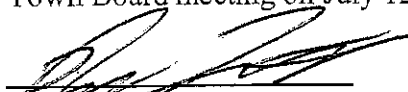
**WHEREAS**, the Town requested a modification of the Order and DEC has agreed to modify the Order (see attached proposed Order modification);

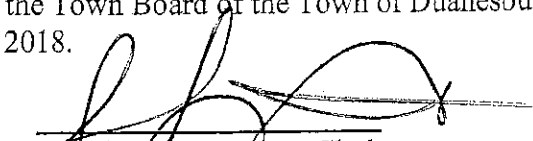
**NOW THEREFORE BE IT RESOLVED**, that the Town Board hereby approves the third modification to the Order (R4-2016-0822-143M3) and authorizes the Town Supervisor to sign the modification.

Motion made by Council Member Ganther

Motion seconded by Council Member Passonno

By (unanimous/majority) vote of the Town Board of the Town of Duanesburg at its special Town Board meeting on July 12, 2018.

  
Roger Tidball, Supervisor

  
Jennifer Howe, Town Clerk

Present: Council Members Passonno, Ganther & Senecal, Supervisor Tidball

Absent: Council Member Potter

Council Members:

Roger Tidball	<input checked="" type="radio"/> Yea	Nay	Abstain
John Ganther	<input checked="" type="radio"/> Yea	Nay	Abstain
Rick Potter	<input type="radio"/> Yea	Nay	Abstain
Randy Passanno	<input checked="" type="radio"/> Yea	Nay	Abstain
Jeffrey Senecal	<input checked="" type="radio"/> Yea	Nay	Abstain

**Third Modification of Order on Consent**

**R4-2016-0822-143M3**

**Town of Duanesburg**

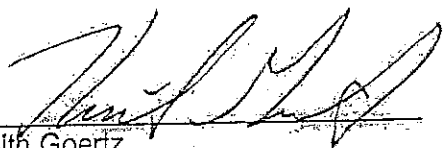
1. Once approved, the schedule contained in the Engineering Report, or in any revisions thereto, will become enforceable under the terms of Order on Consent R4-2016-0822-143.
2. All terms, conditions, and provisions of the Order on Consent R4-2016-0822-143 and any plans approved thereunder remain in full force and effect except as changed by this Third Modification, the Modification of Order on Consent R4-2016-0822-143M1, or the Second Modification of Order on Consent R4-2016-0822-143M2.

DATED:

July 18, 2018  
Rotterdam, New York

Basil Seggos  
Commissioner  
New York State Department of  
Environmental Conservation

BY:

  
Keith Goertz  
Regional Director  
Region 4

CONSENT BY RESPONDENT

Respondent Town of Duaneburg hereby consents to the issuance and entry of the foregoing Second Modification, waives its rights to a hearing herein as provided by law, and agrees to be bound by the provisions, terms and conditions contained herein.

BY: [Signature]  
TITLE: Supervisor  
DATE: 7/13/18

STATE OF NEW YORK )  
COUNTY OF Schenectady ) ss.:

On this 13<sup>th</sup> day of July, 2018, before me personally came Roger Tidball, to me known, who being by me duly sworn did depose and say that he resides in Duaneburg, that he is the Town Supervisor of the municipality described in and which executed the foregoing instrument, and that he signed his name as authorized by said municipality.

[Signature]  
Notary Public, State of New York

JENNIFER M. HOWE  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01HO6351801  
Qualified in Schenectady County  
My Commission Expires 12-12-2020

**Town of Duanesburg Town Board**

**A RESOLUTION DETERMINING THE PROPOSED IMPROVEMENTS TO  
MARIAVILLE LAKE SEWER DISTRICT NO. 2 PURSUANT TO TOWN LAW § 202-b  
ARE IN THE PUBLIC INTEREST**

**RESOLUTION NO. 117 - 2018**

**July 26, 2018**

**WHEREAS**, the Mariaville Wastewater Treatment Plant (the "Mariaville WWTP") serves Mariaville Lake Sewer District No. 2; and

**WHEREAS**, the New York State Department of Environmental Conservation ("NYSDEC") amended the New York State Pollutant Discharge Elimination System Permit (the "SPDES Permit") for the Mariaville WWTP requiring that the Mariaville WWTP effluent be disinfected (the "Proposed Improvements"); and

**WHEREAS**, the Town Board is empowered to authorize the Proposed Improvements subject to the provisions of New York Town Law § 202-b; and

**WHEREAS**, Delaware Engineering, D.P.C. ("DE") was directed pursuant to Town Law § 202-b to prepare a map and plan together with an estimate of the costs for the addition of the necessary disinfection equipment to the Mariaville WWTP (the "Map, Plan and Report"); and

**WHEREAS**, the Map, Plan and Report was prepared by DE to meet the requirements imposed by the NYSDEC and the Map, Plan and Report has been filed in the Office of the Town of Duanesburg Town Clerk and is available for public inspection; and

**WHEREAS**, DE is a competent engineer duly licensed by the State of New York; and

**WHEREAS**, the estimated cost of the improvements is \$400,000; and

**WHEREAS**, the Map, Plan, and Report states that the Town will pay for the cost of the Proposed Improvements by issuing obligations pursuant to the Local Finance Law, and that the Town will apply to the New York State Environmental Facilities Corporation for a reduced rate of interest loan and to any other potential funding entity for any other applicable grants and funding that may be available; and

**WHEREAS**, pursuant to Town Law § 202-b, the Town Board may authorize the proposed improvements only after it hears comments and receives evidence given at a public hearing and determines that it is in the public interest to construct the proposed improvements; and

**WHEREAS**, this proposed action is a Type II action under the New York State Environmental Quality Review Act, pursuant to 6 NYCRR § 617.5(c)(7) as the facility modification

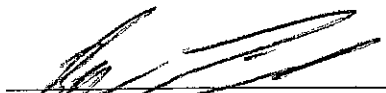
will involve much less than the addition of 4,000 square feet of gross floor area to the WWTP, but merely the addition of the disinfection equipment which is required by NYSDEC in order for the Mariaville Lake Sewer District No. 2 to comply with the SPDES Permit as amended by NYSDEC.

**WHEREAS**, a Public Hearing on the matter was duly held by said Town Board on July 26, 2018, commencing at 7:00 p.m. at the Town Hall, at which all interested persons desiring to be heard were heard, including those in favor of, and those opposed to, the proposed matters.

**NOW THEREFORE BE IT RESOLVED**, it is hereby determined that it is in the public interest to construct the Proposed Improvements.

**BE IT FURTHER RESOLVED**, that the Town Board directs DE to prepare definite plans and specifications and to make a careful estimate of the expense, to prepare a proposed contract for the estimate of the work, with the assistance of the Town attorney, and apply for any and all grants or funding that may be applicable to the Proposed Improvements.

By (unanimous/majority) vote of the Town Board of the Town of Duanesburg at its regular meeting of July 26, 2018.

  
\_\_\_\_\_  
Roger Tidball, Supervisor

  
\_\_\_\_\_  
Town Clerk/Deputy Town Clerk

Present: Supervisor Tidball, Council Members Gauthier, Potter, Passonno + Senecal  
Absent:

Town Board Members:

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

PUBLIC NOTICE

"The resolution published herewith has been adopted on the 26<sup>th</sup> day of July, 2018, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Duanesburg in the County of Schenectady, State of New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the constitution".

s/ Jennifer M. Howe  
Jennifer M. Howe, Town Clerk

A regular meeting of the Town Board of the Town of Duanesburg, Schenectady County, New York was convened in public session at the Duanesburg Town Hall, 5853 Western Turnpike, Duanesburg, New York 12056 on July 26, 2018, at 7:00 o'clock p.m., local time.

The Town Board members were accounted for as follows:

		(Present)	(Excused/Absent)
Roger Tidball	Supervisor	<u>  X  </u>	<u>      </u>
John Ganther	Councilman	<u>  X  </u>	<u>      </u>
Francis Potter	Councilman	<u>  X  </u>	<u>      </u>
Randy Passonno	Councilman	<u>  X  </u>	<u>      </u>
Jeff Senecal	Councilman	<u>  X  </u>	<u>      </u>

RESOLUTION, JULY 26, 2018

BOND RESOLUTION OF THE TOWN OF DUANESBURG, NEW YORK (THE "TOWN"), ADOPTED JULY 26, 2018, AUTHORIZING THE FINANCING OF IMPROVEMENTS AND OTHER COSTS RELATED AND INCIDENTAL THERETO, FOR THE MARIAVILLE LAKE SEWER DISTRICT NO. 2; ESTIMATING THE MAXIMUM AGGREGATE COST THEREOF TO BE \$400,000.00; APPROPRIATING SAID AMOUNT THEREFORE AND AUTHORIZING THE ISSUANCE OF \$400,000.00 SERIAL BONDS OF THE TOWN TO FINANCE SAID COST.

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the Town Board of the Town of Duanesburg (by a favorable vote of not less than two-thirds of all the members), as follows:

## SECTION 1.

Pursuant to Sections 31.00 and 32.00 of the Local Finance Law, constituting Chapter 33-A of the Consolidated Laws of the State of New York (the "Law"), the Town Board of the Town of Duanesburg hereby authorizes the financing of the construction of improvements for the Mariaville Lake Sewer District No. 2, including upgrades to the existing wastewater treatment plant systems in order to achieve the benefits of connection thereto and the installation of equipment, machinery, furnishings, fittings, connections and appurtenances related thereto (collectively, the "Improvements").

## SECTION 2

It is determined that this financing is for an assessable improvement and the period of probable usefulness of the aforesaid specific object or purpose is forty (40) years pursuant to Section 11.00(a)(4) of the Law. Pursuant to Section 23.00b-1 of the Law, bond anticipation notes issued in anticipation of bonds for this assessable improvement may be renewed beyond five (5) years, provided that such renewals do not extend beyond the period of probable usefulness set forth in this Section 2 of the Resolution.

## SECTION 3.

The plan of financing the maximum aggregate \$400,000.00 cost of the Improvements includes the issuance of \$400,000.00 bond anticipation notes or serial bonds and the levy of a tax upon the several lots and parcels of land especially benefited by the Improvements, to pay the principal of and interest on said bond anticipation notes or bonds as the same shall become due and owing. The Town anticipates applying for financing from the New York State Environmental Facilities Corporation through the Water Quality Improvement Program (WQIP) which could provide the Town with a grant in the amount of up to 75% of the Improvement costs which, if awarded, would reduce the financing amount of the Improvements.

## SECTION 4.

The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized to be expended pursuant to Section 165.10 of the Law for the specific object or purpose described in Section 1 of this Resolution. If such temporary funds are used for any expenditure authorized in this Resolution, the Town intends to reimburse such funds with the proceeds of the tax-exempt borrowing authorized and identified pursuant to Section 1 above.

## SECTION 5.

The serial bonds issued to finance the cost of the object or purpose described in Section 1 above shall mature no later than forty (40) years to be measured from the date of the bonds or from the date of the first bond anticipation note issued in anticipation of the sale of such bonds, whichever date is earlier.



#### SECTION 6.

The Town hereby covenants and agrees with the holders from time to time of said serial bonds of the Town issued pursuant to this Resolution, and any bond anticipation notes of the Town issued in anticipation of the sale of said bonds, that the Town will duly and faithfully observe and comply with the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and any proposed or final regulations of the Internal Revenue Service issued pursuant thereto (the "Regulations") unless, in the opinion of Bond Counsel to the Town, such compliance is not required by the Code and the Regulations to maintain the exemption of interest on said obligations from Federal income taxation.

#### SECTION 7.

The Town Board previously declared the construction of the Improvements is a Type II action pursuant to the State Environmental Quality Review Act.

#### SECTION 8.

Each of the serial bonds authorized by this Resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the real property within the Town without legal or constitutional limitation as to rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said serial bonds and any bond anticipation notes issued in anticipation of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and notes to mature in such year, and (b) the payment of interest to be due and payable in such year.

#### SECTION 9.

It is intended that this Resolution shall constitute an official intent within the meaning of Section 1.150-2 of the Regulations to reimburse the Town with the proceeds of the aforesaid bonds or bond anticipation notes to the extent of applicable expenses paid by the Town prior to the issuance of such bonds or bond anticipation notes.

#### SECTION 10.

Subject to the provisions of this Bond Resolution and the Law, pursuant to the provisions of Section 30.00 of the Law relative to the authorization of the issuance of serial bonds and bond anticipation notes, or the renewals of said obligations and of Section 50.00 and Section 60.00 of the Law, the powers and duties of the Town Board of the Town relative to authorizing serial bonds and bond anticipation notes and prescribing the terms, form and content as to sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor of the Town, the chief fiscal officer of the Town. Pursuant to the provisions of paragraph a of Section

56.00 of the Law, the power to determine whether to issue bonds and bond anticipation notes having substantially level or declining annual debt service, as provided in paragraph d of Section 21.00 of the Law, is hereby delegated to the Supervisor of the Town, the chief fiscal officer of said Town. In addition to the delegation of powers described above, the powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor of the Town, who shall advertise such bonds for sale, conduct the sale and award the bonds in such manner as he shall deem best for the interests of the Town; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Law and any other order or rule of the State Comptroller applicable to the sale of municipal bonds.

#### SECTION 11.

All costs and expenses in connection with the acquisition and development of the object and purpose set forth in Section 1 above, and the financing thereof by the sale of bonds, including but not limited to, the fees and expenses of bond counsel, financial advisors, underwriters, feasibility consultants, counsel for the Town and other professionals, shall be paid to the extent permitted by law from the proceeds of the sale of such bonds.

#### SECTION 12.

The Town hereby authorizes its Supervisor to enter into any and all agreements, including but not limited to agreements with the Environmental Facilities Corporation, as may be necessary and proper to carry out the intent of the foregoing Resolution.

#### SECTION 13.

The validity of the bonds authorized by this bond Resolution and of any notes issued in anticipation of said bonds may be contested only if:

- (a) Such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) The provisions of law which should be complied with at the date of the publication of such Resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or
- (c) Such obligations are authorized in violation of the provisions of the Constitution.

#### SECTION 14.

This Resolution or summary thereof shall be published in the designated official newspaper(s) of the Town for such purpose, together with a notice of the Clerk of the Town in substantially the form provided in Section 81.00 of the Law.

SECTION 15.

The Bond Resolution is not subject to a permissive referendum pursuant to Section 35.00(b)(1) of the Law.

SECTION 16.

This Resolution shall take effect immediately.

STATE OF NEW YORK                    )  
  ) SS.:  
COUNTY OF SCHENECTADY            )

I, Jennifer M. Howe, Clerk of the Town of Duanesburg, Schenectady County, New York (the "Town"), DO HEREBY CERTIFY:

That I have compared the annexed abstract of the minutes of the meeting of the Town Board, held on the 26<sup>th</sup> day of July, 2018, including the Resolution contained therein, with the original thereof on file in my office, and the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that the full Town Board consists of five (5) members; that \_\_\_\_\_ ( ) members of the Town Board were present at such meeting; and that \_\_\_\_\_ ( ) of such members voted in favor of the above Resolution.

I FURTHER CERTIFY that (i) all members of the Town Board had due notice of the meeting, (ii) pursuant to Article 7 of the Public Officers Law (Open Meetings Law), such meeting was open to the general public, and due notice of the time and place of such meeting was duly given in accordance with Article 7 of the Public Officers Law, and (iii) the meeting was in all respects duly held.

I FURTHER CERTIFY that the Resolution has not been amended, modified or repealed and is in full force and effect on the date hereof.

I FURTHER CERTIFY that a copy of the Resolution, or a summary of the Resolution, shall be published in the official newspaper(s) of the Town for such purpose, together with a notice of the Clerk of the Town in substantially the form provided in Section 81.00 of the Local Finance Law.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town this \_\_\_ day of July, 2018.

\_\_\_\_\_  
Jennifer M. Howe, Town Clerk  
Town of Duanesburg  
Schenectady County, New York

(SEAL)

5-1  
**Town of Duanesburg Town Board**

**RESOLUTION INTRODUCING LOCAL LAW No. 4 of 2018**

**RESOLUTION NO. 119 - 2018**

**July 26, 2018**

**WHEREAS**, pursuant to Municipal Home Rule Law §10, "every local government shall have power to adopt and amend local laws not inconsistent with the provisions of the constitution or not inconsistent with any general law relating to its property, affairs or government"; and

**WHEREAS**, the Town wishes to assess a fee of forty (40) dollars for non-residents to reserve facilities in the parks owned or operated by the Town; and

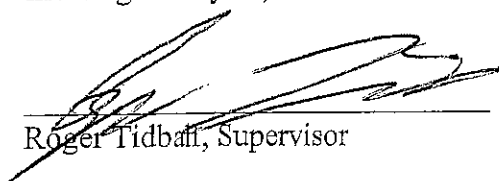
**WHEREAS**, Local Law No. 4 of 2018 entitled "Fees Required From Non-Residents Reserving Town Facilities" (the "Proposed Local Law") is hereby introduced; and

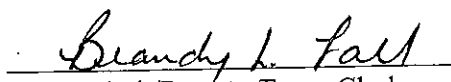
**WHEREAS**, adoption of the Proposed Local Law is a type II action pursuant to SEQRA.

**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 August 23, 2018 at 7:00 p.m.

By (unanimous/majority) vote of the Town Board of the Town of Duanesburg at its regular meeting of July 26, 2018.

  
Roger Tidball, Supervisor

  
Town Clerk/Deputy Town Clerk

Present: Supervisor Tidball, Council Members Ganther, Potter, Passonno + Senecal.  
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
Randy Passonno	<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

**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.



**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, 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

**Town of Duanesburg Town Board**

**RESOLUTION INTRODUCING LOCAL LAW No. 5**

**RESOLUTION NO. 120 - 2018**

**July 26, 2018**

**WHEREAS**, pursuant to Municipal Home Rule Law §10, “every local government shall have power to adopt and amend local laws not inconsistent with the provisions of the constitution or not inconsistent with any general law relating to its property, affairs or government”; and

**WHEREAS**, the Town Highway Superintendent has observed that such truck usage is damaging to certain roadways. Members of the public have also complained that such truck usage on certain roadways has resulted in unsafe situations. In response, the Town wishes to prohibit certain truck traffic on certain roads; and

**WHEREAS**, pursuant to New York Vehicle and Traffic Law § 1660, the Town can regulate truck traffic within the Town; and

**WHEREAS**, Local Law No. 5 of 2018 entitled “Trucks Prohibited on Certain Roads” (the “Proposed Local Law”) is hereby introduced; and

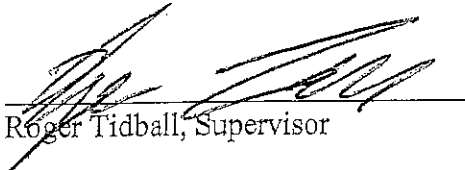
**WHEREAS**, adoption of the Proposed Local Law is a type II action under SEQRA.

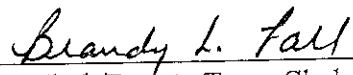
**NOW THEREFORE BE IT RESOLVED**, that each member of the Town Board has received the attached Proposed Local Law attached hereto; and

**BE IT FURTHER RESOLVED**, that the Town Board directs the Town Clerk to provide the text of the Proposed Local; 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 August 23, 2018 at 7:00 p.m.

By (unanimous/majority) vote of the Town Board of the Town of Duanesburg at its regular meeting of July 26, 2018.

  
Roger Tidball, Supervisor

  
Town Clerk/Deputy Town Clerk

Present: Supervisor Tidball, Council Members Gauthier, Potter, Passonno + Senecal.  
Absent:

Town Board Members:

Roger Tidball	<input checked="" type="radio"/> Yea	<input type="radio"/> Nay	<input type="radio"/> Abstain
John Gauthier	<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
Randy Passonno	<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

## **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 20,000 pounds. 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 10,000 pounds 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 Duaneburg Town Code, in so far as such statutes are inconsistent with this Local Law and any other laws or regulations of the Town of Duaneburg 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.

**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, 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~~10,000 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

*You are Cordially Invited to the*  
**Grand Opening**  
*Of the*  
**Duanesburg Historical**  
**Research and Archive**  
**Center**

*Monday, August 20, 2018*  
*From 4 PM to 8 PM*  
*450 Quaker Lane, Quaker Street, NY*

*6 PM Dedication Ceremony*

