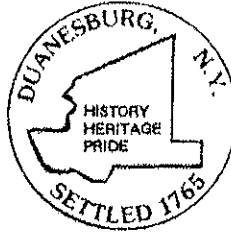


Roger Tidball, Town Supervisor
Jennifer Howe, Town Clerk
Brandy Fall, Deputy Town Clerk
William Reed, Highway Superintendent



John D. Ganther, Council Member
Francis R. Potter, Council Member
Jeffrey Senecal, Council Member
William Wenzel, Council Member

Thursday June 11, 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, Senecal, Wenzel Town Clerk Jennifer Howe, Town Attorney Terresa Bakner present via phone Council Members Ganther

Pledge of Allegiance

Supervisor Tidball: Alright, tonight is another edition of Town of Duaneburg town board meeting via zoom. Tonight, is Thursday June 11th 2020. We don't have much on our agenda for tonight. So, it will probably be a pretty quick meeting. With that being said we will start off with approval of minutes please.

Council Member Senecal: I make the motion for approval of minutes for the Town Board Meeting on Thursday May 28, 2020.

Council Member Wenzel: I'll second.

Supervisor Tidball: Any discussion? Clerk call the roll please.

Town Clerk Howe: Council Member Senecal

Council Member Senecal: Aye

Town Clerk Howe: Council Member Wenzel

Council Member Wenzel: Aye

Town Clerk Howe: Council Member Ganther

Council Member Ganther: Aye

Town Clerk Howe: Council Member Potter

Council Member Potter: Aye

Town Clerk Howe: Supervisor Tidball

Supervisor Tidball: Aye

Resolution 79-20: Council Member Senecal motioned, seconded by Council Member Wenzel to approve the Town Board Meeting minutes of Thursday, May 28, 2020.

Motion carried, 5 ayes

Supervisor Tidball: Town Clerk's Report

Town Clerk Howe: read report (see attached)

Supervisor Tidball: Thank you. Town Supervisor's Report. Supervisor Tidball read report (see attached)

Supervisor Tidball: Payment of claims please

Council Member Potter: Vouchers to be paid June 11, 2020. General Fund - \$11,604.03. SD#1- \$1,696.94, SD#2 - \$1,194.6215, SD#3 - \$373.08, Highway - \$15,681.52, Total vouchers to be paid - \$30,550.18.

Council Member Senecal: Second

Supervisor Tidball: Any discussion. Clerk call the roll please.

Town Clerk Howe: Council Member Potter

Council Member Potter: Aye

Town Clerk Howe: Council Member Senecal

Council member Senecal: Aye

Town Clerk Howe: Council Member Ganther

Council Member Ganther: Aye

Town Clerk Howe: Council Member Wenzel

Council Member Wenzel: Aye

Town Clerk Howe: Supervisor Tidball

Supervisor Tidball: Aye

Resolution 80-20: Council Member Potter motioned, seconded by Supervisor Tidball to pay the following claims:

Motion carried, 5 ayes

Vouchers to be Paid June 11, 2020

General Fund:	\$11,604.03
Highway Fund:	\$15,681.52
SD#1 Fund:	\$1,696.94

SD#2 Fund: **\$1,194.61**

SD#3 Fund: **\$373.08**

Total To Be Paid: **\$30,550.18**

Supervisor Tidball: Ok, thank you. Committee reports. Let's start off with Highway, Bill.

Highway:

Highway Superintendent Reed: Last week the guys finished grading and adding rubble to our dirt roads. So we are in pretty good shape there. We started prepping some of our roads for the contractor to come in Friday next week to do a couple single chip seals on Maple Ave, Gage rd hill and a double patch on Schoonmaker. We got notice from the state that we are getting our CHIP funds with a little notation that there may be a possible 20% cut across the board. Gordon will probably come in three times this year and do it in phases. Beyond that we are actually doing pretty good.

Supervisor Tidball: Ok. Do you guys have anything else for Bill?

Council Member Potter: No, things look good.

Supervisor Tidball: Public Safety, Bill.

Public Safety:

Council Member Wenzel: No.

Supervisor Tidball: Like we said there are no meetings in the summer. We did sign the agreement last board meeting with DVAC. They should be getting that started up and I will be reaching out with them to see how that is going ad .we will report back on that. Park Committee, Bill.

Park Committee:

Councilmember Wenzel: We had a meeting last week and the decision was made that the Youth Parks Program for this summer is being cancelled as a result of the virus situation ongoing. The only other thing that we discussed was that Jean has still not located the good samaritan that cleaned up the cemetery on Batter St. However, there was a neighbor who came over and said they would be happy to maintain it in the future. So that is a good thing.

Supervisor Tidball: That is very nice of them. After your meeting I did speak to Jean Frisbee and something that she is going to bring back to you guys is maybe do a weekend or a couple day camp if things turn around just to have something before school starts for the kids. Maybe have some activities such as DVAC bringing their rig down one day. There were also some talks of putting together recipes and take-home craft kits for the kids possibly.

Sewer Districts:

Councilmember Senecal: Sewer districts have been calm and quiet. One thing that was worthy of noting. They were able to put in some check valves on some of the stations and they figured out that they cut their infiltration by a lot. Because they were recirculating their own water. So, putting the check valves in made it so the water is only being counted once instead of ten times.

Bill Brown: Just working on a design for Delanson. The soil borings were done last month. We did have some feedback from the Duane Lake residents if we wanted to have some more preliminary discussions with them.

Supervisor Tidball: Ok, thanks Bill. John anything with IT?

IT:

Councilmember Ganther: Ok, I just wanted to apologize we had some issues with the recordings from last meeting and there were some folks that were left out in the waiting room until the near end of the meeting. We ended up losing the video portion of the meeting, but thankfully with Teresa's help we were able to get the audio at least. We have fixed the issues and we have multiple people recording the meeting this time so that we will not have that problem again. We just wanted to apologize for the confusion there.

Supervisor Tidball: Ok. On the broadband side as we kind of discussed all of the providers we have been working with Version, Midtel and Spectrum had slowed right down because of the virus. They are starting to ramp up again. The Humprey rd. project in which there are only two homes the pole permits have been filed and the project will come completely out of Spectrum's pocket. It usually takes a few months after the permits have been filed before they can actually start work. Spectrum will be doing their next report to the PSC in the end of June and will be updating us on the projects in our area at that time also.

Business Meeting:

Councilmember Potter: OK. Make a motion to authorize extending the existing moratorium for an additional six months as authorized by Local Law No. 1 of 2020. Council Member Potter read the resolution. (please see attached)

Supervisor Tidball: Second. Any discussion? Clerk call the roll please

Town Clerk Howe: Councilmember Potter.

Councilmember Potter: Aye

Town Clerk Howe: Councilmember Senecal.

Councilmember Senecal: Aye

Town Clerk Howe: Councilmember Ganther

Councilmember Ganther: Aye

Deputy Town Clerk Fall: Councilmember Wenzel

Councilmember Wenzel: Aye

Town Clerk Howe: Supervisor Tidball

Supervisor Tidball: Aye

Resolution 81-20: Council Member Potter motioned, seconded by Council Member Senecal to authorize extending the existing moratorium for an additional six months as authorized by Local Law No. 1 of 2020. Motion carried, 5 ayes

Supervisor Tidball: That is all we have for business. We do have one piece of correspondence from a resident. While we are doing these Zoom meetings if you want a statement read please make sure that you get it to the Town Clerk before the meeting so that it can be read during this time. Supervisor Tidball read a letter from Lynne Bruning (see attached). That is all I have folks. Anyone else have anything to add?

Privilege of the Floor:

Councilmember Ganther: Yes, if you want to use your chat option, if you enter something into the chat that you would like to speak and I can unmute your microphone and let you speak. I'll give you 30 seconds or so to see if anyone has anything to add. I'm not seeing anything.

Privilege of the Floor Closed:

Supervisor Tidball: OK, then I'll make the motion for adjournment.

Councilmember Senecal: I'll second it.

Supervisor Tidball: Clerk call the roll please.

Town Clerk Howe: Supervisor Tidball

Supervisor Tidball: Aye

Town Clerk Howe: Councilmember Senecal

Councilmember Senecal: Aye

Town Clerk Howe: Councilmember Potter

Councilmember Potter: Aye

Town Clerk Howe: Councilmember Ganther

Councilmember Ganther: Aye

Town Clerk Howe: Councilmember Wenzel

Councilmember Wenzel: Aye

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

Supervisor Tidball: OK folks, thank you very much. We will talk to you later. Thank you.

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 June 11, 2020 at the Duanesburg Town Hall, 5853 Western Turnpike, Duanesburg, New York 12056.

Account#	Account Description	Fee Description	Qty	Local Share
	Marriage License Fee	Marriage License Fee	2	35.00
	Misc. Fees	Certified Copies - Death	5	50.00
		Sub-Total:		\$95.00
A1255	Conservation	Conservation	1	2.75
		Sub-Total:		\$2.75
A2544	AFTER 30 DAYS	AFTER 30 DAYS	9	45.00
	Dog Licensing	Female, Spayed	21	294.00
		Female, Unspayed	3	66.00
		Male, Neutered	14	196.00
		Male, Unneutered	4	88.00
		Sub-Total:		\$689.00
B2555	Building Permits	Building Permits	8	3,480.00
	Subdivision	Subdivision	2	200.00
		Sub-Total:		\$3,680.00
Total Local Shares Remitted:				\$4,456.75
Amount paid to: NYS Ag. & Markets for spay/neuter program				56.00
Amount paid to: NYS Environmental Conservation				47.25
Amount paid to: State Health Dept. For Marriage Licenses				45.00
Total State, County & Local Revenues:			\$4,605.00	
		Total Non-Local Revenues:		\$148.25

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 Duaneburg 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

Account#	Account Description	Fee Description	Qty	Local Share
	Marriage License Fee	Marriage License Fee	2	35.00
	Misc. Fees	Certified Copies - Death	5	50.00
		Sub-Total:		\$85.00
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	Dog Licensing	Female, Spayed	21	294.00
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Supervisor

Date

Town Clerk

Date

Town of Duanesburg Town Board

RESOLUTION NO. - 2020

June 11, 2020

WHEREAS, the Town Board adopted Local Law no. 1 of 2020 placing a moratorium on major solar energy systems in the Town of Duanesburg which are regulated pursuant to local law 1 of 2016;

WHEREAS, the Local Law no. 1 of 2020 authorized the Town Board to extend the moratorium for an additional six months upon the adoption of a resolution;

WHEREAS, the Covid-19 pandemic and the Governor's Executive Orders issued have severely limited the amount of time available to the Town Board to consider potential changes to the Town's Solar Law and to seek public input;

WHEREAS, the adoption of local law 1 of 2020 was a type II action under SEQRA and so is the adoption of this resolution;

NOW, THEREFORE. BE IT RESOLVED that the Town Board hereby extends the existing moratorium for an additional six months as authorized by Local Law no. 1 of 2020.

By (unanimous/majority) vote of the Town Board of the Town of Duanesburg at its regular meeting of June 11, 2020

Roger Tidball, Supervisor

Town Clerk/Deputy Town Clerk

Present:

Absent:

Town Board Members:

Roger Tidball	Yea	Nay	Abstain
John Ganther	Yea	Nay	Abstain
Rick Potter	Yea	Nay	Abstain
William Wenzel	Yea	Nay	Abstain
Jeff Senecal	Yea	Nay	Abstain

PO Box 160
Quaker Street, NY 120141
720-272-0956
lynnebruning@gmail.com

Supervisor Tidball and the Duanesburg Town Board
5853 Western Turnpike
Duanesburg, NY 12056

June 11, 2020

Dear Supervisor Tidball,

Solar Law Review

January 9, 2020 Town Board approved a six month moratorium on utility scale solar development. Due to COVID-19 pandemic a review committee has not been able to assemble. I encourage the board to extend the moratorium for another 6 months.

Tug Hill's April 22, 2020 "*Siting Utility Scale Solar Projects*" webinar may be helpful to the solar law review committee. It can be found on Tug Hill's YouTube channel <https://www.youtube.com/watch?v=qmmXozNTYws>

Resources for this webinar can be found on the 2020 LGC Conference Presentations page Session 4. G as found on the Tug Hill website. <https://www.tughill.org/services/training/local-government-conference/2020-conference-presentations/>

Energy Storage Moratorium

Please enact a moratorium on Energy Storage which can be built and, is funded by NYSERDA, as separate projects from solar power plants. These massive lithium ion battery storage containers are known to create fire hazards. Schenectady County fire officials informed me that fire departments do not attempt to extinguish solar power plants and/or energy storage projects fires. The reality is that emergency service allow these electrical fires to burn themselves out releasing toxins into the air and creating and hazardous material spill on the land.

Please see attached moratorium on energy storage from the Town of Rush which will inform the board of important details for energy storage solutions. Livingston County approved a moratorium on energy storage July 2019. Town of Groveland approved a moratorium on battery

energy storage April 2020. Towns of Canton, Potsdam and Rush have recently enacted moratoriums on energy storage.

Please place a moratorium on energy storage solutions until the board understands the implications of these industrial projects on Duanesburg land use planning, health and safety of residents and liability to our emergency responders.

Oak Hill - Electrical Drawings

Please submit to the record the three attached PDFs documenting the redacted single line drawings and three line drawings for Oak Hill Solar 1 & 2 by Joseph Novak P.E., S.P. dated January 31, 2019 and provided to me by Freedom Of Information request to NYSERDA.

Thank you for your time and attention.

Regards,

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

cc: Duanesburg Planning Board

LOCAL LAW NO. 1 OF 2020

**A LOCAL LAW ESTABLISHING A TEMPORARY LAND
USE MORATORIUM PROHIBITING LARGE SCALE
BATTERY ENERGY STORAGE SYSTEM
INSTALLATIONS WITHIN THE TOWN OF RUSH**

BE IT ENACTED, by the Town Board of the Town of Rush, Monroe County, State of New York, as follows:

Section 1. TITLE

This Local Law shall be known as the “Moratorium on and Prohibition of Large Scale Battery Energy Storage System Installations within the Town of Rush.”

Section 2. STATUTORY AUTHORITY; PURPOSE AND INTENT.

This Local Law is intended to be consistent with and is adopted pursuant to the authority granted to the Town Board of the Town of Rush under the New York State Constitution, and the Laws of the State of New York, including but not limited to the following authorities: New York State Constitution Article IX, Section 2 (c)(ii)(6), (10); Municipal Home Rule Law § 10(1)(i); Municipal Home Rule Law § 10(1)(ii)(a)(6), (11), (12), and (14); Municipal Home Rule Law § 10(1)(ii)(d)(3); Municipal Home Rule Law § 10(2); Municipal Home Rule Law § 10(3); Municipal Home Rule Law § 10(4)(a), and (b); Statute of Local Governments §10(1), (6), and (7); Town Law § 64 (17-a); Town Law § 130(3) and (15); Town Law §135; Town Law Article 16 (Zoning & Planning) inclusive; Environmental Conservation Law §3-0301(1)(b), 3-0301(2) (m) and 8-0113 and 6 NYCRR Part 617, also known as the State Environmental Quality Review Act, as it pertains to applications that are neither excluded nor exempt from this local law.

This Local Law is a land use regulation. This Local Law is intended and is hereby declared to address matters of local concern, and it is declared that it is not the intention of the Town to address matters of statewide concern. This Local Law is intended to act as and is hereby declared to exercise the permissive “incidental control” of a zoning law and land use law that is concerned with the broad area of land use planning and the physical use of land and property within the Town, including the physical externalities associated with certain land uses, such as potential negative impacts of such uses on a community.

This Local Law expressly supersedes any provisions of the Town Code of the Town of Rush, and sections 267, 267-a, 267-b, 267-c, 274-a, 274-b and 276 of the Town Law of the State of New York. This Local Law shall supersede and suspend those provisions of the Town Code of the Town of Rush and New York state law which require the Town Building Department, Town Code Enforcement Officer and/or the Town Planning Board to accept, process, and approve land use applications within certain statutory time periods.

This Local Law is intended to temporarily prohibit the creation or siting of large scale battery energy storage system installations (as herein later defined) within the Town of Rush for a period of up to twelve (12) months, pending the development and adoption of local laws and/or ordinances designed to regulate and govern such installations.

The Town Board recognizes and acknowledges that the Town needs to study and analyze many considerations that affect the preparation of local legislation to regulate the future creation and siting of large scale battery energy storage system installations. The Town Board has formally requested the Deputy Supervisor form a citizens committee to identify and review local laws from other jurisdictions, and related information and source materials, in order to assist in developing the parameters of a local law to regulate large scale battery energy storage system installations. The Town Board has directed the Attorney for the Town to assist in this endeavor.

The Town Board also recognizes the need to review and examine its existing ordinances, local laws and Zoning Law provisions insofar as they may be affected by adoption of such local law(s) regulating the creation and/or siting of large scale battery energy storage system installations. It is deemed necessary to enact this moratorium in order to permit the Town adequate time in which to draft suitable legislation for this purpose. During the term of the moratorium the Town of Rush shall work to prepare and eventually adopt new land use regulations to incorporate into the existing Zoning Law of the Town of Rush.

At this time, there are no pending applications for the location, development or site plan approval of a large scale battery energy storage system installation.

During the pendency of the moratorium, the Town Board will consider how best to permit such installations so as to harmoniously integrate such installations with the existing agricultural community and landscape and to mitigate potential undesirable environmental impacts that may be associated with such use. At present, the Zoning Law of the Town of Rush may not adequately regulate such land use. If the community allows such development during that time, the goals of the Town could be undermined or damaged. Moratoria are useful in controlling or temporarily inhibiting development until satisfactory final regulations are adopted.

For these reasons, the Town Board finds that temporary moratorium legislation is both advisable and necessary for a reasonable and defined period of time in order to develop and adopt necessary zoning and land use changes to the Zoning Law of the Town of Rush, thus protecting and furthering the public interest, health and safety.

Section 3. DEFINITIONS

For purposes of this Local Law, the following terms shall have the meanings respectively set forth below:

Large Scale Battery Energy Storage System Installation(s) — Any installation of rechargeable energy storage system having an aggregate energy capacity of 600kWh or more, consisting of electrochemical storage batteries or similar technology, battery chargers, controls, power conditioning systems, inverters, transformers, switchgears and associated electrical equipment designed to store electrical power received from a generating or transmission source and periodically discharging power from the battery energy storage system into the power grid. Systems typically used to provide standby or emergency power and/or an uninterruptable power supply, load shedding, load sharing, or similar capabilities relating to the energy consumed by a residence, farm operation or business on site and having an aggregate energy capacity of less

than 600kWh shall not be considered a "Large Scale Battery Energy Storage System Installation" for purposes of this Moratorium.

Section 4. TEMPORARY MORATORIUM AND PROHIBITION

A. Unless permitted pursuant to Section 5 hereafter, from and after the date of this Local Law, no application for a permit, zoning permit, special permit, zoning variance, building permit, operating permit, site plan approval, subdivision approval, certificate of occupancy, certificate of compliance, temporary certificate, overlay district or other Town-level approval of any nature shall be accepted, processed, entertained, approved, approved conditionally, or issued by any board, employee, official or agent of the Town of Rush, for the construction, establishment, or use or operation of any land, body of water, building, or other structure located within the Town of Rush, for any Large Scale Battery Energy Storage System Installation.

B. Unless permitted pursuant to Section 5 hereafter, from and after the date of this Local Law, no person, entity or business shall use, cause, or permit to be used, any land, body of water, building, or other structure located within the Town of Rush for any Large Scale Battery Energy Storage System Installation.

C. The prohibitions set forth above in Section 4(A) and 4(B) are not intended, and shall not be construed, to prevent or prohibit the use and development of battery energy storage systems that are typically used to provide standby or emergency power and/or an uninterruptable power supply, load shedding, load sharing, or similar capabilities and that are for personal or individual use on or about any residence or place of business, or any farm operation or Town operation, so long as such use does not have an aggregate energy capacity of 600kWh.

D. This moratorium and prohibition shall be in effect beginning on the effective date of this Local Law and shall expire on the earlier of (i) that date which is twelve (12) months after said effective date; or (ii) the effective date of a Town Board resolution affirmatively stating the Town Board has determined that the need for this moratorium and prohibition no longer exists.

E. This moratorium and prohibition shall apply to all real property within the Town of Rush, and all land use applications for the siting or creation of Large Scale Battery Energy Storage System Installation within the Town of Rush.

F. Under no circumstances shall the failure of the Town Board of the Town of Rush, the Zoning Board of Appeals of the Town of Rush, the Planning Board of the Town of Rush, or the Code Enforcement Officer for the Town of Rush to take any action upon any application for a permit, zoning permit, special permit, zoning variance, building permit, operating permit, site plan approval, subdivision approval, certificate of occupancy, certificate of compliance, temporary certificate, or any other Town-level approval related to a Large Scale Battery Energy Storage System Installation constitute an approval by default or an approval by virtue of expiration of time to respond to such application.

Section 5. HARDSHIP VARIANCE RELIEF FROM APPLICABILITY OF MORATORIUM

Applications for land use otherwise subject to this moratorium may be exempted from the

provisions of this Local Law following a noticed public hearing before the Town Board. It is specifically intended that this moratorium shall supersede New York State law which would otherwise confer exclusive variance the zoning board of appeals.

Following a written request for hardship variance relief, within sixty (60) days of receipt of such request, a noticed public hearing shall be held, at which hearing the Town Board may, but is not limited to consider:

- A. The proximity of applicant's premises or the subject of applicant's request for relief to natural resources, including but not limited to prime agricultural soils, wetland areas, conservation districts and other areas of environmental concern.
- B. The impact of the proposed application on the applicant's premises and upon the surrounding area.
- C. Compatibility of the proposed application with the existing land use and character of the area in general proximity to the subject of the application, and its effect upon aesthetic resources of the community.
- D. Compatibility of the proposed application with the recommendations of any administrative body charged with such review by the Town of Rush.
- E. The written opinion of the Town of Rush Planning Board and the Town of Rush Code Enforcement Officer that such application may be jeopardized or made impractical by waiting until the moratorium is expired.
- F. Evidence specifying in detail the nature and level of any alleged hardship imposed on the property owner(s) as a result of this moratorium.
- G. Such other considerations and issues as may be raised by the Town Board.

In making a determination concerning a proposed exemption or grant of relief from application of the moratorium, the Town Board may obtain and consider reports and information from any source it deems to be helpful with review of said application. A grant of relief from application of the moratorium shall include a determination of unreasonable hardship upon the property owner (or if there are multiple property owners, a determination that each such owner shall suffer an unreasonable hardship) which is unique to the property owner(s), a finding that there are sufficient existing regulations to adequately govern the application for which a hardship waiver is being requested, and a finding that the grant of an exemption will be in harmony with, and will be consistent with the existing Town of Rush Zoning Ordinance and the recommendations of the Comprehensive Plan as such may exist.

An application for relief from the prohibitions of the moratorium shall be accompanied by a fee of \$500, together with the an escrow agreement pursuant to Chapter 100, Article VI, of the Town Code of the Town of Rush, in a form to be approved by the Attorney for the Town, to pay all of the expenses of the Town Board and any agent or consultant retained by the Town

Board to evaluate and consider the merits of such application, including but not limited to any fees incurred by the Town for services provided by the Attorney for the Town.

Section 6. PENALTIES

A. Failure to comply with any of the provisions of this Local Law shall be an unclassified misdemeanor as contemplated by Article 10 and Section 80.05 of the New York State Penal Law, and, upon conviction thereof, shall be punishable by a fine of not more than One Thousand Five Hundred Dollars (\$1,500) or imprisonment for not more than 10 days, or both for the first offense. Any subsequent offense within a three-month period shall be punishable by a fine of not more than Two Thousand Five Hundred Dollars (\$2,500) or imprisonment for a period of not more than 30 days, or both. For purposes of this Clause A., each day that a violation of this Local Law exists shall constitute a separate and distinct offense.

B. Compliance with this Local Law may also be compelled and violations restrained by order or by injunction of a court of competent jurisdiction, in an action brought on behalf of the Town by the Town Board.

C. In the event the Town is required to take legal action to enforce this Local Law, the violator will be responsible for any and all costs incurred by the Town relative thereto, including attorney's fees, and such amount shall be determined and assessed by the court. If such expense is not paid in full within 30 days from the date it is determined and assessed by the Court, such expense shall be charged to the propert(ies) within the Town on which the violation occurred, by including such expense in the next annual Town tax levy against such property, and such expense shall be a lien upon such property until paid.

Section 7. CONFLICTS

For and during the stated term of this legislation, unless the stated term thereof shall be modified or abridge by the Town Board, this moratorium shall take precedence over and shall control over any contradictory local law, ordinance, regulation or Zoning Ordinance provision.

Section 8. STATE ENVIRONMENTAL QUALITY REVIEW ACT

The Town Board hereby determines that the adoption of this Local Law is a Type II action under 6 NYCRR 617.5(c)(36) and that environmental review under the State Environmental Quality Review Act is not required.

Section 9. SEVERABILITY

If any word, phrase, sentence, part, section, subsection, or other portion of this Local Law, or the application thereof to any person or to any circumstance, is adjudged or declared invalid or unenforceable by a court or other tribunal of competent jurisdiction, then, and in such event, such judgment or declaration shall be confined in its interpretation and operation only to the provision of this Local Law that is directly involved in the controversy in which such judgment or declaration is rendered, and such judgment or declaration of invalidity or

unenforceability shall not affect or impair the validity or enforceability of the remainder of this Local Law or the application hereof to any other persons or circumstances. If necessary as to such person or circumstances, such invalid or unenforceable provision shall be and be deemed severed here from, and the Town Board of the Town hereby declares that it would have enacted this Local Law, or the remainder thereof, even if, as to particular provisions and persons or circumstances, a portion hereof is or declared invalid or unenforceable.

Section 10. EFFECTIVE DATE

The effective date of this Local Law shall be immediately upon its filing with the Secretary of State.

JOSEPH W. NOVAK, P.E., S.P.
5108 SEWARD ROAD
BRENTWOOD, TN 37027
OFFICE (615) 539-8519

**GREEN
CELLS**

Greencells USA Inc.
+1 646-479-1977
112 South Tryon Street
Raleigh, NC 27601
www.greencells.com



JOSEPH W. NOVAK, P.E., S.P.
5108 SEWARD RD.
BRENTWOOD, TN 37027
JOHN@JWNOVAK.COM
(615) 539-8519

ENGINEERING AFFORDABLE UTILITY-SCALE SOLAR

OAK HILL SOLAR 1

13699 Duesenberg Road
Duesenberg, NY 13025
LAT: 42.727092°
LON: -74.2559736°

NO color number: 0146590

REV	NO	DESCRIPTION	DATE
0		FOR UTILITY APPLICATION	10/10/2019

THREE-LINE DRAWING

PROJECT NO.	13699	DATE	10/10/2019
DRAWN BY	JW	CHECKED BY	JW
SCALE		AS NOTED	
DRAWING NO.			

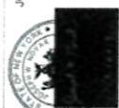
E-102

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ENGINEERING AFFORDABLE UTILITY SCALE SOLAR

OAK HILL SOLAR 2

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LAT: 42.7285383°
LON: -74.2512828°

NO DATA AVAILABLE 03/10/2019

0 FOR UTILITY APPLICATION
REV. NO. DESCRIPTION

ONE-LINE DRAWING

PROJECT NO.	PROJ. NO.	DATE
18000	18000	03/10/2019
DRAWING NO.	SCALE	AS NOTED
E-101		

E-101

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ENGINEERING AFFORDABLE UTILITY-SCALE SOLAR

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MS License Number: 20105000

REV	NO.	DESCRIPTION	DATE
0		FOR UTILITY APPLICATION	1/31/2019

ELECTRICAL LAYOUT

PROJECT NO.	PROJ. NAME	TITLE
NOVAK	NOVAK	NOVAK
DATE	BY	DATE
1/31/2019	NOVAK	1/31/2019
DRAWING NO.	NOVAK	NOVAK

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