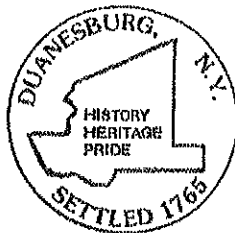


**William Wenzel**, Town Supervisor  
**Jennifer Howe**, Town Clerk  
**Brandy Fall**, Deputy Town Clerk  
**William Reed**, Highway Superintendent



**Michael Santulli**, Council Member  
**Francis R. Potter**, Council Member  
**Dianne Grant**, Council Member  
**Andrew Lucks**, Council Member

**Thursday June 22, 2023**  
**Regular Town Board Meeting**  
**Meeting Time: 7:00PM**

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

**Present:** Supervisor Wenzel, Council Members Grant, Lucks and Santulli, Town Attorney Terresa Bakner

**Absent:** Council Member Potter

**Call to Order**  
**Pledge of Allegiance**

**Resolution 80-23:** Council Member Grant motioned, seconded by Council Member Lucks to approve the Town Board Meeting minutes of Thursday, June 8, 2023.  
Motion carried, 4 ayes

**Supervisor, William Wenzel read the Supervisor's Report for May 2023. (Please see attached).**

**Resolution 81-23:** Council Member Grant motioned, seconded by Council Member Lucks to pay the attached Payment of Claims (Please see attached).  
Motion carried, 4 ayes

**Highway:** No report given.

**Public Safety:** Council Member Grant reported that there was a meeting last Wednesday to start organizing the active shooter training that will be held in September on a weekend.

**Parks:** Supervisor Wenzel reported that the youth park program will run from 7/10-8/11 Monday through Friday 9am-noon.

**Sewer District #1, 2 &3:** Supervisor Wenzel reported that there will be a conference call next Tuesday to address the final payments for improvements at the Delanson WWTP.

**Technology:** Council Member Santulli reported that there is a meeting set up on Wednesday with Devon our new rep from Spectrum to go over internet service for town hall.

Broadband we are waiting for an updated quote from Spectrum with addresses. Verizon declined to give us a quote. We are hoping to get a quote from Midtel for the houses on Sheldon Road.

**Business Meeting:**

**Resolution 82-23:** Council Member Lucks motioned, seconded by Council Member Potter to appoint James Mugits to the Board of Ethics.  
Motion carried, 4 ayes Supervisor Wenzel abstained

**Privilege of the Floor:**

Lynne Bruning of 13388 Duanesburg Road spoke (see attached).

Robert Waddell of 10306 Mariaville Rd. asked about what he needed to do to build on his land on Hilltop Rd. since that portion of Hilltop where his land is was abandoned in the past. Town Attorney advised him that he needed to get an easement from the neighboring property owner to use their land to drive over to get to his property, then put an area variance application in with the Zoning Board. The town would not plow that portion of the road.

Council Member Grant motioned, seconded by Council Member Lucks to go into executive session to seek advice from counsel. 7:22 pm

Council Member Santulli motioned, seconded by Council Member Lucks to come out of executive session @ 7:55pm.  
Motion carried, 4 ayes

Council Member Lucks motioned, seconded by Council Member Santulli to adjourn.  
Motion carried, 4 ayes

I, Jennifer Howe, Town Clerk of the Town of Duanesburg, so hereby certify that this is a true and accurate transcript of the Regular Town Board Meeting held on Thursday June 22, 2023.

# 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 of MAY 2023

## Revenues

Fund	Amount
General Fund	\$84,095.46
Highway Fund	\$14,501.42
Drainage	\$0.00
Fire District	\$0.00
Lighting District #1	\$0.00
Lighting District #2	\$0.00
Lighting District #3	\$0.00
Sewer District #1	\$8.59
Sewer District #2	\$1,003.56
Sewer District #3	\$13.01
<b>Total</b>	<b><u>\$ 99,622.04</u></b>

## Disbursements

General Fund	\$69,371.07
Highway Fund	\$24,408.83
Fire District	\$5,500.00
Lighting District #1	\$336.67
Lighting District #2	\$646.46
Lighting District #3	\$296.30
Sewer District #1	\$17,520.62
Sewer District #2	\$9,170.37
Sewer District #3	\$4,806.03
<b>Total</b>	<b><u>\$ 132,056.35</u></b>

**TOWN OF DUANESBURG**  
**CASH REQUIREMENTS PER FUND**  
**6/22/23**

<b>FUND</b>		<b>AMOUNT</b>
General Fund A		108,227.51
General OV B		1,117.74
Highway Fund DA		4,734.15
Highway OV-DB		2,897.53
Planning Board		3,285.00
Sewer District #1		1,064.76
Sewer District #2		77.40
Sewer District #3		4,367.73
		-
	<b>TOTAL TRANSFERS TO AP</b>	<b>125,771.82</b>

**Town of Duanesburg Town Board**

**RESOLUTION NO. 82 2023**

**June 22, 2023**

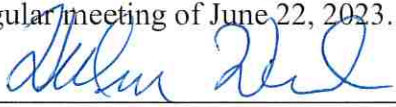
**WHEREAS**, the Town of Duanesburg has a duly constituted Board of Ethics;

**WHEREAS**, the Town Ethics Local Law 1 of 2009 establishes the Board of Ethics "consisting of at least three (3) members but not more than seven (7) members to be appointed by the Town Board, all of whom reside in the Town of Duanesburg and who shall serve without compensation at the pleasure of the Town Board. A majority of such members shall be persons other than Town Board Members, Town Officers or Town Employees but shall include at least one member who is an elected or appointed officer or employee of the Town of Duanesburg. Of the total membership of the Board of Ethics, no more than a majority of the members shall be registered in the same political party;"

**WHEREAS**, there is a vacancy on the Board;

**NOW THEREFORE BE IT RESOLVED**, that James Mugits be appointed to the Town of Duanesburg Board of Ethics

By (unanimous/majority) vote of the Town Board of the Town of Duanesburg at its regular meeting of June 22, 2023.

  
\_\_\_\_\_  
William Wenzel, Supervisor

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

Present: *Council members Grant, Lucks & Santulli, Supervisor Wenzel*  
Absent: *Council member Potter*

Town Board Members:

Dianne Grant	<u>Yea</u>	Nay	Abstain
Michael Santulli	<u>Yea</u>	Nay	Abstain
Rick Potter	Yea	Nay	Abstain <i>Absent</i>
William Wenzel	<u>Yea</u>	Nay	Abstain
Andrew Lucks	<u>Yea</u>	Nay	Abstain

PO Box 160  
Quaker Street, NY 12141

William Wenzel, Supervisor  
Town of Duanesburg  
5853 Western Turnpike  
Duanesburg, NY 12056

Transmitted via email: [jhowe@duanesburg.net](mailto:jhowe@duanesburg.net)

June 22, 2023

Re: Privilege of the Floor Ethics Board and Legal Representation

Dear Supervisor Wenzel,

1. The town website appears to be missing some information:

A search of the town website does not provide the 2009 Ethics Law which is referred to in Local Law 1 of 2010 "Superseding Local Law 1 of the Year 2009 to the Enactment of a Code of Ethics and Establishment of a Board of Ethics for the Town of Duanesburg" which was filed with New York State Department of State on January 22, 2010.

A search of the town website does not provide the town's Fraud Policy, Resolution 71-20 "Town of Duanesburg Fraud Abuse Awareness Policy" which was adopted May 14, 2020.

Incomplete and inaccurate listing of local laws and policies may open the door to impropriety. I request that these items are added to the "Town Code" webpage.

2. On January 28, 2020 I e-mailed the town clerk to request the Agenda for the February 1, 2020 Ethics Board meeting.

February 4, 2020 the town clerk emailed me "There are no agendas or minutes taken at Board of Ethics Meetings due to them being in Executive Session."

Does the Ethics Board conduct all business in executive session?  
Are there any records of Ethics Board meetings, meeting dates, and business conducted?

While I don't expect a response from the board this evening I do request a written response to my questions.

3. On August 13, 2022 the Schenectady Gazette published Ethics Board member Toni Dicaprio's obituary. The January 3, 2023 Town Board Organizational Meeting Minutes appointed Tammy Arquette, Jean Frisbee, Lorri Meyers and Town Board member Rick Potter to the Ethics Board.

Why has the town board waited 10 months to appoint a fifth member to the Ethics Board?  
Is the Ethic Board currently conducting business that requires board member action?

4. The town website and town meeting minutes do not appear to include any information or postings for nominations to fill a vacancy on the Ethics Board. It appears that meeting minutes do not reflect public discussion for nominations to the Ethics Board.

Some may say that tonight's appointment of James Mugits may be hand picked by the town board.

Lack of transparency and accountability for opportunities to serve the town may open the door to impropriety and fraud. I urge the town board to post open board positions on the town website, announce vacancies at meetings and hold open nominations. This would fully and freely inform the public of opportunities to participate in their local government.

5. At the April 13, 2023 Town Board meeting a resident drew the board's attention to Teresa Bakner of Whiteman Osterman and Hanna being counsel for the town board, planning board, zoning board and ethics board. Having one source of legal representation does not provide a system of checks and balances. It may create the opportunity for impropriety and fraud.

I request that the town hire separate legal representation for the ethics board and separate legal representation for the town board. Having multiple sources of legal counsel may provide transparency and accountability. It may protect the town, the taxpayers monies, and taxpayers from improper behavior at town hall.

Thank you for your time and consideration.

Respectfully,  
Lynne Bruning  
720-272-0956  
[lynnebruning@gmail.com](mailto:lynnebruning@gmail.com)