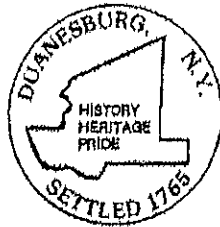


**Roger Tidball**, Town Supervisor  
**Jennifer Howe**, Town Clerk  
**Brandy Fall**, Deputy Town Clerk  
**William Reed**, Highway Superintendent



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

**Thursday May 13, 2021**  
**Regular Town Board Meeting**  
**Meeting Time: 7:00PM**

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

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

**Pledge of Allegiance**

**Supervisor Tidball:** Ok tonight's board meeting Thursday May 13, 2021. I need approval of minutes please.

**Council Member Potter:** I make the motion for approval of minutes for the Town Board Meeting on Thursday April 22, 2021.

**Council Member Wenzel:** I'll second. Any discussion? Jen call the roll please.

**Town Clerk Howe:** Council Member Ganther

**Council Member Ganther:** Abstain

**Town Clerk Howe:** Council Member Wenzel

**Council Member Wenzel:** Aye

**Town Clerk Howe:** Council Member Potter

**Council Member Potter:** Aye

**Town Clerk Howe:** Supervisor Tidball

**Supervisor Tidball:** Aye

**Resolution 77-21:** Council Member Potter motioned, seconded by Council Member Wenzel to approve the Town Board Meeting minutes of Thursday April 22, 2021.

Motion carried, 4 ayes

**Supervisor Tidball:** Alright, Town Clerk's Report

**Town Clerk Howe:** Read the April 2021 Town Clerk Report (please see attached)

**Supervisor Tidball:** Thank you. Supervisor's Report. Supervisor Tidball read the April 2021 Supervisor's Report (please see attached)

**Supervisor Tidball:** Payment of claims please

**Council Member Potter:** Vouchers to be paid Town of Duaneburg Vouchers per Fund. General Fund - \$55,421.25. Highway fund- \$31,489.90 SD#1- \$13,343.22 SD#2 - \$4,543.93 SD#3 - \$1,384.64 H11 Mariaville UV \$10,582.20. Total vouchers to be paid - \$106,765.14.

**Council Member Ganther:** I'll second it.

**Supervisor Tidball:** Any discussion? Jen call the roll please.

**Town Clerk:** Council Member Ganther

**Council Member Ganther:** Aye

**Town Clerk Howe:** Council Member Wenzel

**Council Member Wenzel:** Aye

**Town Clerk Howe:** Council Member Potter

**Council Member Potter:** Aye

**Town Clerk Howe:** Supervisor Tidball

**Council Supervisor Tidball:** Aye

**Resolution 78-21:** Council Member Potter motioned, seconded by Council Member Ganther to pay the following claims:

Motion carried, 4 ayes

**Vouchers to be Paid  
May 17, 2021**

<b>General Fund:</b>	<b>\$55,421.25</b>
<b>Highway Fund:</b>	<b>\$31,489.90</b>
<b>SD#1 Fund:</b>	<b>\$3,343.22</b>
<b>SD#2 Fund:</b>	<b>\$4,543.93</b>
<b>SD#3 Fund:</b>	<b>\$1,384.64</b>
<b>H11 Mariaville UV</b>	<b>\$10,582.20</b>
<hr/>	
<b>Total To Be Paid:</b>	<b>\$106,765.14</b>

**Supervisor Tidball:** Alright, we're going to go into Committee reports. We'll start off with Highway

**Highway:**

**Hwy Superintendent Reed:** They are done milling on Route 20 and we received about 2300 ton of product which looks to be about equal to what we are scheduled to pave on. Gorman is coming back next Thursday to do single chip seal on Larson and Mt. View. Patching on Crow Hill; there is a lot of truck traffic on that road even with the 10-ton weight limit posted. We are going to let it compact for a few weeks and then asphalt patch it. Working on the cross culvert on Larson rd., and we are awaiting a schedule for paving.

**Supervisor Tidball:** Ok, Park Committee

**Park Committee:**

**Council Member Wenzel:** On Saturday May 1 @ 11am we had a cleanup day at Shafer Park that Senator Hincey's Office sponsored. A big thank you to all the residents who came out and the honor society members as well as all the other groups that came out.

**Sewer Districts:**

**Council Member Ganther:** Ok, Dale got three quotes for new generator service contracts. We are going to be switching to Kingsley Power from Cummins. They offer two contracts a major and a minor. I suggest we go with the minor contract to start and have them log what they do to see if we need to upgrade to the major contract next time.

**Supervisor Tidball:** Ok. Mr. Brown

**Bill Brown:** We are digging over at the Delanson plant where the new tank and building will be going. Concrete is scheduled for Monday for the first pour. Building will be going up and equipment will start arriving late summer/early fall. In Mariaville we submitted the plans for the UV project last month. EFC will wire funds by next Thursday to cover the general contractor costs.

**Supervisor Tidball:** Thank you. IT John.

**IT:**

**Council Member Ganther:** Ok, we had a broadband committee meeting last night and it went very well. Spectrum continues to make good progress. We have a couple projects that we may be working on jointly. By fall we should be in really good shape. There are 150-160 homes in the lower southwest corner of Duaneburg Spectrum will be paying for. That leaves Alexander and Suits road that will still be left and we are working on getting quotes to satisfy those locations. Which will then leave us with less than 20 houses left in the town unserved. This is a huge accomplishment.

**Business Meeting:**

**Council Member Potter:** Motion to approve and authorize the Town Supervisor to submit documentation to NYS EFC to obtain funds to pay Invoice No. 1 to Delaware Engineering in the amount of \$17,000.

**Councilmember Ganther:** Second

**Supervisor Tidball:** Jen call the roll please.

**Town Clerk Howe:** Supervisor Tidball

**Supervisor Tidball:** Aye

**Town Clerk Howe:** Council Member Ganther

**Council Member Ganther:** Aye

**Town Clerk Howe:** Council Member Wenzel

**Council Member Wenzel:** Aye

**Town Clerk Howe:** Council Member Potter

**Council Member Potter:** Aye

**Resolution 79-21** Council Member Potter motioned, seconded by Council Member Ganther to approve and authorize the Town Supervisor to submit documentation to NYS EFC to obtain funds to pay Invoice No. 1 to Delaware Engineering in the amount of \$17,000.  
Motion carried, 4 ayes

**Council Member Ganther:** Motion to approve and authorize the Town Supervisor to submit documentation to NYS EFC to obtain funds to pay Invoice Nos. 12 & 13 to Delaware Engineering in the amount of \$5,183.63.

**Councilmember Wenzel:** Second

**Supervisor Tidball:** Jen call the roll please.

**Town Clerk Howe:** Council Member Ganther

**Council Member Ganther:** Aye

**Town Clerk Howe:** Council Member Wenzel

**Council Member Wenzel:** Aye

**Town Clerk Howe:** Council Member Potter

**Council Member Potter:** Aye

**Town Clerk Howe:** Supervisor Tidball

**Supervisor Tidball:** Aye

**Resolution 80-21:** Council Member Ganther motioned, seconded by Council Member Wenzel to approve and authorize the Town Supervisor to submit documentation to NYS EFC to obtain funds to pay Invoice Nos. 12 & 13 to Delaware Engineering in the amount of \$5,183.63.  
Motion carried, 4 ayes

**Council Member Wenzel:** Motion to approve and authorize payment in the amount of \$10,582 from designated account holding the bonds proceeds for the long-term improvements to SD#2.

**Supervisor Tidball:** Second

**Supervisor Tidball:** Jen call the roll please.

**Town Clerk Howe:** Council Member Ganther

**Council Member Ganther:** Aye

**Town Clerk Howe:** Council Member Wenzel

**Council Member Wenzel:** Aye

**Town Clerk Howe:** Council Member Potter

**Council Member Potter:** Aye

**Town Clerk Howe:** Supervisor Tidball

**Supervisor Tidball:** Aye

**Resolution 81-21:** Council Member Ganther motioned, seconded by Supervisor Tidball to approve and authorize payment in the amount of \$10,582 from designated account holding the bonds proceeds for the long-term improvements to SD#2.

Motion carried, 4 ayes

**Council Member Potter:** Motion to authorize the Town Supervisor to sign the agreement with Prime AE to provide the additional air monitoring services in an amount not to exceed \$1250.

**Supervisor Tidball:** Second

**Supervisor Tidball:** Jen call the roll please.

**Town Clerk Howe:** Council Member Ganther

**Council Member Ganther:** Aye

**Town Clerk Howe:** Council Member Wenzel

**Council Member Wenzel:** Aye

**Town Clerk Howe:** Council Member Potter

**Council Member Potter:** Aye

**Town Clerk Howe:** Supervisor Tidball

**Supervisor Tidball: Aye**

**Resolution 82-21:** Council Member Ganther motioned, seconded by Supervisor Tidball to authorize the Town Supervisor to sign the agreement with Prime AE to provide the additional air monitoring services in an amount not to exceed \$1250.

Motion carried, 4 ayes

**Council Member Potter:** Motion to authorize the Town Supervisor to pay the additional budgeted amount of \$8,374 to Mariaville Volunteer Fire Department and authorize the Town Supervisor to send out a notice letter stating the contract will be terminated for services as of January 1, 2022 unless another contract is approved.

**Councilmember Ganther: Second**

**Supervisor Tidball:** Jen call the roll please.

**Town Clerk Howe:** Supervisor Tidball

**Supervisor Tidball: Aye**

**Town Clerk Howe:** Council Member Ganther

**Council Member Ganther: Aye**

**Town Clerk Howe:** Council Member Wenzel

**Council Member Wenzel: Aye**

**Town Clerk Howe:** Council Member Potter

**Council Member Potter: Aye**

**Resolution 83-21** Council Member Potter motioned, seconded by Council Member Ganther to authorize the Town Supervisor to pay the additional budgeted amount of \$8,374 to Mariaville Volunteer Fire Department and authorize the Town Supervisor to send out a notice letter stating the contract will be terminated for services as of January 1, 2022 unless another contract is approved.

Motion carried, 4 ayes

**Council Member Ganther:** Motion to approve the Comprehensive Plan update and directs that the Update in its final form be posted on the town website.



**Councilmember Wenzel: Second**

**Supervisor Tidball: Jen call the roll please.**

**Town Clerk Howe: Supervisor Tidball**

**Supervisor Tidball: Aye**

**Town Clerk Howe: Council Member Ganther**

**Council Member Ganther: Aye**

**Town Clerk Howe: Council Member Wenzel**

**Council Member Wenzel: Aye**

**Town Clerk Howe: Council Member Potter**

**Council Member Potter: Aye**

**Resolution 84-21** Council Member Ganther motioned, seconded by Council Member Wenzel to approve the Comprehensive Plan update and directs that the Update in its final form be posted on the town website.

Motion carried, 4 ayes

**Council Member Potter:** Motion to set the mileage rate for the remainder of 2021 to .56 per mile as per the IRS guidelines.

**Councilmember Ganther: Second**

**Supervisor Tidball: Jen call the roll please.**

**Town Clerk Howe: Supervisor Tidball**

**Supervisor Tidball: Aye**

**Town Clerk Howe: Council Member Ganther**

**Council Member Ganther: Aye**

**Town Clerk Howe:** Council Member Wenzel

**Council Member Wenzel:** Aye

**Town Clerk Howe:** Council Member Potter

**Council Member Potter:** Aye

**Resolution 85-21** Council Member Potter motioned, seconded by Council Member Ganther to set the mileage rate for the remainder of 2021 to .56 per mile as per the IRS guidelines.  
Motion carried, 4 ayes

**Council Member Potter:** Motion to table the dedication of the court room to past Judge Butler to a tentative date of some time in August.

**Councilmember Ganther:** Second

**Supervisor Tidball:** Jen call the roll please.

**Town Clerk Howe:** Supervisor Tidball

**Supervisor Tidball:** Aye

**Town Clerk Howe:** Council Member Ganther

**Council Member Ganther:** Aye

**Town Clerk Howe:** Council Member Wenzel

**Council Member Wenzel:** Aye

**Town Clerk Howe:** Council Member Potter

**Council Member Potter:** Aye

**Resolution 86-21** Council Member Potter motioned, seconded by Council Member Ganther to table the dedication of the court room to past Judge Butler to a tentative date of sometime in August.  
Motion carried, 4 ayes

**Council Member Potter:** Motion to authorize the Town Supervisor to continue talks with Spectrum to get quotes for Alexander and Suits Rds.

**Councilmember Ganther:** Second.

**Supervisor Tidball:** Jen call the roll please.

**Town Clerk Howe:** Supervisor Tidball

**Supervisor Tidball:** Aye

**Town Clerk Howe:** Council Member Ganther

**Council Member Ganther:** Aye

**Town Clerk Howe:** Council Member Wenzel

**Council Member Wenzel:** Aye

**Town Clerk Howe:** Council Member Potter

**Council Member Potter:** Aye

**Resolution 87-21** Council Member Potter motioned, seconded by Council Member Ganther to authorize the Town Supervisor to continue talks with Spectrum to get quotes for Alexander and Suits Rds.

Motion carried, 4 ayes

**Supervisor Tidball:** Ok, at this time we are going to open up privilege of the floor.

**Privilege of the floor:**

**Supervisor Tidball:** Read letter from resident Lynne Bruning see attached

**Supervisor Tidball:** Ok, if nothing else I will make the motion to adjourn

**Council Member Potter:** Second it.

**Supervisor Tidball:** Alrighty. Any discussion? Jen please call the roll.

**Town Clerk Howe:** Supervisor Tidball

**Council Supervisor Tidball:** Aye

**Town Clerk Howe:** Council Member Ganther

**Council Member Ganther:** Aye

**Town Clerk Howe:** Council Member Wenzel

**Council Member Wenzel:** Aye

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 May 13, 2021 at the Duanesburg Town Hall, 5853 Western Turnpike, Duanesburg, New York 12056.

Account#	Account Description	Fee Description	Qty	Local Share	
		Special Use Permit	1	100.00	
	Building Permit Renewal	Building Permit Renewal	1	80.00	
	Marriage License Fee	Marriage License Fee	2	35.00	
	Misc. Fees	Certified Copies - Death	22	220.00	
	Operating Permit	Operating Permit	1	30.00	
		<b>Sub-Total:</b>		<b>\$465.00</b>	
2110	Variance Application	Variance Application	2	200.00	
		<b>Sub-Total:</b>		<b>\$200.00</b>	
690.01	Village Of Delanson	Village Of Delanson	2	210.00	
		<b>Sub-Total:</b>		<b>\$210.00</b>	
A1255	Conservation	Conservation	4	5.62	
		<b>Sub-Total:</b>		<b>\$5.62</b>	
A2544	AFTER 30 DAYS	AFTER 30 DAYS	5	25.00	
	Dog Licensing	Female, Spayed	28	392.00	
		Female, Unspayed	3	66.00	
		Male, Neutered	26	364.00	
		Male, Unneutered	6	132.00	
		<b>Sub-Total:</b>		<b>\$979.00</b>	
B2555	Building Permits	Building Permits	17	2,855.00	
	Sign Permits	Sign Permits	1	50.00	
		<b>Sub-Total:</b>		<b>\$2,905.00</b>	
Sewer Dist #3	Permit & Connection Fee	Permit & Connection Fee	1	1,050.00	
		<b>Sub-Total:</b>		<b>\$1,050.00</b>	
<b>Total Local Shares Remitted:</b>				<b>\$5,814.62</b>	
Amount paid to: NYS Ag. & Markets for spay/neuter program				81.00	
Amount paid to: NYS Environmental Conservation				96.38	
Amount paid to: State Health Dept. For Marriage Licenses				45.00	
<b>Total State, County &amp; Local Revenues:</b>		<b>\$6,037.00</b>	<b>Total Non-Local Revenues:</b>		<b>\$222.38</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 April 2021.

### Revenues

<b>Fund</b>	<b>Amount</b>
General Fund	\$ 77,956.67
Highway Fund	\$ 14,562.90
Parks & Recreation	\$ 0.12
Parklands	\$ 0.00
Service Award	\$ 0.26
Sewer District #1	\$ 9.34
Sewer District #2	\$ 31.83
Sewer District #3	\$ 12.58
Mariaville UV	\$ 0.00
<b>Total</b>	<b><u>\$ 92,573.70</u></b>

### Disbursements

General Fund	\$ 110,986.32
Highway Fund	\$ 63,014.81
Park & Recreation	\$ 0.00
Parklands	\$ 11.24
Sewer District #1	\$ 8,901.23
Sewer District #2	\$ 10,952.87
Sewer District #3	\$ 2,737.82
Mariaville UV	\$ 10,852.20
<b>Total</b>	<b><u>\$ 207,445.25</u></b>

Dated April 12, 2021

Supervisors Office -- Town of Duanesburg

Town of Duanesburg Town Board

RESOLUTION NO. 79 - 2021

May 13, 2021

**WHEREAS**, the Town of Duanesburg Town Board has established Duanesburg Sewer Districts Nos. 1 and 3;

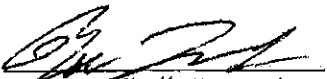
**WHEREAS**, the Delanson Wastewater Treatment Plant (the "Delanson WWTP") serves Duanesburg Sewer Districts Nos. 1 and 3;


**WHEREAS**, the Town Board retained MCJ Construction for contractor services in connection with Long Term Improvements Project at the Delanson WWTP (the "Project"); and

**WHEREAS**, MCJ Construction has submitted an invoice, dated April 20, 2021, for Town Board review in the amount of \$17,100 for services provided during the period ending April 19, 2021 ("Contractor Invoice No. 1").

**NOW, THEREFORE, BE IT RESOLVED**, the Town Board approves Contractor Invoice No. 1 and authorizes the Town Supervisor to submit the documentation to New York State Environmental Facilities Corporation to obtain the funds to pay the invoice and upon receipt of such funds authorizes payment to ~~Delaware~~ MCJ Construction in the amount of \$17,100.

By (unanimous/majority) vote of the Town Board of the Town of Duanesburg at its regular meeting of May 13, 2021.

  
Roger Tidball, Supervisor

  
Town Clerk/Deputy Town Clerk

Date

5/13/21

Date

5/13/21

Present:

Supervisor Tidball, Councilmembers Ganther, Potter + Wenzel

Absent:

Council member Senecal

Town Board Members:

Roger Tidball	<u>Yea</u>	Nay	Abstain
John Ganther	<u>Yea</u>	Nay	Abstain
Rick Potter	<u>Yea</u>	Nay	Abstain
William Wenzel	<u>Yea</u>	Nay	Abstain
Jeff Senecal	Yea	Nay	Abstain



## Delaware Engineering, D.P.C.

55 South Main Street  
Oneonta, NY 13820

Tel: 607.432.8073  
Fax: 607.432.0432

April 27, 2021

Roger Tidball  
Supervisor  
Town of Duanesburg  
5853 Western Turnpike  
Duanesburg, NY 12056

Re: Delanson WWTP Long Term Improvements (SD#1 & #3)  
SRF 5469-06

Sub: Contract TD1-G-20  
Payment Request #1

Dear Supervisor Tidball:

We have reviewed the attached Payment Application No. 1 for MCJ Construction, the contractor for the subject project, for the period ending April 19, 2021 in the amount of \$17,100. The balance to finish including retainage equals \$981,900.00

We agree with the level of work completed to date and the costs presented therein. Therefore, we recommend that the Village resolve to provide payment to the contractor in the amount requested by the contractor.

Attached for your files are the following items:

- Contractor's Application for Payment Cover Sheet & Continuation Sheets
- Certified Payroll
- Engineer's spreadsheet verifying contractor's payment application

Please contact me if you have any questions.

Respectfully,

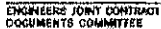
**DELAWARE ENGINEERING, D.P.C.**

Bill Brown, P.E.

P:\Duanesburg (T)\SD1\Long Term Improvements\Construction\pay apps\General\#1\TD1-G-20 Pay App 1 CL.doc

CC: Town Clerk (w/enclosures)  
TD1-G-20- File (w/enclosures)





## 1

Application 01/18/2021-04/19/2021

Application Date: 4/20/2021

To: Town of Duanesburg, 5853 Western Turnpike,  
Duanesburg, NY 12056

From (Contributor):

Via (Engineer): **Delaware Engineering, D.P.C.**

Project: Indianapolis WWTP Long Term Improvements

Address: 777 Braker Hill Road, Mayfield, NY 13117

Owner's Contract No. \_\_\_\_\_

Contractor's Project No.:

Engineer's Project No.: TD1-G-20

[Click & Order Summary](#)

TOTALS  
NET CHANGE BY  
CHANGE ORDERS

- |  |    |              |
|--|----|--------------|
| 1. ORIGINAL CONTRACT PRICE   | \$ | 9999,000.00  |
| 2. Net change by Change Order  | \$ |              |
| 3. Current Contract Price (Line 1 & 2)   | \$ | 9999,000.00  |
| 4. TOTAL COMPLETED AND STORED TO DATE<br>(Column F total on Progress Estimate)                 | \$ | 5,108,000.00 |
| 5. RETAINAGE:  |    |              |
| a. 5% X \$18,000.00 Work Completed   | \$ | \$900.00     |
| b. X Stored Material   | \$ |              |
| c. Total Retainage (Line 5.a + Line 5.b)   | \$ | \$900.00     |
| 6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5.c)   | \$ | \$17,100.00  |
| 7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application)                                      | \$ |              |
| 8. AMOUNT DUE THIS APPLICATION   | \$ | \$17,100.00  |
| 9. BALANCE TO FINISH, PLUS RETAINAGE<br>(Column G total on Progress Estimate + Line 5.c above) | \$ | \$78,900.00  |

### Contractor's Certification

The undersigned Contractor certifies, to the best of his knowledge, the following:

- (1) All previous progress payments received from Owner on account of Work done under the Contract have been used by the Contractor for the Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment.
- (2) Title to all Work, materials and equipment incorporated in said Work, or otherwise loaned to or covered by this Application for Payment, will pass to Owner in full of payment from and clear of all liens, security interests, and encumbrances (except such as are covered by a bond acceptable to Owner in conformity with Owner against any such liens, security interest, or encumbrance); and
- (3) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

Payment of \$ 17,100

is recommended by: Bill B... 4/27/202  
(Engineer) (Date)

Payment of \$ \_\_\_\_\_  
(Line 8 or other - attach explanation of this other amount)

is approved by: \_\_\_\_\_  
(Signature) (Date)

Approved by: \_\_\_\_\_  
Funding or Financing Entity (if applicable) (Date)

### Contractor's Application

EJCB® C-620 Contractor's Application for Payment  
 © 2013 National Society of Professional Engineers for EJCB. All rights reserved.  
 Page 2 of 2

US Department of Labor  
Wage and Hour Division

PAYROLL

For Contractor's Optional Use; See Instructions at [www.dol.gov/whd/forms/wh347instr.htm](http://www.dol.gov/whd/forms/wh347instr.htm)



Persons are not required to respond to the collection of information unless it displays a current valid OMB control number

Rev Dec. 06

Name of Contractor <b>MCJ CONSTRUCTION, LLC</b>		ADDRESS: <b>777 BUNKER HILL ROAD MAYFIELD, NY 12117</b>		OMB No. 1205-0008 Expires 02/28/15																
FEIN <b>14-1835610</b>	For Week Ending <b>3/28/2021</b>	PROJECT AND LOCATION: <b>Town of Duaneburg, Delanson WWTP 1376 Cole Road, Delanson, NY 12053</b>				PROJECT OR CONTRACTOR NO. PRC NO. <b>#2020009005</b>														
Name and Individual Identifying Number of Worker	No. of With- holdings	Work Classification	ST of	Day and Date							Total Hours	Rate of Pay	Gross Amount Earned	Deductions					Total Deductions	Net Wages Paid for week
				M 3/22	T 3/23	W 3/24	TH 3/25	F 3/26	S 3/27	S 3/28				FICA	Fed WH tax	NY9 tax	PTL SDI	Other		
Garber, Christian 14 Yawman Trl Saratoga Springs, NY 12866		Engineer	OT								0		0.00						0.00	0.00
Putman, Ryan D 112 Little Rock Lane Brookhaven, NY 12025	S/O	Labor	OT								0		0.00						0.00	0.00
Chene, Jonathan 229 Midline Rd Amsterdam, NY 12010	MAO	Labor	ST								0		0.00						0.00	0.00
Sergels, Jeffrey E 29 S. Shore Rd Northville, NY 12134	SAO	Manager	HO								0		62.50	250.00	19.12	46.86	14.58	1.34	81.72	186.28
			ST								0		0.00						0.00	0.00
			ST								0		0.00						0.00	0.00
			ST								0		0.00						0.00	0.00

While completion of Form WH-347 is optional, it is mandatory for covered contractors and subcontractors performing work on Federally financed or assisted construction contracts to respond to the information collection contained in 29 C.F.R. 5.3, 5.5(a), the Copeland Anti-Kickback Act (40 U.S.C. 9105) contractors and subcontractors performing work on Federally financed or assisted construction contracts to submit weekly a statement with respect to the wages paid each employee during the preceding week. U.S. Department of Labor (DOL) regulations at 29 C.F.R. 5.5(a)(3)(vi) require contractors to submit weekly a copy of all payrolls to the Federal agency contracting to or financing the construction project, accompanied by a signed "Statement of Compliance" indicating that the payrolls are correct and that each laborer or mechanic has been paid not less than the proper Davis-Bacon prevailing wage rate for the work performed. DOL and federal contracting agencies receiving this information review the information to determine that employees have received legally required wages and fringe benefits.

Public Burden Statement

We estimate that it will take an average of 50 minutes to complete this collection, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding these estimates of any other aspect of this collection, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor Room 63502, 200 Constitution Ave N.W., Washington, D.C. 20210

Date 4/2/2021

I, Leslie Garber Member/Manager  
(Name of Signatory Party) (Title)  
do hereby state:

(1) That I pay or supervise the payment of the persons employed by

MCJ CONSTRUCTION, LLC on the  
(Contractor or Subcontractor)

Town of Duaneburg, Delanson WI; that during the payroll period commencing on the  
(Building or Work)  
22nd day of March 2021, and ending the 28th day of March 2021.

all persons employed on said project have been paid the full weekly wages earned, that no rebates have been or will be made either directly or indirectly to or on behalf of said

MCJ CONSTRUCTION, LLC from the full  
(Contractor or Subcontractor)

weekly wages earned by any person and that no deductions have been made either directly or indirectly from the full wages earned by any person, other than permissible deductions as defined in Regulations, Part 3 (29 C.F.R. Subtitle A), issued by the Secretary of Labor under the Copeland Act, as amended (48 Stat. 948, 63 Stat. 408, 72 Stat. 967; 76 Stat. 967; 40 U.S.C. & 3145), and described below:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(2) That any payrolls otherwise under this contract required to be submitted for the above period are correct and complete; that the wage rates for laborers or mechanics contained therein are not less than the applicable wage rates contained in any wage determination incorporated into the contract; that the classifications set forth therein for each laborer or mechanic conform with the work he performed.

(3) That any apprentices employed in the above period are duly registered in a bona fide apprenticeship program registered with a State apprenticeship agency recognized by the Bureau of Apprenticeship and Training, United States Department of Labor, or if no such recognized agency exists in a State, are registered with the Bureau of Apprenticeship and Training, United States Department of Labor.

(4) That:

(a) WHERE FRINGE BENEFITS ARE PAID TO APPROVED PLANS, FUNDS OR PROGRAMS

XX In addition to the basic hourly wage rates paid to each laborer or mechanic listed in the above referenced payroll, payments of fringe benefits as listed in the contract have been or will be made to appropriate programs for the benefit of such employees, except as noted in section 4 (c) below. employees, except as noted in section 4 (c) below.

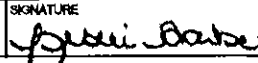
(b) WHERE FRINGE BENEFITS ARE PAID IN CASH

XX Each laborer or mechanic listed in the above referenced payroll has been paid as indicated on the payroll, an amount not less than the sum of the applicable basic hourly wage rate plus the amount of the required fringe benefits as listed in the contract, except as noted in section 4(c) below.

(c) EXCEPTIONS

EXCEPTION (CRAFT)	EXPLANATION

REMARKS:

Name and Title <u>Leslie Garber/Member</u>	SIGNATURE 
THE WILLFUL FALSIFICATION OF ANY OF THE ABOVE STATEMENTS MAY SUBJECT THE CONTRACTOR OF SUBCONTRACTOR TO CIVIL OR CRIMINAL PROSECUTION. SEE SECTION 1001 OF TITLE 18 AND SECTION 251 OF TITLE 51 OF THE UNITED STATES CODE.	

US Department of Labor

Wage and Hour Division

## PAYROLL

For Contractor's Optional Use: See Instructions at [www.dol.gov/whd/forms/wh347instr.htm](http://www.dol.gov/whd/forms/wh347instr.htm)

U.S. Wage and Hour Division

Rev Dec, 06

Persons are not required to respond to the collection of information unless it displays a current valid OMB control number

Name of Contractor <b>MCJ CONSTRUCTION, LLC</b>		ADDRESS: <b>777 BUNKER HILL ROAD MAYFIELD, NY 12117</b>										OMB No. 1205-0005 Expires 02/28/18											
FEIN <b>14-1835610</b>		For Week Ending <b>4/4/2021</b>		PROJECT AND LOCATION: <b>Town of Duanesburg, Delanson WWTP 1376 Cole Road, Delanson, NY 12053</b>										PROJECT OR CONTRACTOR NO. PRC NO. <b>#2020009005</b>									
Name and Individual Identifying Number of Worker	No. of With- holdings	Work Classification	ST of	Day and Date							Total Hours	Rate of Pay	Gross Amount Earned	Deductions					Total Deductions	Net Wages Paid for week			
				M	T	W	TH	F	S	S				3/29	3/30	3/31	4/1	4/2			4/3	4/4	FICA
Garber, Christian 18 Tamarack Trl Saratoga Springs, NY 12908		Engineer	OT										0		0.00							0.00	0.00
Pitman, Ryan D 112 Little Rock Lane Brookhaven, NY 12025	540	Labor	OT HOL ST										0 0 67.99		489.32	36.49	73.26	22.72	2.49	46.99	180.44	283.48	
Owens, Jonathan 229 Midline Rd Amsterdam, NY 12010	540	Labor	OT ST										0 67.99		0.00						0.00	0.00	
Serpelle, Jeffrey E 29 S. Shore Rd Northville, NY 12134	540	Manager	HOL ST										0 62.50 20 62.50		1,250.00	95.82	233.40	72.86	6.89		408.97	841.43	
			OT ST ST										0 0 0		0.00						0.00	0.00	
			ST ST										0 0		0.00						0.00	0.00	

While completion of Form WH-347 is optional, it is mandatory for covered contractors and subcontractors performing work on Federally financed or assisted construction contracts to respond to the information collection contained in 29 C.F.R. 5.2, 5.5(a), the Copeland Act (40 U.S.C. 9145) contractors and subcontractors performing work on Federally financed or assisted construction contracts to submit weekly a statement with respect to the wages paid each employee during the preceding week. U.S. Department of Labor (DOL) regulations at 29 C.F.R. 5.5(a)(3)(ii) require contractors to submit weekly a copy of all payrolls to the Federal agency contracting to or financing the construction project, accompanied by a signed "Statement of Compliance" indicating that the payrolls are correct and that each laborer or craftsman has been paid not less than the proper Davis-Bacon prevailing wage rate for the work performed. DOL and Federal contracting agencies receiving this information review the information to determine that employees have received legally required wages and fringe benefits.

## Public Burden Statement

We estimate that it will take an average of 60 minutes to complete this collection, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding these estimates or any other aspect of this collection, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor Room 5302, 200 Constitution Ave N.W., Washington, D.C. 20210

Date 4/9/2021

I, Leslie Garber Member/Manager  
(Name of Signatory Party) (Title)  
do hereby state:

(1) That I pay or supervise the payment of the persons employed by

MCJ CONSTRUCTION, LLC on the  
(Contractor or Subcontractor)

Town of Duaneburg, Delanson WI; that during the payroll period commencing on the  
(Building or Work)  
29th day of March 2021, and ending the 4th day of April 2021

all persons employed on said project have been paid the full weekly wages earned, that no rebates have been or will be made either directly or indirectly to or on behalf of said

MCJ CONSTRUCTION, LLC from the full  
(Contractor or Subcontractor)

weekly wages earned by any person and that no deductions have been made either directly or indirectly from the full wages earned by any person, other than permissible deductions as defined in Regulations, Part 3 (29 C.F.R. Subpart A), issued by the Secretary of Labor under the Copeland Act, as amended (48 Stat. 948, 63 Stat. 106, 72 Stat. 967; 76 Stat. 367; 40 U.S.C. § 3148), and described below:

(2) That any payrolls otherwise under this contract required to be submitted for the above period are correct and complete; that the wage rates for laborers or mechanics contained therein are not less than the applicable wage rates contained in any wage determination incorporated into the contract; that the classifications set forth therein for each laborer or mechanic conform with the work he performed.

(3) That any apprentices employed in the above period are duly registered in a bona fide apprenticeship program registered with a State apprenticeship agency recognized by the Bureau of Apprenticeship and Training, United States Department of Labor, or if no such recognized agency exists in a State, are registered with the Bureau of Apprenticeship and Training, United States Department of Labor.

(4) That:

(a) WHERE FRINGE BENEFITS ARE PAID TO APPROVED PLANS, FUNDS OR PROGRAMS

XX In addition to the basic hourly wage rates paid to each laborer or mechanic listed in the above referenced payroll, payments of fringe benefits as listed in the contract have been or will be made to appropriate programs for the benefit of such employees, except as noted in section 4 (c) below. employees, except as noted in section 4 (c) below.

(b) WHERE FRINGE BENEFITS ARE PAID IN CASH

XX Each laborer or mechanic listed in the above referenced payroll has been paid as indicated on the payroll, an amount not less than the sum of the applicable basic hourly wage rate plus the amount of the required fringe benefits as listed in the contract, except as noted in section 4(c) below.

(c) EXCEPTIONS

EXCEPTION (CRAFT)	EXPLANATION

REMARKS:

Name and Title <u>Leslie Garber/Member</u>	SIGNATURE <u>Leslie Garber</u>
THE WILLFUL FALSIFICATION OF ANY OF THE ABOVE STATEMENTS MAY SUBJECT THE CONTRACTOR OR SUBCONTRACTOR TO CIVIL OR CRIMINAL PROSECUTION. SEE SECTION 1061 OF TITLE 18 AND SECTION 921 OF TITLE 31 OF THE UNITED STATES CODE.	

202

**Town of Duanesburg Town Board**

**RESOLUTION NO. 80 2021**

**May 13, 2021**

**WHEREAS**, the Town of Duanesburg Town Board has established Duanesburg Sewer Districts Nos. 1 and 3;

**WHEREAS**, the Delanson Wastewater Treatment Plant (the "Delanson WWTP") serves Duanesburg Sewer Districts Nos. 1 and 3;

**WHEREAS**, the Town Board retained Delaware Engineering, D.P.C., ("Delaware") for professional services in connection with Long Term Improvements Project at the Delanson WWTP (the "Project"); and

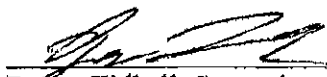
**WHEREAS**, Delaware has submitted an invoice, dated February 23, 2021, for Town Board review in the amount of **\$1,370.00** for professional services provided during February and March 2021 ("Professional Services Invoice No. 12"); and

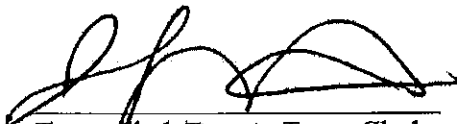
**WHEREAS**, Delaware has submitted an invoice, dated February 23, 2021, for Town Board review in the amount of **\$3,813.63** for professional services provided during March and April 2021 ("Professional Services Invoice No. 13").

**NOW, THEREFORE, BE IT RESOLVED**, the Town Board approves Professional Services Invoice Nos. 12 and 13 and authorizes the Town Supervisor to submit the documentation to New York State Environmental Facilities Corporation to obtain the funds to pay the invoice and upon receipt of such funds authorizes payment to Delaware in the amount of **\$5,183.63**.

By (unanimous/majority) vote of the Town Board of the Town of Duanesburg at its regular meeting of May 13, 2021.



  
Roger Tidball, Supervisor

  
Town Clerk/Deputy Town Clerk

Date 5/21/21

Date 5/21/21

Present: Council member Potter, Ganther, Wenzel Supervisor Tidball  
Absent: Council member Senecal

Town Board Members:

Roger Tidball	<input checked="" type="radio"/> Yea	Nay	Abstain
John Ganther	<input checked="" type="radio"/> Yea	Nay	Abstain
Rick Potter	<input checked="" type="radio"/> Yea	Nay	Abstain
William Wenzel	<input checked="" type="radio"/> Yea	Nay	Abstain
Jeff Senecal	<input type="radio"/> Yea	Nay	Abstain



## DELAWARE ENGINEERING, D.P.C.

55 South Main Street  
Oneonta, NY 13820

Tel: 607.432.8073  
Fax: 607.432.0432

March 19, 2021

Town of Duanesburg  
Attn.: Roger Tidball, Town Supervisor  
Town Hall  
5853 Western Turnpike  
Duanesburg, NY 12056

Re: Delanson WWTP (SD#1 & SD#3)  
Long Term Improvements Project - Professional Services Invoice #12

Dear Roger:

Attached for Town review, processing and payment is our invoice totaling \$1,370.00 for services related to the above referenced project.

Services provided during February 2021 included:

- Continued communications with Town and regulatory agencies
- Receive and review contractor bonds and insurance
- Begin submittal review
- Schedule preconstruction meeting with Town and contractors

Services anticipated to be provided during March 2021 include:

- Continued communications with Town and regulatory agencies
- Prepare for and attend preconstruction meeting on March 24 at Delanson WWTP
- Continue submittal review
- NYSEFC compliance documentation

Please contact me at 607-432-8073 if you have any questions.

Respectfully,

**DELAWARE ENGINEERING, D.P.C.**

Bill Brown, P.E. for  
Dave Ohman, P.E.

Attachment

CC: Cheryl DeCarr, Delaware Engineering, D.P.C. (w/enclosures)

03-2021 Duanesburg (T) Delanson WWTP Long Term Improvements CL 12



Delaware Engineering, D.P.C.  
28 Madison Ave. Ext.  
Albany, NY 12203  
(518) 452-1290

Town of Duanesburg  
Town Hall  
5853 Western Turnpike  
Duanesburg, NY 12056

Invoice number 19-1712-12  
Date 03/12/2021

Project 19-1712 Town of Duanesburg - Delanson  
WWTP Long Term Improvements

For Services Rendered Through February 28, 2021

**3 Construction Management/Admin**

	Units	Rate	Billed Amount
Eric Michelitsch	3.50	110.00	385.00
William J. Brown	2.00	155.00	310.00
subtotal	5.50		695.00
Phase subtotal			695.00

**6A NYSEFC Contract Coordination (SUB-Deroo Consulting)  
CONSULTANT**

	Units	Rate	Billed Amount
Deroo Consulting			675.00
Invoice total			1,370.00

Approved by:

William J. Brown

Please remit payment to:  
Delaware Engineering, D.P.C.  
28 Madison Ave. Ext.  
Albany, NY 12203

# DELAWARE ENGINEERING, D.P.C.

55 South Main Street, Oneonta, New York 13820 Phone 607-482-8078/FAX 607-482-0482

Town of Duanesburg  
Town Hall  
5853 Western Turnpike  
Duanesburg, NY 12056

PROJECT ID 19-1712

PROJECT: Delanson WWTP Long Term Improvements  
INVOICE/REQUISITION No.: 12

	CURRENT COST	PREVIOUS COST	COST TO DATE	BUDGET
<b>1. Task 1 - Design</b>				
Labor	\$ -	\$ 54,532.50	\$ 54,532.50	\$ 55,300.00
Reimbursable Expenses	\$ -	\$ 767.19	\$ 767.19	
Subcontractors (Atlantic Testing Laboratories)	\$ -	\$ 8,700.00	\$ 8,700.00	\$ 8,700.00
Subcontractors (Ryan Biggs Clark Davis Eng & Surveying)	\$ -	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00
Subcontractors (Whitman Engineering)	\$ -	\$ 10,000.00	\$ 10,000.00	\$ 11,000.00
<b>SUBTOTAL-TASK 1</b>	\$ -	\$ 98,999.69	\$ 98,999.69	\$ 100,000.00
<b>2. Task 2 - Bid/Award</b>				
Labor	\$ -	\$ 7,496.25	\$ 7,496.25	
Reimbursable Expenses	\$ -	\$ -	\$ -	
<b>SUBTOTAL-TASK 2</b>	\$ -	\$ 7,496.25	\$ 7,496.25	\$ 7,500.00
<b>3. Task 3 - Construction Management/Admin</b>				
Labor	\$ 695.00	\$ -	\$ 695.00	
Reimbursable Expenses	\$ -	\$ -	\$ -	
<b>SUBTOTAL-TASK 3</b>	\$ 695.00	\$ -	\$ 695.00	\$ 50,000.00
<b>4. Task 4 - Construction Inspection</b>				
Labor	\$ -	\$ -	\$ -	
Reimbursable Expenses	\$ -	\$ -	\$ -	
Subcontractors	\$ -	\$ -	\$ -	
<b>SUBTOTAL-TASK 4</b>	\$ -	\$ -	\$ -	\$ 74,000.00
<b>5. Task 5 - As Built Drawing Preparation</b>				
Labor	\$ -	\$ -	\$ -	\$ 500.00
Reimbursable Expenses	\$ -	\$ -	\$ -	
Subcontractors (Synergetic Solutions, LLC)	\$ -	\$ -	\$ -	\$ 3,000.00
<b>SUBTOTAL-TASK 5</b>	\$ -	\$ -	\$ -	\$ 3,500.00

# DELAWARE ENGINEERING, D.P.C.

55 South Main Street, Oneonta, New York 13820 Phone 607-482-8078/FAX 607-482-0482

	CURRENT COST	PREVIOUS COST	COST TO DATE	BUDGET
<b>6. Task 6 - NYSEFC Contract Coordination</b>				
Labor	\$ -	\$ 4,998.75	\$ 4,998.75	\$ 5,000.00
Reimbursable Expenses	\$ -	\$ -	\$ -	
Subcontractors (Deroo Consulting)	\$ 675.00	\$ -	\$ 675.00	\$ 10,000.00
<b>SUBTOTAL-TASK 6</b>	<b>\$ 675.00</b>	<b>\$ 4,998.75</b>	<b>\$ 5,673.75</b>	<b>\$ 15,000.00</b>
<b>7. Task 7 - Preliminary Engineering</b>				
Labor	\$ -	\$ 70,894.70	\$ 70,894.70	\$ -
Reimbursable Expenses	\$ -	\$ -	\$ -	
<b>SUBTOTAL-TASK 7</b>	<b>\$ -</b>	<b>\$ 70,894.70</b>	<b>\$ 70,894.70</b>	<b>\$ 70,894.70</b>
<b>TOTAL</b>	<b>\$ 1,370.00</b>	<b>\$182,389.39</b>	<b>\$ 183,759.39</b>	<b>\$ 320,894.70</b>
<b>AMOUNT DUE FOR CURRENT SERVICES</b>	<b>\$ 1,370.00</b>			
<b>AMOUNT PAST DUE</b>	<b>\$ 7,928.75</b>	<b>Invoice #11, 2/12/2021</b>		
<b>TOTAL NOW DUE</b>	<b>\$ 9,298.75</b>			
<b>BUDGET BALANCE</b>		<b>\$137,135.31</b>		

THIS STATEMENT REFLECTS PAYMENTS RECEIVED ON OR BEFORE BILLING DATE

## Deroo Consulting

Fiscal Assistance  
13 McKinley Drive  
Delmar, New York 12054  
(616) 886-5678  
derooconsulting@gmail.com

# INVOICE

INVOICE NO: 42  
DATE: March 1, 2021

RECEIVED MAR 01 2021

#19-1712  
GA

### Delaware Engineering, DPC

55 South Main Street  
Oneonta, NY 13820  
607-432-8073  
607-432-0432 FAX

DESCRIPTION	UNIT PRICE	AMOUNT
Town of Duanesburg WWTP Project C4-5469-06-00		\$675.00
Total Hours: 9 hours in February 2021	\$75 per hour	\$ 0.00
<ul style="list-style-type: none"><li>MWBE Monthly reports: compilation and submission</li><li>Reviewing documents</li><li>Working with sub contractors on UPs</li><li>Working with town staff</li></ul>		\$ 0.00
Mileage (miles) for on-site meeting	\$.575 per mile	\$0.00
Postage	as per receipt	\$ 0.00
Supplies and copies (see receipts)		\$ 0.00

Make all checks payable to: Leslie Deroo  
If you have questions concerning this invoice, call: Leslie Deroo, (616) 886-5678

THANK YOU FOR YOUR BUSINESS

**Town of Duanesburg Town Board**

**RESOLUTION NO. 81 - 2021**

**May 13, 2021**

**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 amended the New York State Pollutant Discharge Elimination System Permit for the Mariaville WWTP requiring that the Mariaville WWTP effluent be disinfected (the "Project"); and

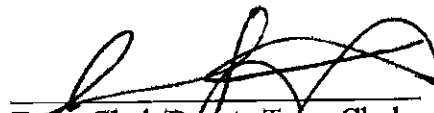
**WHEREAS**, the Town Board retained Delaware Engineering, D.P.C., ("Delaware") for professional services in connection with Long Term Improvements Project at the Delanson WWTP (the "Project"); and

**WHEREAS**, Delaware has submitted an invoice, dated April 21, 2021, for Town Board review in the amount of **\$10,582.00** for professional services provided during March and April 2021 ("Professional Services Invoice No. 1").

**NOW, THEREFORE, BE IT RESOLVED**, the Town Board approves Professional Services Invoice Nos. 1 and authorizes payment of such invoice in the amount of \$10,582.00 from the designated account holding the Bond proceeds for this purpose.

By (unanimous/majority) vote of the Town Board of the Town of Duanesburg at its regular meeting of May 13, 2021.

  
Roger Tidball, Supervisor

  
Town Clerk/Deputy Town Clerk

Date 5/13/21

Date 5/13/21

Present: Supervisor Tidball, Council members Ganther, Potter + Wenzel  
Absent: Council member Senecal

**Town Board Members:**

Roger Tidball	<u>Yea</u>	Nay	Abstain
John Ganther	<u>Yea</u>	Nay	Abstain
Rick Potter	<u>Yea</u>	Nay	Abstain
William Wenzel	<u>Yea</u>	Nay	Abstain
Jeff Senecal	Yea	Nay	Abstain



## DELAWARE ENGINEERING, D.P.C.

55 South Main Street  
Oneonta, NY 13820

Tel: 607.432.8073  
Fax: 607.432.0432

April 21, 2021

Town of Duanesburg  
Attn.: Roger Tidball, Town Supervisor  
Town Hall  
5853 Western Turnpike  
Duanesburg, NY 12056

Re: Mariaville WWTP (SD#2)  
Disinfection Improvements Project - Professional Services Invoice #1

Dear Roger:

Attached for Town review, processing and payment is our invoice totaling \$10,582.20 for services related to the above referenced project.

Services provided through March 2021 included:

- Continued communications with Town and regulatory agencies
- Assist Town in execution of grant agreement with NYSDEC
- Preparation of funding agency documentation
- Assist Town in securing short term financing for project
- Travel to site to review project with Town personnel
- Prepare contract plans and specifications
- Contact equipment suppliers to obtain technical information

Services anticipated to be provided during April 2021 include:

- Continued communications with Town and regulatory agencies
- Prepare DEC grant compliance documentation
- Continued preparation of contract plans and specifications
- Submission of draft plans to NYSDEC for review in accordance with SPDES permit schedule

Please contact me at 607-432-8073 if you have any questions.

Respectfully,  
**DELAWARE ENGINEERING, D.P.C.**

Bill Brown, P.E. for  
Dave Ohman, P.E.

Attachment

CC: Cheryl DeCarr, Delaware Engineering, D.P.C. (w/enclosures)

04-2021 Duanesburg (T) Mariaville WWTP Disinfection Improvements CL 1





Delaware Engineering, D.P.C.  
28 Madison Ave. Ext.  
Albany, NY 12203  
(518) 452-1290

Town of Duanesburg  
Town Hall  
5853 Western Turnpike  
Duanesburg, NY 12056

Invoice number 20-2078-1  
Date 04/15/2021

Project 20-2078 Town of Duanesburg - Mariaville  
WWTP Disinfection Improvements

For Services Rendered Through April 04, 2021

**1 Design**

	Units	Rate	Billed Amount
Michael Primmer	5.00	160.00	800.00
	26.25	165.00	4,661.25
	14.75	165.00	2,433.75
William J. Brown	4.00	155.00	620.00
	8.00	155.00	1,240.00
subtotal	60.00		9,765.00

**REIMBURSABLES**

	Units	Rate	Billed Amount
Michael Primmer			
Mileage - Oneonta 2021	120.00	0.56	67.20
Phase subtotal			9,822.20

**6 NYSDEC Contract Coordination**

	Units	Rate	Billed Amount
Robert G. Chiappisi	1.00	115.00	115.00
	1.50	120.00	180.00
William J. Brown	3.00	155.00	465.00
subtotal	5.50		760.00
Phase subtotal			760.00

Invoice total **10,582.20**

Approved by:  
William J. Brown

Please remit payment to:  
Delaware Engineering, D.P.C.  
28 Madison Ave. Ext.  
Albany, NY 12203

# DELAWARE ENGINEERING, D.P.C.

55 South Main Street, Oneonta, New York 18820 Phone 607-432-8078/FAX 607-432-0432

Town of Duanesburg  
Town Hall  
5853 Western Turnpike  
Duanesburg, NY 12056

PROJECT ID 20-2078

PROJECT: Mariaville WWTP Disinfection Improvements  
INVOICE/REQUISITION No.: 1

	CURRENT COST	PREVIOUS COST	COST TO DATE	BUDGET
<b>1. Task 1 - Design</b>				
Labor	\$ 9,755.00	\$ -	\$ 9,755.00	
Reimbursable Expenses	\$ 67.20	\$ -	\$ 67.20	
<b>SUBTOTAL - TASK 1</b>	<b>\$ 9,822.20</b>	<b>\$ -</b>	<b>\$ 9,822.20</b>	<b>\$ 30,000.00</b>
<b>2. Task 2 - Bid/Award</b>				
Labor	\$ -	\$ -	\$ -	
Reimbursable Expenses	\$ -	\$ -	\$ -	
<b>SUBTOTAL - TASK 2</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 7,500.00</b>
<b>3. Task 3 - Construction Management/Admin</b>				
Labor	\$ -	\$ -	\$ -	
Reimbursable Expenses	\$ -	\$ -	\$ -	
<b>SUBTOTAL - TASK 3</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 15,000.00</b>
<b>4. Task 4 - Construction Inspection</b>				
Labor	\$ -	\$ -	\$ -	
Reimbursable Expenses	\$ -	\$ -	\$ -	
<b>SUBTOTAL - TASK 4</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 17,500.00</b>
<b>5. Task 5 - As Built Drawing Preparation</b>				
Labor	\$ -	\$ -	\$ -	
Reimbursable Expenses	\$ -	\$ -	\$ -	
<b>SUBTOTAL - TASK 5</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 2,500.00</b>

# DELAWARE ENGINEERING, D.P.C.

55 South Main Street, Oneonta, New York 13820 Phone 607-482-8078/FAX 607-482-0482

	CURRENT COST	PREVIOUS COST	COST TO DATE	BUDGET
<b>6. Task 6 - NYSDEC Contract Coordination</b>				
Labor	\$ 760.00	\$ -	\$ 760.00	
Reimbursable Expenses	\$ -	\$ -	\$ -	
<b>SUBTOTAL - TASK 6</b>	<b>\$ 760.00</b>	<b>\$ -</b>	<b>\$ 760.00</b>	<b>\$ 8,250.00</b>
<b>TOTAL</b>	<b>\$ 10,582.20</b>	<b>\$ -</b>	<b>\$ 10,582.20</b>	<b>\$ 80,750.00</b>
<b>AMOUNT DUE FOR CURRENT SERVICES</b>	<b>\$ 10,582.20</b>			
<b>AMOUNT PAST DUE</b>	<b>\$ -</b>			
<b>TOTAL NOW DUE</b>	<b>\$ 10,582.20</b>			
<b>BUDGET BALANCE</b>	<b>\$ 70,167.80</b>			

THIS STATEMENT REFLECTS PAYMENTS RECEIVED ON OR BEFORE BILLING DATE

**Town of Duanesburg Town Board**

**RESOLUTION NO. 82-2021**

**May 13, 2021**


**WHEREAS**, on January 29, 2021, Hon. Vincent W. Versaci issued an Order and Judgment authorizing the Town of Duanesburg (the "Town") to remediate any and all unsafe and dangerous conditions existing at 111 Darby Hill Road (the "Property") including demolition and removal of the structures; and


**WHEREAS**, the Town retained Prime AE Group of NY ("Prime AE") to prepare plans and specification for the demolition and removal of said structures including testing, preparation of project scope, and overseeing the bidding process, for a contract amount of not to exceed \$5,000; and

**WHEREAS**, Prime AE has proposed to provide additional air monitoring services during demolition on behalf of the Town in an addition amount not to exceed \$1,250.00 (see attached proposal and agreement dated April 2021);

**BE IT RESOLVED**, that the Town Board authorizes the Town Supervisor to sign the attached agreement with Prime AE to provide the additional air monitoring services in an amount not to exceed \$1250.00.

By (unanimous/majority) vote of the Town Board of the Town of Duanesburg at its regular meeting of May 13, 2021.

  
Roger Tidball, Supervisor

  
Town Clerk/Deputy Town Clerk

Present: Supervisor Tidball, Council members Ganther, Potter + Wenzel  
Absent:

Council member Senecal  
Town Board Members:

Roger Tidball	<input checked="" type="radio"/> Yea	Nay	Abstain
John Ganther	<input checked="" type="radio"/> Yea	Nay	Abstain
Rick Potter	<input checked="" type="radio"/> Yea	Nay	Abstain
William Wenzel	<input checked="" type="radio"/> Yea	Nay	Abstain
Jeff Senecal	Yea	Nay	Abstain



Albany Office  
100 Great Oaks Boulevard | Suite 114 | Albany, New York 12203  
P: 518.382.1774

April 13, 2021

Dale Warner, Town Planner  
Town of Duanesburg  
5853 Western Turnpike  
Duanesburg, NY 12056

**Re: Town of Duanesburg  
Unsafe Building Demolition  
111 Darby Hill Road  
Proposal for Additional Engineering Services**

Dear Mr. Warner:

We are pleased to provide this proposal for additional engineering services to prepare a separate asbestos air monitoring scope of work now that we know that the demolition of the residential building located at 111 Darby Hill Road in the Town of Duanesburg has to be demolished under blanket asbestos conditions since testing for asbestos and potential abatement is unsafe. This is an amendment to our original contract dated February 10, 2021 (executed copy attached) where we mentioned an alternate scope of work may be needed if we have to deal with asbestos. Our tasks will include the following:

Additional Scope

- PRIME AE will prepare a separate ACM air monitoring scope of work suitable for obtaining price quotes for the required work.
- PRIME AE will review the ACM air monitoring bid quotes and recommend a testing firm that the Town should hire.

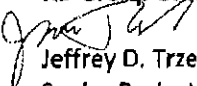
We propose to provide the aforementioned scope of services for a lump fee not to exceed \$1,250.00, which will be billed monthly on a percentage complete basis. Our work under this Proposal will be performed in accordance with our Standard Terms & Conditions. If you are in agreement with this Proposal and the attached Standard Terms & Conditions, please return an executed copy of this proposal.

PRIME AE can provide a separate fee for inspection services, if the Town would like us to oversee the demolition work and confirm it is completed in accordance with the plans and specifications.

Thank you for considering us for this work, and if you have any questions or need anything further, please contact me at your convenience.

Sincerely,

KB Group of NY, Inc. dba PRIME AE Group of NY

  
Jeffrey D. Trzeciak, P.E.  
Senior Project Manager



CONNECTING. CREATING. CONSERVING. COMMUNITY.  
[www.primeeng.com](http://www.primeeng.com)

Dale Warner  
Unsafe Building Demolition  
April 13, 2021  
Page Two

Enclosure: Standard Terms & Conditions

AGREED TO BY TOWN OF DUANESBURG:

AGREED TO BY KB GROUP OF NY, INC. DBA  
PRIME AE GROUP OF NY:

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

\_\_\_\_\_  
Kumar Buvanendaran, P.E. – President & CEO

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_





**KB Group of NY, Inc. dba PRIME AE Group of NY  
Standard Terms & Conditions**

**1. General.** These Standard Terms & Conditions, together with the accompanying proposal, constitute the full and complete Agreement between KB Group of NY, Inc. dba PRIME AE Group of NY (and its affiliates and subsidiaries) ("PRIME AE") and the entity or person to whom the proposal is addressed ("Client") to perform basic or additional services as set forth in the proposal. PRIME AE and Client may be referred to collectively herein as "the parties", and any one of them may be referred to as "a party". The technical and pricing information in the proposal is the confidential and proprietary property of PRIME AE and shall not be disclosed or made available to third parties without the written consent of PRIME AE. Unless otherwise specified in the proposal, the proposal fees and schedule constitute PRIME AE's best estimate of the charges and time required to complete the project. As the project progresses, site conditions, changes in the law, or other unknown facts or events may dictate revisions in scope and fee. PRIME AE will inform Client of such situations so that proposal revisions can be accomplished. The parties agree to negotiate such revisions in good faith.

**2. Performance of Services.** PRIME AE's services will be performed in accordance with generally accepted practices and ordinary skill and care of architects, engineers, scientists and/or technical professionals providing similar services at the same time, in the same locale, and under like circumstances. Client agrees that PRIME AE has been engaged to provide professional services only, and that PRIME AE does not owe a fiduciary duty or responsibility to Client. There are no intended third-party beneficiaries to this Agreement. No other warranty, express or implied, is included or intended by the Agreement. PRIME AE is an independent contractor and nothing in this Agreement shall be construed to create a partnership, joint venture, or create a relationship of employer/employee or principal/agent between PRIME AE and Client or its subcontractors, subconsultants or vendors. PRIME AE does not represent or warrant that any permit or approval will be issued by any governmental body in view of the complexity and the frequent changes in applicable rules and regulations and interpretations by authorities.

**3. Right of Entry.** Client shall be responsible for obtaining all legal right-of-entry, and associated costs, onto properties required by the project.

**4. Modification.** This Agreement may be changed, amended, added to, superseded, or waived only if both parties specifically agree in writing to such amendment of the Agreement. In the event of any inconsistency between these Standard Terms & Conditions and any proposal, contract, purchase order, requisition, notice to proceed, or like document, these Standard Terms & Conditions shall govern.

**5. Compensation.** Client shall pay PRIME AE pursuant to the rates and charges set forth in the proposal. Invoices will be submitted periodically (customarily on a monthly basis), and terms are net cash, due and payable upon receipt of invoice. Client shall notify PRIME AE in writing of any disputed amount within fifteen (15) days from date of the invoice, give reasons for the objection, and promptly pay the undisputed amount. If Client fails to make any payment due to PRIME AE for services and expenses within thirty (30) days after receipt of PRIME AE's statement therefor, the amounts due PRIME AE will be increased at the rate of 1.5% per month from said thirtieth day, and in addition, PRIME AE may, after giving seven (7) days' written notice to Client, suspend services under this Agreement. Unless payment is received by PRIME AE within seven (7) days of the date of the notice, the suspension shall take effect without further notice. In the event of a suspension of services, PRIME AE shall have no responsibility to Client for delay or damage caused Client because of such suspension of services. Client shall pay all undisputed fees.

**6. Insurance.** PRIME AE will maintain workers' compensation insurance as required under the laws of the state in which the services will be performed. PRIME AE agrees to purchase at its own expense, Comprehensive General Liability insurance with a combined single limit of \$1,000,000 per occurrence and \$2,000,000 in the aggregate for bodily injury, including death and property damage; Professional Liability insurance in the amount of \$1,000,000 per claim and in the aggregate; Automobile Liability insurance with a combined single of \$1,000,000 per occurrence; and will, upon request, furnish insurance certificates to Client reflecting PRIME AE's standard coverage and providing thirty (30) days prior written notice in the event of cancellation or material change in coverage. PRIME AE agrees to purchase whatever additional insurance is requested by Client (presuming such





**KB Group of NY, Inc. dba PRIME AE Group of NY**  
**Standard Terms & Conditions**

insurance is available, from carriers acceptable to PRIME AE) provided Client reimburses the premiums for additional insurance.

**7. Confidentiality.** PRIME AE will hold confidential all business and technical information obtained from Client or generated in performing services under this Agreement, except to the extent required for: (1) performance of services under this Agreement; (2) compliance with professional standards of conduct; (3) the preservation of the public safety, health, and welfare; (4) compliance with any court order, statute, law, or governmental directive; and/or (5) protection of PRIME AE against claims or liabilities arising from the performance of services under this Agreement. PRIME AE's obligations hereunder shall not apply to information in the public domain or lawfully obtained on a non-confidential basis from others.

**8. Ownership of Documents.** All reports, notes, drawings, specifications, data, intellectual property, inventions, discoveries, processes, calculations, and other documents, including those in electronic form, obtained, created or prepared by PRIME AE in performing services under this Agreement are instruments of PRIME AE's service ("Instruments"), and all rights, copyrights, titles and interests in the Instruments shall remain PRIME AE's property, whether or not the project is completed. Client agrees not to use Instruments for marketing purposes, for projects other than the project for which the documents were prepared by PRIME AE, for future modifications to this project, or for any other purpose than the purpose intended under this Agreement, without first obtaining PRIME AE's express written permission for a specific use license. Any reuse or distribution of Instruments to third parties without such express written permission, verification or project-specific adaptation by PRIME AE will be at Client's sole risk and without liability to PRIME AE or its employees, affiliates, subsidiaries, independent contractors, and subcontractors. Client shall indemnify, defend, and hold harmless PRIME AE and its employees, affiliates, subsidiaries, independent contractors, and subcontractors from all claims, damages, losses, and expenses, including attorney's fees, arising out of or resulting therefrom. Any such verification or project-specific adaptation shall entitle PRIME AE to additional compensation.

**9. Suspension of Services and Termination.** Either party may, at any time, suspend further services or terminate this Agreement. Suspension or termination shall be by written notice effective seven (7) days after receipt by the receiving party. PRIME AE may terminate this Agreement immediately upon giving Client a written notice of termination upon occurrence of any of the following: (a) an event of Force Majeure has been continuing during more than sixty (60) days or (b) prevented, hindered, or delayed performance due to disease, epidemic, pandemic, quarantine, acts of government (foreign or domestic). Client agrees to compensate PRIME AE for all services performed and commitments made prior to the effective date of the suspension or termination, together with reimbursable expenses including those of subcontractors, subconsultants and vendors. Where payment is based on lump sum contract, Client agrees that the final invoice after Client's suspension or termination of services will be based on the percentage of work completed to the effective date of suspension or termination, plus reasonable suspension or termination charges including, but not limited to, personnel and equipment rescheduling adjustments and all other related costs and charges directly attributable to suspension or termination. In the event of suspension of services or termination by Client, PRIME AE shall have no liability to Client or others. Client agrees to indemnify and hold PRIME AE harmless from any claim or liability resulting from such suspension or termination.

**10. Force Majeure.** Except for Client's obligation to pay for services rendered by PRIME AE, including those of its' subcontractors, subconsultants and vendors, no liability will attach to either party from delay in performance or nonperformance caused by circumstances or events beyond the reasonable control of the party affected, including, but not limited to, acts of God, disease, epidemic, pandemic, quarantine, acts of government (foreign or domestic), fire, flood, unanticipated site, building or subsurface conditions, regulatory permitting, terrorism, explosion, war, request or intervention of a government authority (foreign or domestic), court order (whether at law or in equity), labor relations, accidents, delays or inability to obtain materials, equipment, fuel or transportation. Delays within the scope of this article that cumulatively exceed thirty (30) calendar days shall, at the option of either







**KB Group of NY, Inc. dba PRIME AE Group of NY**  
**Standard Terms & Conditions**

party, make this Agreement subject to termination or renegotiation. Should Client require PRIME AE to maintain its personnel and equipment available during the delay period, Client agrees to compensate PRIME AE for additional labor, equipment, and any and all other costs associated with PRIME AE in maintaining its personnel during the delay period.

**11. Mutual Waiver of Consequential Damages.**

Neither Client nor PRIME AE, nor their affiliates or subsidiaries, nor the officers, directors, agents, employees, or their subcontractors, subconsultants, or vendors, shall be liable to the other, third parties, or shall make any claim for any incidental, indirect, special, collateral, exemplary, punitive or consequential damages arising out of, or connected in any way to the services or this Agreement, whether the action in which recovery of damages is sought is based upon contract, tort, including, to the greatest extent permitted by law, the sole, concurrent or other negligence, whether active or passive, strict liability, breach of contract and breach of warranty. Consequential damages include, but is not limited to, damages related to loss of use, loss of profits, loss of income, loss of reputation, unrealized savings or diminution of property value and shall apply to any cause of action.

**12. Services During Construction.** If PRIME AE provides services including the performance of services during the construction phase of the project, it is understood that the purpose of such services, including to visit the project site, will be to enable PRIME AE to better perform its services as a design professional, and to determine, in general, if construction is proceeding in a manner indicating that the completed work of others will conform generally to the contract documents. PRIME AE shall not, during such visits or as a result of observations of construction, supervise, direct, or have control over others' work nor shall PRIME AE have authority over, or responsibility for, the means, methods, sequences or procedures of construction selected by others or safety precautions and programs incident to the work of others or for any failure of others to comply with laws, rules, regulations, ordinances, codes or orders applicable to others furnishing and performing their work. PRIME AE does not guarantee the performance of the construction work or contract by others and does not assume responsibility for others' failure to furnish and perform their work. If PRIME

AE's services during construction include shop drawing review, PRIME AE will review (or take other appropriate action with respect to) shop drawings, samples, and other data which the contract documents require PRIME AE to review, but only for conformance with PRIME AE's design concept of the project and compliance with the information set forth in contract documents. Such review or other actions shall not extend to means, methods, techniques, sequences, or procedures of manufacture (including the design of manufactured products) or construction, or to safety precautions and programs incident thereto. PRIME AE's review or other actions shall not constitute approval of an assembly or product of which an item is a component, nor shall it relieve others of (a) their obligations regarding review and approval of any such submittals, and (b) their exclusive responsibility for the means, methods, sequences and procedures of constructions, including safety of construction.

**13. Certifications.** PRIME AE shall not be required to sign any documents, no matter by whom requested, that would result in PRIME AE's having to provide certification, a guarantee, or a warranty.

**14. Reliance.** PRIME AE shall be entitled to rely, without liability, on the accuracy and completeness of any and all information provided by Client, Client's employees, representatives, agents, independent contractors, construction managers, consultants and contractors, and information from public records, without the need for independent verification. Any opinions rendered by PRIME AE pursuant to this Agreement are for the sole and exclusive use of Client, and are not intended for the use of, or reliance upon, by any third parties without the prior written approval of PRIME AE. Client agrees to indemnify, hold harmless, and defend PRIME AE to the fullest extent permitted by law for any claims, losses, or damages allegedly suffered by others due to unauthorized reliance of any opinion provided under the Agreement.

**15. Opinion of Probable Costs.** When required as part of its services, PRIME AE will furnish opinions of probable cost, but does not guarantee the accuracy of such estimates. Opinions of probable cost, financial evaluations, feasibility studies, economic analyses of alternate solutions, and utilitarian considerations of operations and maintenance costs prepared by PRIME





KB Group of NY, Inc. dba PRIME AE Group of NY  
Standard Terms & Conditions

AE hereunder will be made on the basis of PRIME AE's experience and qualifications and will represent PRIME AE's judgment as an experienced and qualified design professional. However, users of the probable cost opinions must recognize that PRIME AE does not have control over the cost of labor, material, equipment, or services furnished by others or over market conditions or contractors' methods of determining prices or performing the services.

**16. Limitation of Liability.** Client and PRIME AE have discussed the risks, rewards, and anticipated outcome of the project in the proposal and an estimated total fee for service, and agree that to the fullest extent permitted by law, the total liability, in the aggregate, of PRIME AE, its' officers, directors, employees, agents, and consultants to Client and anyone claiming by, through or under Client, for any and all injuries, claims, losses, expenses, or damages whatsoever arising out of or in any way related to PRIME AE's services, the project or this Agreement, from any cause or causes whatsoever, including but not limited to, negligence, errors, omissions, strict liability or contract, shall be limited to an amount of \$50,000 or PRIME AE's fee, whichever is greater. PRIME AE's calculation of fees, however set forth in the proposal, is based upon and conditioned on Client's acceptance of and enforcement before a mediator or a court of this limitation of liability. A request by Client to increase this limitation of liability must be made to PRIME AE in writing prior to Client's acceptance of the proposal. PRIME AE may increase the limit of liability in consideration of additional payment by Client. The increased limit of liability will become effective only upon a specific modification to these standard terms & conditions by an authorized representative of PRIME AE.

**17. Dispute Resolution.** If a dispute arises out of or relates to this Agreement or breach thereof, the parties will attempt in good faith to resolve the dispute through negotiation. If the dispute is not resolved by these negotiations, prior to the initiation of legal proceedings, Client and PRIME AE agree to submit all claims and disputes arising out of this Agreement to non-binding mediation with a mutually agreed upon mediator. The parties agree that they will participate in the mediation in good faith, that they will share equally in its costs, and that neither party will commence a civil action with respect to the matters submitted to mediation until after

the completion of the initial mediation session. This provision shall survive completion or termination of this Agreement; however, neither party shall seek mediation of any claim or dispute arising out of this Agreement beyond the period of time that would bar the initiation of legal proceedings to litigate such claim or dispute under the applicable law.

**18. Precedence.** These Standard Terms & Conditions shall take precedence over any inconsistent or contradictory provisions contained in, or referenced by, any proposal, contract, purchase order, requisition, notice to proceed, or similar or like document.

**19. Severability.** If any of these standard terms & conditions are finally determined to be invalid or unenforceable in whole or in part, the remaining provisions shall remain in full force and effect and be binding upon the parties. The parties agree to reform these Standard Terms & Conditions to replace any such invalid or unenforceable provision with a valid and enforceable provision that comes as close as possible to the intention of the stricken provision.

**20. Survival.** These Standard Terms & Conditions shall survive the completion of PRIME AE's services on the project and the termination of services for any cause.

**21. Governing Law.** The laws of the state in which the project is located shall govern the validity and interpretation of this Agreement. Client agrees that any legal action or proceeding arising out of the provision of services by PRIME AE pursuant to the proposal or any modification thereof may be submitted by PRIME AE to a State Court in the State of New York without regard to the choice of law provision. Client irrevocably consents to jurisdiction of (and waives dispute of venue in) the aforementioned venues.

**22. Assignment.** No assignments by Client of this Agreement or of any monies due or to become due hereunder shall be binding upon PRIME AE until PRIME AE's written consent thereto is obtained. Any assignment by Client to anyone of any right under this Agreement without the written consent of PRIME AE shall be null and void and without effect.





Albany Office  
100 Great Oaks Boulevard | Suite 114 | Albany, New York 12203  
P: 518.382.1774

February 10, 2021

Dale Warner, Town Planner  
Town of Duaneburg  
5853 Western Turnpike  
Duaneburg, NY 12056

**Re: Town of Duaneburg  
Unsafe Building Demolition  
111 Darby Hill Road  
Proposal for Engineering Services**

Dear Mr. Warner:

We are pleased to provide this proposal for engineering services to prepare plans and specifications for the demolition of the residential building located at 111 Darby Hill Road in the Town of Duaneburg. Our tasks will include the following:

Base Scope

- Coordination of required materials testing, such as lead paint and asbestos. (Testing costs shall be billed separately to the Town by the testing firm).
- Preparation of a project scope of work, plans and specifications and assemble in a Project Manual suitable for bidding the project.
- Oversee the bidding process including issue of addenda, opening bids, review of bids, and making a recommendation of award to the Town Board.

We propose to provide the aforementioned Base Scope services for a lump fee not to exceed \$5,000.00, which will be billed monthly on a percentage complete basis. Our work under this Proposal will be performed in accordance with our Standard Terms & Conditions. If you are in agreement with this Proposal and the attached Standard Terms & Conditions, please return an executed copy of this proposal.

Alternate Scope to be added if asbestos is found in the building

- PRIME AE will subcontract with a certified ACM abatement design firm to prepare the additional plans and specifications necessary and will incorporate into our Project Manual.
- PRIME AE will prepare a separate ACM air monitoring scope of work suitable for obtaining price quotes for the required work.
- PRIME AE will provide a fee for this alternate after the initial site testing has been completed and reviewed, as the full scope is not known at this time.

PRIME AE can provide a separate fee for inspection services, if the Town would like us to oversee the demolition work and confirm it is completed in accordance with the plans and specifications.



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[www.primeaeug.com](http://www.primeaeug.com)

Dale Warner  
Unsafe Building Demolition  
February 10, 2021  
Page Two

Thank you for considering us for this work, and if you have any questions or need anything further,  
please contact me at your convenience.

Sincerely,  
KB Group of NY, Inc. dba PRIME AE Group of NY

*Douglas P. Cole*

Douglas P. Cole, P.E.  
Senior Director of Engineering

Enclosure: Standard Terms & Conditions

AGREED TO BY TOWN OF DUANESBURG:

*[Signature]*  
Roger Tidball, Supervisor

DATE: 2-25-2021

AGREED TO BY KB GROUP OF NY, INC. DBA  
PRIME AE GROUP OF NY:

*[Signature]*  
Kumar Arunendaran, P.E. - President & CEO

DATE: 2.10.2021

Town of Duanesburg Town Board

RESOLUTION NO. 83 -2021

May 13, 2021

**WHEREAS**, the Town of Duanesburg Town Board has contracted for many years with the Mariaville Volunteer Fire Company to provide fire services in the Town of Duanesburg Fire Protection District no. 2;

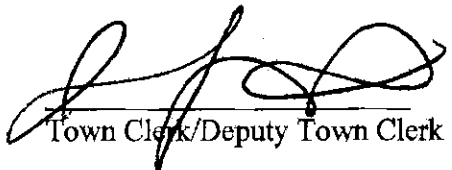
**WHEREAS**, the Town of Duanesburg Town Board recently held a duly noticed public hearing extended over a number of Town Board meetings to begin discussing changes to the existing contract;

**WHEREAS**, the Town of Duanesburg Town Board adopted a budget for the year 2021 which provided that the MVFC would receive an additional \$8,374.00 for its fire services in 2021, for a total amount of \$202,229.00 to provide such services in 2021;

**NOW, THEREFORE, BE IT RESOLVED** That the Town Board of the Town of Duanesburg authorizes the Town Supervisor to pay the additional budgeted amount of \$8,374.00 to the MVFC for its fire services in 2021 and that the Town Board also directs that the Town Supervisor send the attached notice letter to the MVFC notifying the MVFC that its contract will be terminated for services as of January 1, 2022 unless a contract satisfactory to the Town Board, a form of which has already been presented to the MVFC several months ago, can be approved by the MVFC for the provision of fire services in 2022, commencing on January 1, 2022, including the timely provision of the information by the MVFC set forth in exhibit A to that contract.

By (unanimous/majority) vote of the Town Board of the Town of Duanesburg at its regular meeting of May 13, 2021.

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

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

Present:

Absent:

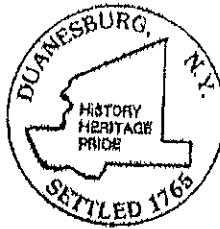
*Supervisor Tidball, Council members, Ganther, Potter + Wenzel*

*Council member Senecal*

Town Board Members:

Roger Tidball	<u>Yea</u>	Nay	Abstain
John Ganther	<u>Yea</u>	Nay	Abstain
Rick Potter	<u>Yea</u>	Nay	Abstain
William Wenzel	<u>Yea</u>	Nay	Abstain
Jeff Senecal	Yea	Nay	Abstain

*Roger Tidball*, Town Supervisor  
*Jennifer Howe*, Town Clerk  
*Brandy Fall*, Deputy Town Clerk



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

5853 Western Turnpike  
Duanesburg, New York 12056

Phone 518-895-8920  
FAX 518-895-8171

## **Town of Duanesburg**

Schenectady County

---

**Certified Return Receipt Mail**

Mariaville Volunteer Fire Department, Inc.  
9248 Mariaville Road  
Pattersonville, NY 12137

Dear President Chandler,

We are writing to provide notice pursuant to Paragraph 8 of the Agreement dated January 1, 2020 between the Town of Duanesburg ("Town") and the Mariaville Volunteer Fire Department, Inc. ("Mariaville").

Please be advised that this correspondence shall serve as the Town's written notice to Mariaville that the Town is electing to terminate the Agreement effective December 31, 2021.

The Town intends to use the new fire contract form (previously provided to you) for future fire service contracts. If you have any questions, please do not hesitate to contact me.

Thank you for your attention to this matter.

Very truly yours,

Town of Duanesburg

  
Roger Tidball, Supervisor

**Town of Duanesburg Town Board**

**RESOLUTION NO. 84 -2021**

**May 13, 2021**

**WHEREAS**, The Town Board of the Town of Duanesburg initiated an update of the Town Comprehensive Plan several years ago with the Chair of the Planning Board and the Planning Board of the Town of Duanesburg serving as the committee to proposed the draft update to the Town Board;

**WHEREAS**, after many meetings and the collection of information from Town residents and Town and County staff, a draft update was accepted by the Planning Board and a hearing was held on January 21, 2021 and written comments were also received after the close of the public hearing until January 31, 2021;

**WHEREAS**, the Town Comprehensive Plan update was duly referred to the Schenectady County Planning Department;

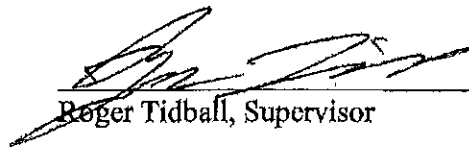
**WHEREAS**, the Town Board modified the Comprehensive Plan Update to reflect the comments received on the Comprehensive Plan Update and Town Staff placed the revised Update on the Town website and at the direction of the Town Board duly noticed a public hearing for April 22, 2021;

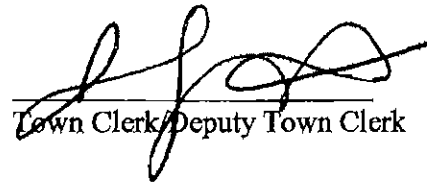
**WHEREAS**, no member of the public commented during the public hearing and the Town Board closed the public hearing but indicated that written comments would be received through April 30, 2021;

**NOW, THEREFORE, BE IT RESOLVED** as follows:

1. The Town Board is the only agency with authority to approve the Comprehensive Plan Update and hereby declares itself SEQRA lead agency for the review of this Type 1 Action;
2. The Town Board has carefully reviewed the EAF Parts 1 through 3, approves EAF Parts 1 through 3, and hereby finds that the adoption of the Update will not result in a significant adverse impact and that an environmental impact statement will not be prepared; and
3. The Town Board hereby approves the Comprehensive Plan Update and directs that the Update in its final form be posted on the Town of Duanesburg Website and be filed in the Town Clerk's office and made available at Town Hall.

By (unanimous/majority) vote of the Town Board of the Town of Duanesburg at its regular meeting of May 13, 2021.

  
Roger Tidball, Supervisor

  
Town Clerk/Deputy Town Clerk

Present: Supervisor Tidball, Councilmembers Ganther, Potter + Wenzel

Absent: Councilmember Senecal

Town Board Members:

Roger Tidball	<input checked="" type="radio"/> Yea	Nay	Abstain
John Ganther	<input checked="" type="radio"/> Yea	Nay	Abstain
Rick Potter	<input checked="" type="radio"/> Yea	Nay	Abstain
William Wenzel	<input checked="" type="radio"/> Yea	Nay	Abstain
Jeff Senecal	Yea	Nay	Abstain



**Full Environmental Assessment Form**  
**Part 1 - Project and Setting**

 **ORIGINAL**

**Instructions for Completing Part 1**

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Applicant/Sponsor Information.**

Name of Action or Project: Town of Duaneburg Comprehensive Plan		
Project Location (describe, and attach a general location map): Town of Duaneburg, Schenectady County		
Brief Description of Proposed Action (include purpose or need): Town adoption of a new Comprehensive Plan		
Name of Applicant/Sponsor: Roger Tidball		Telephone: 516-895-8920 E-Mail: rtidball@duaneburg.net
Address: 5853 Western Turnpike		
City/PO: Duaneburg	State: NY	Zip Code: 12063
Project Contact (if not same as sponsor, give name and title/role):		Telephone: E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):		Telephone: E-Mail:
Address:		
City/PO:	State:	Zip Code:

## B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	Town Board	
b. City, Town or Village Planning Board or Commission <input type="checkbox"/> Yes <input type="checkbox"/> No		
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Schenectady County Planning	
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources.		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

## C. Planning and Zoning

### C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☒ Yes ☐ No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

### C.2. Adopted land use plans.

a. Do any municipally-adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☒ Yes ☐ No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☒ Yes ☐ No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☐ Yes ☐ No

If Yes, identify the plan(s):

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☒ Yes ☐ No

If Yes, identify the plan(s):

### C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☒ Yes ☐ No  
If Yes, what is the zoning classification(s) including any applicable overlay district?

b. Is the use permitted or allowed by a special or conditional use permit? ☐ Yes ☒ No

c. Is a zoning change requested as part of the proposed action? ☐ Yes ☒ No

If Yes,  
i. What is the proposed new zoning for the site?

### C.4. Existing community services,

a. In what school district is the project site located? Duanesburg, Schalmont, Amsterdam, Berne Knox Westerlo, Schoharie

b. What police or other public protection forces serve the project site?

NYS Police, Schoenectady County Sheriff

c. Which fire protection and emergency medical services serve the project site?  
Duanesburg; Delanson; Marlville; Quakerstreet; Burtensville; Esperance Fire District; Duanesburg Ambulance

d. What parks serve the project site?  
Schafer Park, VanPatten Mill Park, Veterans Park

### D. Project Details

#### D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

b. a. Total acreage of the site of the proposed action? \_\_\_\_\_ acres

b. Total acreage to be physically disturbed? \_\_\_\_\_ acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? \_\_\_\_\_ acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☐ No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☐ No

If Yes,  
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No

iii. Number of lots proposed? \_\_\_\_\_

iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_ ☐ Yes ☐ No

e. Will the proposed action be constructed in multiple phases?

i. If No, anticipated period of construction: \_\_\_\_\_ months

ii. If Yes:

- Total number of phases anticipated \_\_\_\_\_ month \_\_\_\_\_ year
- Anticipated commencement date of phase 1 (including demolition) \_\_\_\_\_ month \_\_\_\_\_ year
- Anticipated completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year

- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_

<input type="checkbox"/> Yes <input type="checkbox"/> No			
f. Does the project include new residential uses? If Yes, show numbers of units proposed.			
<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____
At completion	_____	_____	_____
of all phases	_____	_____	_____
<input type="checkbox"/> Yes <input type="checkbox"/> No			
g. Does the proposed action include new non-residential construction (including expansions)? If Yes,			
i. Total number of structures _____			
ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length			
iii. Approximate extent of building space to be heated or cooled: _____ square feet			
<input type="checkbox"/> Yes <input type="checkbox"/> No			
h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? If Yes,			
i. Purpose of the impoundment: _____			
ii. If a water impoundment, the principal source of the water: <input type="checkbox"/> Ground water <input type="checkbox"/> Surface water streams <input type="checkbox"/> Other specify: _____			
iii. If other than water, identify the type of impounded/contained liquids and their source. _____			
iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres			
v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length			
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____			
<b>D.2. Project Operations</b>			
<input type="checkbox"/> Yes <input type="checkbox"/> No			
a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) If Yes:			
i. What is the purpose of the excavation or dredging? _____			
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?			
• Volume (specify tons or cubic yards): _____			
• Over what duration of time? _____			
iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____			
<input type="checkbox"/> Yes <input type="checkbox"/> No			
iv. Will there be onsite dewatering or processing of excavated materials? If yes, describe. _____			
v. What is the total area to be dredged or excavated? _____ acres			
vi. What is the maximum area to be worked at any one time? _____ acres			
vii. What would be the maximum depth of excavation or dredging? _____ feet			
<input type="checkbox"/> Yes <input type="checkbox"/> No			
viii. Will the excavation require blasting? _____			
ix. Summarize site reclamation goals and plan: _____			
<input type="checkbox"/> Yes <input type="checkbox"/> No			
b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? If Yes:			
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____			

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No

If Yes, describe:

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐ No

If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_

• proposed method of plant removal: \_\_\_\_\_

• if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

c. Will the proposed action use, or create a new demand for water? ☐ Yes ☐ No

If Yes:

i. Total anticipated water usage/demand per day: \_\_\_\_\_ gallons/day ☐ Yes ☐ No

ii. Will the proposed action obtain water from an existing public water supply? ☐ Yes ☐ No

If Yes:

- Name of district or service area: \_\_\_\_\_ ☐ Yes ☐ No
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing lines serve the project site? ☐ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project?

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_

• Source(s) of supply for the district: \_\_\_\_\_ ☐ Yes ☐ No

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☐ No

If Yes:

• Applicant/sponsor for new district: \_\_\_\_\_

• Date application submitted or anticipated: \_\_\_\_\_

• Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: \_\_\_\_\_ gallons/minute. ☐ Yes ☐ No

d. Will the proposed action generate liquid wastes? ☐ Yes ☐ No

If Yes:

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐ Yes ☐ No

If Yes:

• Name of wastewater treatment plant to be used: \_\_\_\_\_

• Name of district: \_\_\_\_\_

• Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No

• Is the project site in the existing district? ☐ Yes ☐ No

• Is expansion of the district needed? ☐ Yes ☐ No

☐ Yes ☐ No  
☐ Yes ☐ No

- Do existing sewer lines serve the project site?
- Will a line extension within an existing district be necessary to serve the project?

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐ Yes ☐ No

If Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- What is the receiving water for the wastewater discharge? \_\_\_\_\_

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans): \_\_\_\_\_

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: \_\_\_\_\_

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? ☐ Yes ☐ No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

\_\_\_\_\_ Square feet or \_\_\_\_\_ acres (impervious surface)

\_\_\_\_\_ Square feet or \_\_\_\_\_ acres (parcel size)

ii. Describe types of new point sources: \_\_\_\_\_

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ If to surface waters, identify receiving water bodies or wetlands: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ Will stormwater runoff flow to adjacent properties? ☐ Yes ☐ No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☐ Yes ☐ No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☐ Yes ☒ No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) \_\_\_\_\_

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) \_\_\_\_\_

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) \_\_\_\_\_

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? ☐ Yes ☒ No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ☐ Yes ☐ No

ii. In addition to emissions as calculated in the application, the project will generate:

- \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)
- \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)
- \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)
- \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)
- \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
- \_\_\_\_\_ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: i. Estimate methane generation in tons/year (metric): _____ ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____	
i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____	
j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: i. When is the peak traffic expected (Check all that apply): <input type="checkbox"/> Morning <input type="checkbox"/> Evening <input type="checkbox"/> Weekend <input type="checkbox"/> Randomly between hours of _____ to _____ ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____	
iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____ <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> iv. Does the proposed action include any shared use parking? v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____	
vi. Are public/private transportation service(s) or facilities available within 1/4 mile of the proposed site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: i. Estimate annual electricity demand during operation of the proposed action: _____ ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____	
iii. Will the proposed action require a new, or an upgrade, to an existing substation? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
l. Hours of operation. Answer all items which apply. i. During Construction: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____	
ii. During Operations: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____	

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<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>_____</p>
<p>ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>Describe: _____</p>
<p>n. Will the proposed action have outdoor lighting? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</p> <p>_____</p>
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>Describe: _____</p>
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:</p> <p>_____</p>
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally, describe the proposed storage facilities: _____</p>
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe proposed treatment(s):</p> <p>_____</p>
<p>ii. Will the proposed action use Integrated Pest Management Practices? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> <li>• Construction: _____ tons per _____ (unit of time)</li> <li>• Operation: _____ tons per _____ (unit of time)</li> </ul> <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> <li>• Construction: _____</li> <li>• Operation: _____</li> </ul> <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> <li>• Construction: _____</li> <li>• Operation: _____</li> </ul>



s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☐ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_

ii. Anticipated rate of disposal/processing:

- \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or
- \_\_\_\_\_ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: \_\_\_\_\_ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☐ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_

ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_

iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: \_\_\_\_\_

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: \_\_\_\_\_

#### E. Site and Setting of Proposed Action

**E.1. Land uses on and surrounding the project site**

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Rural (non-farm)

☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): \_\_\_\_\_

ii. If mix of uses, generally describe: \_\_\_\_\_

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

<p>c. Is the project site presently used by members of the community for public recreation? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>i. If Yes, explain: _____</p>	
<p>d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes,</p> <p>i. Identify Facilities: _____</p> <p>_____</p>	
<p>e. Does the project site contain an existing dam? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Dimensions of the dam and impoundment:</p> <ul style="list-style-type: none"> <li>• Dam height: _____ foot</li> <li>• Dam length: _____ feet</li> <li>• Surface area: _____ acres</li> <li>• Volume impounded: _____ gallons OR acre-feet</li> </ul> <p>ii. Dam's existing hazard classification: _____</p> <p>iii. Provide date and summarize results of last inspection: _____</p> <p>_____</p>	
<p>f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Has the facility been formally closed? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <ul style="list-style-type: none"> <li>• If yes, cite sources/documentation: _____</li> </ul> <p>ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____</p> <p>_____</p> <p>iii. Describe any development constraints due to the prior solid waste activities: _____</p> <p>_____</p>	
<p>g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____</p> <p>_____</p>	
<p>h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <div style="display: flex; justify-content: space-between;"> <div style="width: 40%;"> <input type="checkbox"/> Yes - Spills Incidents database  <input type="checkbox"/> Yes - Environmental Site Remediation database  <input type="checkbox"/> Neither database         </div> <div style="width: 50%;">           Provide DEC ID number(s): _____            Provide DEC ID number(s): _____         </div> </div> <p>ii. If site has been subject of RCRA corrective activities, describe control measures: _____</p> <p>_____</p> <p>iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes, provide DEC ID number(s): _____</p> <p>iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____</p> <p>_____</p> <p>_____</p>	

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☐ No

- If yes, DEC site ID number: \_\_\_\_\_
- Describe the type of institutional control (e.g., deed restriction or easement): \_\_\_\_\_
- Describe any use limitations: \_\_\_\_\_
- Describe any engineering controls: \_\_\_\_\_
- Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No
- Explain: \_\_\_\_\_

## E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? \_\_\_\_\_ feet

b. Are there bedrock outcroppings on the project site? ☐ Yes ☐ No  
If Yes, what proportion of the site is comprised of bedrock outcroppings? \_\_\_\_\_ %

c. Predominant soil type(s) present on project site: \_\_\_\_\_ %  
\_\_\_\_\_ %  
\_\_\_\_\_ %

d. What is the average depth to the water table on the project site? Average: \_\_\_\_\_ feet

e. Drainage status of project site soils: ☐ Well Drained: \_\_\_\_\_ % of site  
☐ Moderately Well Drained: \_\_\_\_\_ % of site  
☐ Poorly Drained: \_\_\_\_\_ % of site

f. Approximate proportion of proposed action site with slopes: ☐ 0-10%: \_\_\_\_\_ % of site  
☐ 10-15%: \_\_\_\_\_ % of site  
☐ 15% or greater: \_\_\_\_\_ % of site

g. Are there any unique geologic features on the project site? ☐ Yes ☐ No  
If Yes, describe: \_\_\_\_\_

### h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☐ Yes ☐ No

ii. Do any wetlands or other waterbodies adjoin the project site? ☐ Yes ☐ No

If Yes to either i or ii, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☐ Yes ☐ No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Lakes or Ponds: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Wetlands: Name \_\_\_\_\_ Approximate Size \_\_\_\_\_
- Wetland No. (if regulated by DEC) \_\_\_\_\_

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☐ No

If yes, name of impaired water body/bodies and basis for listing as impaired: \_\_\_\_\_

i. Is the project site in a designated Floodway? ☐ Yes ☐ No

j. Is the project site in the 100-year Floodplain? ☐ Yes ☐ No

k. Is the project site in the 500-year Floodplain? ☐ Yes ☐ No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐ Yes ☐ No

If Yes:

1. Name of aquifer: \_\_\_\_\_

m. Identify the predominant wildlife species that occupy or use the project site: _____ _____	
n. Does the project site contain a designated significant natural community? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: i. Describe the habitat/community (composition, function, and basis for designation): _____ ii. Source(s) of description or evaluation: _____ iii. Extent of community/habitat: • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres	
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: i. Species and listing (endangered or threatened): _____ _____ _____	
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: i. Species and listing: _____ _____ _____	
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If yes, give a brief description of how the proposed action may affect that use: _____ _____	
<b>E.3. Designated Public Resources On or Near Project Site</b>	
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes, provide county plus district name/number: _____	
b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> i. If Yes: acreage(s) on project site? _____ ii. Source(s) of soil rating(s): _____	
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____ _____	
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: i. CEA name: _____ ii. Basis for designation: _____ iii. Designating agency and date: _____	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☐ Yes ☐ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District

ii. Name: \_\_\_\_\_

iii. Brief description of attributes on which listing is based: \_\_\_\_\_

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f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☐ Yes ☐ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☐ No

If Yes:

i. Describe possible resource(s): \_\_\_\_\_

ii. Basis for identification: \_\_\_\_\_

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h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☐ Yes ☐ No

If Yes:

i. Identify resource: \_\_\_\_\_

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): \_\_\_\_\_

iii. Distance between project and resource: \_\_\_\_\_ miles.

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i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☐ No

If Yes:

i. Identify the name of the river and its designation: \_\_\_\_\_

ii. Is the activity consistent with development restrictions contained in 6 NYCRR Part 666? ☐ Yes ☐ No

#### F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

#### G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Raja Tibbo II Date 5/14/2021

Signature [Signature] Title Supervisor



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**Full Environmental Assessment Form**  
**Part 2 - Identification of Potential Project Impacts**

Agency Use Only (If applicable)  
 Project: Town of Duquesburg Comprehensive Plan  
 Date: 2/10/21

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency and the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

**Tips for completing Part 2:**

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "Yes" to a numbered question, please complete all the questions that follow in that section.
- If you answer "No" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

<b>1. Impact on Land</b> Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1, D.1) If "Yes", answer questions a - j. If "No", move on to Section 2. <div style="text-align: right;"> <input checked="" type="checkbox"/> NO      <input type="checkbox"/> YES         </div>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>



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**2. Impact on Geological Features**

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1, E.2.g)

☒ NO☐ YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3e	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

**3. Impacts on Surface Water**

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1, D.2, E.2.h)

☒ NO☐ YES

If "Yes", answer questions a - i. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input type="checkbox"/>	<input type="checkbox"/>

1. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>
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#### 4. Impact on groundwater

The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer.

☒ NO

☐ YES

(See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)

If "Yes", answer questions a - h. If "No", move on to Section 5.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

#### 5. Impact on Flooding

The proposed action may result in development on lands subject to flooding.  
(See Part 1. E.2)

☒ NO

☐ YES

If "Yes", answer questions a - g. If "No", move on to Section 6.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input type="checkbox"/>	<input type="checkbox"/>



g. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>
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## 6. Impacts on Air

The proposed action may include a state-regulated air emission source.  
(See Part 1, D.2.f., D.2.h, D.2.g)

☒ NO

☐ YES

If "Yes", answer questions a - f. If "No", move on to Section 7.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO <sub>2</sub> ) ii. More than 3.5 tons/year of nitrous oxide (N <sub>2</sub> O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF <sub>6</sub> ) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochlorofluorocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

## 7. Impact on Plants and Animals

The proposed action may result in a loss of flora or fauna. (See Part 1, E.2. m.-q.)

☒ NO

☐ YES

If "Yes", answer questions a - j. If "No", move on to Section 8.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input type="checkbox"/>	<input type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>8. Impact on Agricultural Resources</b> The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES <i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>9. Impact on Aesthetic Resources</b> The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>10. Impact on Historic and Archeological Resources</b> The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input type="checkbox"/>	<input type="checkbox"/>

d. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>
If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property,	E3e, E3g, E3f	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

### 11. Impact on Open Space and Recreation

The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan.

(See Part 1. C.2.c, E.1.c., E.2.q.)

If "Yes", answer questions a - e. If "No", go to Section 12.

☐ NO

☒ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b, E2h, E2m, E2o, E2n, E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c, E1c, E2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

### 12. Impact on Critical Environmental Areas

The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d)

If "Yes", answer questions a - c. If "No", go to Section 13.

☒ NO

☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

**13. Impact on Transportation**  
The proposed action may result in a change to existing transportation systems. ☒ NO ☐ YES  
(See Part 1, D.2.j)  
*If "Yes", answer questions a - f. If "No", go to Section 14.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

**14. Impact on Energy**  
The proposed action may cause an increase in the use of any form of energy. ☒ NO ☐ YES  
(See Part 1, D.2.k)  
*If "Yes", answer questions a - e. If "No", go to Section 15.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____			

**15. Impact on Noise, Odor, and Light**  
The proposed action may result in an increase in noise, odors, or outdoor lighting. ☒ NO ☐ YES  
(See Part 1, D.2.m., n., and o.)  
*If "Yes", answer questions a - f. If "No", go to Section 16.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

#### 16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)

☒ NO

☐ YES

If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____			

**17. Consistency with Community Plans**

The proposed action is not consistent with adopted land use plans.  
(See Part 1. C.1, C.2, and C.3.)

☐ NO☒ YES

If "Yes", answer questions a - h. If "No", go to Section 18.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other: _____		<input type="checkbox"/>	<input type="checkbox"/>

**18. Consistency with Community Character**

The proposed project is inconsistent with the existing community character.  
(See Part 1. C.2, C.3, D.2, E.3)

☐ NO☒ YES

If "Yes", answer questions a - g. If "No", proceed to Part 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

**PRINT FULL FORM**



ORIGINAL

Agency Use Only [If Applicable]

Project: Town of Duanesburg Comprehensive Plan

Date: 2/10/21

**Full Environmental Assessment Form**  
**Part 3 - Evaluation of the Magnitude and Importance of Project Impacts**  
**and**  
**Determination of Significance**

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

**Reasons Supporting This Determination:**

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

The proposed revisions to the Town of Duanesburg Comprehensive Plan have been evaluated for potential environmental impacts in accordance with the SEQRA Full Environmental Assessment Form, Part 2 - Identification of Potential Impacts. The Comprehensive Plan is a Guide to determine any changes to or direction to which the residents of the Town have identified since the last adopted Comprehensive Plan July 13, 2006. None of the potential impacts have been identified as "Moderate to Large" for the proposed adoption of the Town of Duanesburg Comprehensive Plan.

The following impacts were identified:

Impact on Open Space and Recreation

Consistency with Community Plans

Consistency with Community Character

The new Comprehensive Plan will serve as a long-range guide for both public and private decisions that influence the community. It provides the rational basis to update the zoning and subdivision laws, provides guidance on capital expenditures, and identifies the goals, objectives and policies for the immediate and long-range protection, enhancement, growth and development of the Town.

Based on this information, the Town Board has determined that the adoption of the Comprehensive Plan will not have any significant adverse impacts on the environment and a Negative Declaration is made for the purposes of Article 8 of the Environmental Conservation Law.

**Determination of Significance - Type 1 and Unlisted Actions**

SEQRA Status:

☒ Type 1

☐ Unlisted

Identify portions of EAF completed for this Project:

☒ Part 1

☒ Part 2

☒ Part 3



Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the \_\_\_\_\_ as lead agency that:

☒ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Town of Duaneburg Comprehensive Plan

Name of Lead Agency: Town Board

Name of Responsible Officer in Lead Agency: Roger Tidball

Title of Responsible Officer: Town Supervisor

Signature of Responsible Officer in Lead Agency: \_\_\_\_\_

Date:

Signature of Preparer (if different from Responsible Officer) \_\_\_\_\_

Date: 5/14/21

**For Further Information:**

Contact Person: Dale Warner

Address: 5853 Western Turnpike Duaneburg, NY 12056

Telephone Number: 518-895-8920

E-mail: dale@duaneburg.net

**For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:**

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

**PRINT FULL FORM**

The ENB SEQRA Notice Publication Form - Please check all that apply



ORIGINAL

**Deadline:** Notices must be received by 6 p.m. Wednesday to appear in the following Wednesday's ENB

☒ Negative Declaration - Type I

☐ Conditioned Negative Declaration

☐ Positive Declaration

☐ Draft Scope

☐ with Public Scoping Session (optional)

☐ Final Scope

☐ Draft EIS

☐ with Public Hearing

☐ Generic

☐ Supplemental

☐ Final EIS

☐ Generic

☐ Supplemental

DEC Region # 4 County: Schenectady Lead Agency: \_\_\_\_\_ Town of Duanesburg

Project Title: Town of Duanesburg Comprehensive Plan

Brief Project Description: The action involves . . .

The new Comprehensive Plan will serve as a long-range guide for both public and private decisions that influence the community. It provides the rational basis to update the zoning and subdivision laws, provides guidance on capital expenditures, and identifies the goals, objectives and policies for the immediate and long-range protection, enhancement, growth and development of the Town.

Based on this information, the Town Board has determined that the adoption of the Comprehensive Plan will not have any significant adverse impacts on the environment and a Negative Declaration is made for the purposes of Article 8 of the Environmental Conservation Law.

Project Location (include street address/municipality):

5853 Western Turnpike

Contact Person: Melissa Deffer

Address: 2054 Western Turnpike City: Duanesburg State: ny Zip: 20156

Phone: 518-895-2040 Fax: 518-895-5404 E-mail: mdeffer@duanesburg.net

For Conditioned Negative Declaration / Draft Scope / Draft EIS: Public Comment Period ends: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

For Public Hearing or Scoping Session: Date: 01 / 21 / 2021 Time: 7 : 00 am/pm

Location: Duanesburg Town Hall

A hard copy of the Draft Scope/Final Scope/DEIS/FEIS is available at the following locations:

Town of Duanesburg Building Dept

The online version of the Draft Scope/Final Scope/DEIS/FEIS is available at the following publically accessible web site:

For Conditioned Negative Declaration: In summary, conditions include:

ENTERED ON: 5/14/2021  
BY: (signature)

PO Box 160  
Quaker Street, NY 12141

Roger Tidball, Supervisor Town of Duanesburg  
Town Board  
5853 Western Turnpike  
Duanesburg, NY 12056

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

May 13, 2021

Re: Town Board Meeting Public Forum Comment - Accountability and Transparency

Dear Supervisor Tidball and the Town Board,

Please include this correspondence in the official record of tonight's meeting as found on the town website.

The Corrective Action Plan for the Comptroller's 2020 Audit as posted on the town website does not include a date. Additionally the document does not have a time and date stamp.

Town Board webpage does not contain the 2019 Year End Annual Report.

<https://www.duanesburg.net/town-board>

When will the 2019 Report be posted?

November 12, 2020 minutes are not posted on the town website. Screenshot attached.

<https://www.duanesburg.net/town-board/minutes/november-12-2020>

It appears that the town is in violation of New York State Open Meeting Law which requires that meeting minutes be available within two weeks of a meeting.

Agenda for the November 12, 2020 meeting reflects that a Public Hearing was held for "3000 Western Turnpike - Unsafe Building Conditions". February 25, 2021 Channel 6 News reported that the town took legal action against this property owner. Is the town engaged in legal action against the property owner of 3000 Western Turnpike? If so, what is the status of this lawsuit? Who is representing the town?

At the time of writing the April 15, 2021 planning board meeting minutes are not posted. This meeting included public hearing for case #20-21 located at 9938 Western Turnpike. This appears to be in violation of the Open Meeting Law. The town's failure to post timely meeting minutes deprives taxpayers of critical information required to submit informed and accurate statements for planning board review. The town's failure to provide the July 2019 and August 2019 planning board meeting minutes within two weeks of the meeting deprived me of valuable information needed to engage with the review and understanding of Oak Hill Solar project.

April 19, 2021 I submitted a 103(e) for Town board meeting documents for Oak Hill Solar. At the April 22, 2021 town board meeting the town approved the Oak Hill Solar Visual Screening Maintenance Agreement which is dated "04.19.21". I was not provided the documents as requested before or at the meeting. It appears that the town is in violation of New York State Open Meeting Law.

The Oak Hill Solar Visual Screening Maintenance Agreement includes "SCHEDULE A DESCRIPTION OF PROPERTIES". The page is titled but contains no other information. What information has been omitted? On September 19, 2019 the planning board increased the length of the evergreen screening by 300 feet. This additional screening is not reflected in the site plan Sheet 11. I request that Schedule A Description of Properties be clarified. I request that the site plan be updated to reflect the accurate tree planting as discussed at the September 19, 2019 meeting.

Thank you for sending automatic email notifications for meeting agendas. This week is the first I have received these notifications since January 2021.

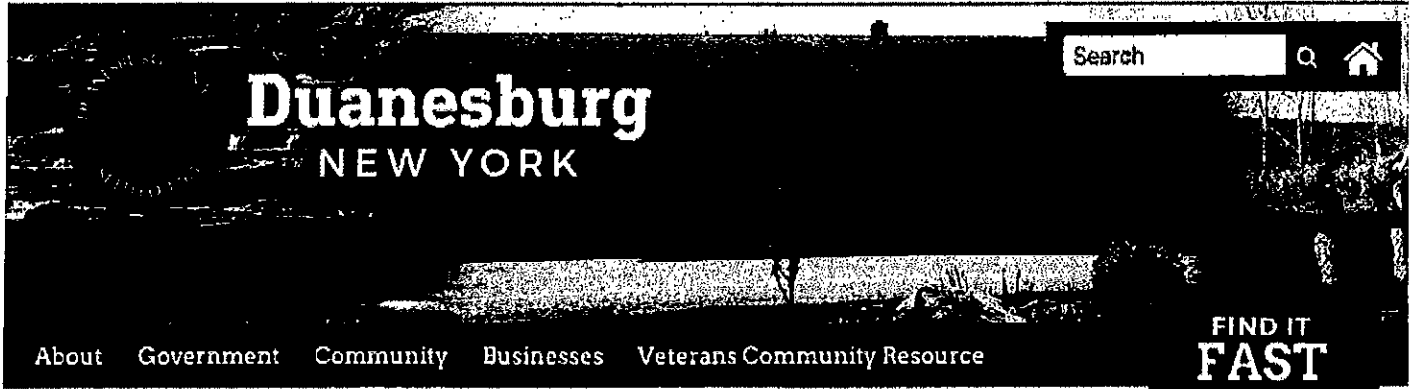
April 26, 2021 I submitted a letter to Supervisor Tidball. My records do not reflect a reply from Supervisor Tidball. With an abundance of caution I am submitting my letter as an attachment to my statement.

What is the status of Federal Aid? How will the town decide where it will be spent?

What is the status of Solar Law?

Thank you for your time and consideration.

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



April 15, 2021 Casal Public Hearing

Kagas Continuation of Public Hearing April 15, 2021

March 18, 2021 - Public Hearing Kagas

Planning Board Meeting Videos

State Environmental Quality Review Act (SEQR) Forms

Home » Planning Board » All Planning Board Meeting Minutes

## 2021 Planning Board Meeting Minutes

March 18, 2021 - Draft

March 18, 2021

February 18, 2021

February 18, 2021

January 21, 2021

January 21, 2021

**Duanesburg**  
NEW YORK

5853 Western Turnpike, Duanesburg, New York 12056 | Phone: (518) 895-8920

Hours: Monday - Friday: 8am to 4pm (\*closed: 12pm to 1pm)

Login

PO Box 160  
Quaker Street, NY 12141

Roger Tidball, Supervisor  
Jeffery Schmitt, Chair Planning Board  
Bill Wenzel, Town Board  
Town of Duanesburg  
5853 Western Turnpike  
Duanesburg, NY 12056

Transmitted via email: town clerk.jhowe@duanesburg.net

April 26, 2021

Re: Oak Hill Solar 1, LLC and Oak Hill Solar 2, LLC building permit

Dear Supervisor Tidball and Chairman Schmitt,

At the April 22, 2021 Town Board meeting the board approved Oak Hill Visual Screening Maintenance Plan. I submitted a 103(e) for the meeting. I was not provided the documents. This is a violation of New York State Open Meeting Law. During privilege of the floor I requested the agreement. I immediately drove to town hall to pick up the documents while the town board was in executive session.

On April 23, 2021 I submitted a Freedom of Information request to obtain any and all documents for Oak Hill submitted since March 16, 2021. I am waiting on a response.

I request that the town refrain from issuing Oak Hill Solar 1, LLC and Oak Hill Solar 2, LLC a building permit until the town gives the application a very detailed and comprehensive long hard look. Once the permit is issued the developer will proceed with little regard for the abutting property owners, town or state. The developer is responsible to its investors. The town is responsible to the taxpayers. There are multiple lawsuits in Massachusetts, Vermont and elsewhere against solar developers construction practices and their disregard for the environment and neighbors. Please see two attached articles as Exhibit A. Please do not allow the town of Duanesburg to become another statistic in this growing epidemic.

Oak Hill Solar began with the omission of the nearest residence and five out buildings from it's renderings as shown at town meetings, public outreach and on their website. The town's engineer and the developer's engineer repeatedly failed to include Biggs' residence in their

documentation. The developer provided the town SEQR documents on July 19, 2018 indicating over 21 acres of forest being removed. Freedom of Information documents obtained from NYSERDA in January 2020 reflect that town building inspector and planner Dale Warner signed the document September 19, 2019 and planning board chair Phil Sexton signed this document on September 27, 2019. See Exhibit B. The town's solar law calls for 20,000 square feet of clearing cutting is permitted. The removal of this forest appears to be in violation of the town's solar law. The application fails to include glare studies, specification sheets or electrical drawings. Any project that begins with significant errors and omissions such as these is likely to proceed into the construction phase with additional problems of much greater magnitude. If the foundation isn't square the project will eventually collapse.

As you know the developer submitted a stormwater pollution prevention plan for a project address one mile to the west of the actual site. SEQR documents the site as poorly drained and on a 5-10% slope. During review and at the September 19, 2019 planning board meeting board member Martin Williams clearly and emphatically stated that he believed this site would have stormwater runoff issues. The planning board chose to proceed with the Project. In September 2019 former planning board chairman Phil Sexton and board member Jeffery Schmitt walked Biggs property line and saw significant stormwater damage. Abutting neighbor Wally Johnson expressed repeated concern that the hayfields on his property would be negatively impacted and suffer stormwater damage because his installed drainage tiles would no longer be sufficient.

I have repeatedly brought to the town's attention that battery energy storage was not in the application, SEQR, approved resolution, decommissioning plan or negative declaration. I have provided the town emails from a New York State Energy Research and Development Authority (NYSERDA) employee stating that battery energy storage is not shown on the site plan. See Exhibit C. Battery energy storage was not approved. The town has not replied to my letters or offered to show me where it is located on the approved site plan dated September 19, 2019. Eden is a developer, they repeat the same project over and over in order to increase profitability. Review of their applications to other towns reflects that battery energy storage is lithium ion batteries in multiple 53 foot containers. Please see enclosed September 2020 Town of Claverack zoning board minutes page 3. See exhibit D. At multiple town meetings I have asked what is being built next door. The town has not replied.

Eden submitted an application laden with errors and omissions which would afford all future owner/operators cost cutting measures to downgrade the quality of equipment, skirt local laws and disregard the Project's environmental impact. Eden sold the Project in December 2019. The town was not aware of the transaction until Spring or Summer of 2020. This delay in notification appears to be a violation of town zoning ordinance for a thirty day notice. Failure to report change of ownership to the town makes holding the appropriate party responsible more challenging and leaves the town exposed to increased financial and litigation risk. Do you know who currently owns the Project and will be legally responsible? Is this a good investment for the town?

Fraud occurs when there is opportunity, incentive and justification. New York State Comptroller's Reports since 2002M-206, 2011M-253 and 2020M-116 document that poor record keeping at town hall is pervasive and continuous for the past twenty years. Incentives can be found in financial gain, preventing a solar power plant from being built in planning board leader's backyards, or providing future work and lobbying support. Justification can be found in the rationalization that if Judge Deanna Siegel failed to report and remit more than a reported \$100,000 why can't other town employees? The town has left the door open to fraudulent actions for years. Is Oak Hill Solar just one more opportunity to be taken advantage of? As you may remember at the December 26, 2019 town board meeting a taxpayer said: "One resident is gaining use of their property at the expense of another resident. That's what this really comes down to." Supervisor Tidball replied "Yes."

Of additional concern is Elliot Pinkman's September 2014 article in the Telegraph that Director Harry Lopes may have mislead a planning council by cherry picking soil samples on a solar project in Hertfordshire, United Kingdom. See Exhibit E. While I am unable to confirm this allegation it is worth caution because Eden's September 2019 letter to the town indicates that any trees planted for visual screening may warrant soil testing. If this comes to pass I request to be present and able to perform additional soil tests with a contractor of my choice at the developers expense.

The town is responsible to the taxpayers. Supervisor Tidball has had one foot out the door for well over a year. The incoming town board and temporary Supervisor appointee are left holding the Oak Hill Solar bag. I urge you to pay very close attention to the application and building permit details. I invite you to my property to see existing conditions, tree plantings and existing stormwater erosion. I will be paying very close attention to all activity at Oak Hill Solar and demanding that the project abide by the law. If anything is built beyond what was approved at the September 19, 2019 planning board meeting it is very likely that legal action will be filed against the town. If the Project uses low quality equipment and solar panels that have a anti-reflective or anti-soil coating that contains PFAS then it is possible that future environmental lawsuits may occur.

You would not tolerate any project that has similar errors, omissions and misrepresentations to be constructed abutting your property. Why is the town allowing Oak Hill Solar to be built next to mine? I again request that the town carefully review this project and proceed with an abundance of caution before issuing any building permit for Oak Hill Solar.

If I can be of further assistance please do not hesitate to contact me at 720-272-0956 or lynnebruning@gmail.com.

Thank you for your time and consideration.

Respectfully,  
Lynne Bruning