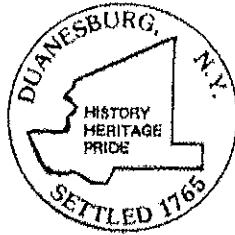


**Roger Tidball**, Town Supervisor  
**Jennifer Howe**, Town Clerk  
**Brandy Fall**, Deputy Town Clerk  
**William Reed**, Highway Superintendent



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

**Thursday October 22, 2020**  
**Regular Town Board Meeting**  
**Meeting Time: 7:00PM**

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

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

**Pledge of Allegiance**

**Supervisor Tidball:** Alright, tonight, is Thursday October 22nd, 2020. Tonight, is one of our busier meetings in a long time and we have a lot of things on the schedule, on the agenda. Mostly to deal with our budget, just normal actions. We will be going into executive session after the board meeting to discuss employee issues. So, we will start off, we have two Public Hearings. We will start off with the first Public Hearing.

**Public Hearing: The Proposed Local Law No. 3 of 2020** is entitled "Tax Cap Override for FY 2021." The proposed local law will allow the Town of Duanesburg to override the limit on the amount of real property taxes that may be levied pursuant to General Municipal Law 3-C and allow the Town of Duanesburg to adopt a town budget for fiscal year 2021 that requires a tax levy an excess of the tax levy limit.

**Supervisor Tidball:** Read the Public Hearing Notice.

PLEASE TAKE NOTICE, that the Town Board of the Town of Duanesburg, New York, will meet at the Town Offices of Duanesburg, 5853 Western Turnpike, on **Thursday, October 22, 2020** at

**7:00 p.m.** for the purpose of hearing all persons interested in the adoption of Local Law No. 3 of 2020.

**The Proposed Local Law No. 3 of 2020** Is entitled tax cap override for FY 2021. The proposed law will allow the Town of Duanesburg to override the limit on the amount of real property taxes that may be levied pursuant to General Municipal Law 3-C and allow the Town of Duanesburg to adopt a budget for fiscal year 2021 that requires a tax levy and excess of the tax levy limit . A copy of the proposed local law is on file at the office of the Town of Duanesburg Town Clerk, 5853 Western Turnpike, Duanesburg, New York, 12056

**BY ORDER OF THE TOWN BOARD  
TOWN OF DUANESBURG**

Dated: October 8, 2020

Moving forward with that we'll have a discussion and then I'll open it up to the public. I do have one correspondence that was written to us, I'll read out loud regarding this. Recently the town has decided that it needs to go over the tax limit is based on our increase in spending this next years budget due to the increase that DVAC is requesting to man their station with two paid EMTs from 6:00 AM to 6:00 PM Monday through Friday. That is the majority of the reason. We are only given a 2% tax cap, so it is not a lot of money. So any little increase would put us over the tax cap, this is a large amount, you're looking at about \$140,000 extra on top of what DVAC already requires each year just to do that. So that puts us way over the limit and other than that we have a few other expenses that we incurred over the last year that we added to this next budget. So that is the reason for the tax cap levy going over it. Any discussion before we bring up the public?

**Council Member Ganther:** Yeah, I'll just chime in a little bit on that. So we have had a volunteer ambulance corp forever. It's been volunteer forever but volunteers are harder and harder to come by overtime. Every year it gets more difficult and we reached a point where some calls were missed, thankfully they were covered in other ways but there were delays sometimes in getting an ambulance where it needed to get and of course minutes count. So, we finally reached critical mass on this and we just don't have enough volunteers to stamp it to the level needed to keep the residents safe. So, we had to go out and pay EMT's in order to compliment our volunteer staff. There is no way around it in order to keep everyone safe.

**Council Member Potter:** You can't put a price tag on it.

**Council Member Wenzel:** No and another important point with that is prior to having the paid staff available, when a call came in the volunteer would have to leave their home, drive to the

station and then get in the ambulance. That's not the case now because the hired personnel are on site at the squad building and Roger do I recall they said their average response time is around 8 minutes did they say?

**Council Member Potter:** They said now out the door is 1 to 2 minutes. It was between 8 to 15 minutes.

**Supervisor Tidball:** Yeah that sounds about right. That is a big difference.

**Council Member Wenzel:** That is a big difference.

**Supervisor Tidball:** And they had a case the other night that because of how fast they were there to the scene that they saved a life. So, it's well worth it. It was sad to hear that the person had the trouble, but it was good to see that the town's taxpayers money was being well spent. We said from day one that money is no, I don't know how to put it into words but you can't put a price on life.

**Council Member Senecal:** It's the right thing to do.

**Supervisor Tidball:** This is my personal opinion, anybody that objects to us paying DVAC for the service, I would suggest to them to move to another town.

**Council Member Ganther:** Volunteer, if we had enough volunteers, we wouldn't have to do this. We'd love to be able to roll this back if we got enough volunteers in town to pick up the slack but as of this meeting, we do not have enough volunteers.

**Supervisor Tidball:** We'll move forward with that, at this time I will make the motion to open the public hearing.

**Council Member Senecal:** Second.

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

**Deputy Town Clerk Fall:** Supervisor Tidball

**Supervisor Tidball:** Aye

**Deputy Town Clerk Fall:** Council Member Senecal

**Council Member Senecal:** Aye

**Deputy Town Clerk Fall:** Council Member Potter

**Council Member Potter:** Aye

**Deputy Town Clerk Fall:** Council Member Ganther

**Council Member Ganther:** Aye

**Deputy Town Clerk Fall:** Council Member Wenzel

**Council Member Wenzel:** Aye

**Supervisor Tidball:** Ok, I will read the correspondence.

Supervisor Tidball read the letter from resident Judy Hoppes. Please see attached.

**Supervisor Tidball:** I don't think Judy was informed of why the reason was we were going over the tax cap. I'm sure once she hears why, she will understand. I do have her email address if she's not on tonight, we'll try to get back to her. Is there anybody on Zoom right now that wishes to have any comments about the tax cap override? Please put a note in the message box and we'll turn your mic on. If not, we're going to give it a minute and then we'll move on to the next one. Nothing Brandy?

**Deputy Town Clerk Fall:** No

**Supervisor Tidball:** If for some reason you get on late and want to make a comment, we always allow comments later on about this. Alright I make the motion to close the Public Hearing.

**Council Member Ganther:** I second the motion.

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

**Deputy Town Clerk Fall:** Supervisor Tidball

**Supervisor Tidball:** Aye

**Deputy Town Clerk Fall:** Council Member Ganther

**Council Member Ganther: Aye**

**Deputy Town Clerk Fall: Council Member Potter**

**Council Member Potter: Aye**

**Deputy Town Clerk Fall: Council Member Senecal**

**Council Member Senecal: Aye**

**Deputy Town Clerk Fall: Council Member Wenzel**

**Council Member Wenzel: Aye**

**Supervisor Tidball: Ok next Public Hearing.**

PLEASE TAKE NOTICE, that the Town Board of the Town of Duanesburg, New York, will meet at the Town Offices of Duanesburg, 5853 Western Turnpike, on **Thursday, October 22, 2020 at 7:00 p.m.** for the purpose of hearing all persons interested in the Preliminary Budget for 2021, and that any person may be heard in favor or against the items therein contained

The Preliminary Budget for the Town of Duanesburg for the fiscal year beginning January 1, 2021 has been filed in the office of the Town Clerk, Town Hall, 5853 Western Turnpike, Duanesburg, New York, where it is available for inspection during regular office hours.

Pursuant to Section 108 of the Town Law, the proposed salaries of Town Officers are hereby specified as follows:

Town Supervisor: \$21,140

Town Justice: \$16,315

Town Justice: \$16,315

Town Council-Member: \$7,025

Town Council-Member: \$7,025

Town Council-Member: \$7,025

Town Council-Member: \$7,025

Town Clerk: \$45,511

Highway Superintendent: \$56,871.12

BY ORDER OF THE TOWN BOARD

TOWN OF DUANESBURG

Dated: October 8, 2020

**Supervisor Tidball:** OK Public Hearing for the budget. So, this budget I would like to thank the town board members with their great help, all the people who contribute every year, the different departments working hard to get the proper numbers. I really want to thank Mr. Ganther, he gives me a lot of time every year, finds my oops every year and I greatly appreciate that.

**Council Member Ganther:** You're welcome.

**Supervisor Tidball:** So, as we said in the tax cap override conversation, we're definitely going way over or normal spending. Mostly due to the DVAC situation, with that we had an addition of a code enforcement officer for last year, add on his salary few and a few other things, miscellaneous things that just added up to exceeding the tax cap. We also in the last several years, it was a lot of heated conversations about using surplus funds. Every year if you see from the day basically since I've been supervisor, we've been using large chunks of a surplus and every year we have whittled it down to a smaller amount each year. Our goal is to have a balanced budget where no surplus is used. Which is in the near future, this year we plan on using only about \$50,000 of surplus. So it puts the surplus lower than we would like. We aren't in a major situation where we are going to be out of money but we need to have our A Fund surplus around the \$1,000,000 mark. I think we're hovering in the \$600,000 to \$700,000 mark. I'll have the final numbers on that pretty soon. We don't want to dwindle it down to zero. I know there have been residents in the past that have asked us to do that but it's always nice to have money in the bank for the rainy day. So we're looking at the average and I did this on average of 3200 parcels in town, we have about 3500 just around that neighborhood. I always take out the ones that you know are tax exempt, the ones are you know an acre of land and is only worth a dollar. So I always averaged about 3200 we're looking at about an average of \$6.00 to \$7.00 a month total it's gonna add the additional for your town town tax and your highway tax combined. So, if you figure out of that what you're getting out of that extra \$6.00 to \$7.00 a month. You'll get the DVAC paid services 6:00 to 6:00 Monday through Friday, an additional code enforcement officer to help alleviate the pressures on the current one and to start taking care of a lot of our delinquent properties which we've noticed COVID really slowed a lot of things down with that. We also had a 5% increase in health insurance which we can never do anything about pretty much. So like I said if you break it down at the end of the day you're only talking about \$6.00 to \$7.00 average per home, per month. Some homes will be more, some homes will be less based on your assessment. So that's my discussion on that. Any other board members want to add to that?

**Council Member Potter:** I'm just very comfortable with that. I mean we're getting services at the ambulance corp when it is needed, we're getting another Code Enforcement Officer who is doing an excellent job and has a huge amount of experience. So I am comfortable and don't think money wise we're really asking for much, very little. So I am pretty happy with it. You guys did a good job on it. You just didn't add, you also cut areas where necessary.

**Supervisor Tidball:** We try not to overspend. We've always been fiscally responsible. That is one thing about this town board, we don't spend where we don't need to spend. And we can

thank Mr. Reed who is here tonight, our Highway Superintendent, one of the most frugal. He only spends if he has to spend and the town board greatly appreciates that. Any other comments?

**Council Member Wenzel:** I just wanted to comment that when the town property tax bill comes in January, just to point out that the overwhelming majority of that bill is County tax and the town portion of that tax is quite a small percentage. So not trying to diminish the fact yes there's an increase and we explained why but as far as the total percentage I don't have an exact number but it's a very small part of that total bill.

**Supervisor Tidball:** Your county tax, which we don't have the number, most of your county tax goes to Social Services. It's sad, the last I knew it was in the sixty percentile of your county tax actually goes to Social Services funding. Just to show where your tax money in this county goes to. So, with that, I will make the motion to open the Public Hearing.

**Council Member Potter:** Second the motion.

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

**Deputy Town Clerk Fall:** Supervisor Tidball

**Supervisor Tidball:** Aye

**Deputy Town Clerk Fall:** Council Member Potter

**Council Member Potter:** Aye

**Deputy Town Clerk Fall:** Council Member Ganther

**Council Member Ganther:** Aye

**Deputy Town Clerk Fall:** Council Member Senecal

**Council Member Senecal:** Aye

**Deputy Town Clerk Fall:** Council Member Wenzel

**Council Member Wenzel:** Aye

**Supervisor Tidball:** Is there anyone on Zoom that wishes to speak about the Preliminary budget? And folks, any time you have any questions, please put it in the comments and it will be checked. And again like I said, just because we close the Public Hearing, we still take comments during the meeting when we can. Nothing/

**Deputy Town Clerk Fall:** No

**Supervisor Tidball:** Ok. I'll make the motion to close the Public Hearing.

**Council Member Ganther:** I'll second the motion.

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

**Council Member Ganther:** I second the motion.

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

**Deputy Town Clerk Fall:** Supervisor Tidball

**Supervisor Tidball:** Aye

**Deputy Town Clerk Fall:** Council Member Ganther

**Council Member Ganther:** Aye

**Deputy Town Clerk Fall:** Council Member Potter

**Council Member Potter:** Aye

**Deputy Town Clerk Fall:** Council Member Senecal

**Council Member Senecal:** Aye

**Deputy Town Clerk Fall:** Council Member Wenzel

**Council Member Wenzel:** Aye

**Supervisor Tidball:** Ok, moving along. Approval of minutes please.



**Council Member Potter:** I make the motion for approval of minutes for the Special Town Board Meeting on Monday October 5<sup>th</sup>, 2020.

**Supervisor Tidball:** I'll second. Any discussion? Brandy call the roll please.

**Deputy Town Clerk Fall:** Council Member Potter

**Council Member Potter:** Aye

**Deputy Town Clerk Fall:** Supervisor Tidball

**Supervisor Tidball:** Aye

**Deputy Town Clerk Fall:** Council Member Ganther

**Council Member Ganther:** Aye

**Deputy Town Clerk Fall:** Council Member Senecal

**Council Member Senecal:** Abstain

**Deputy Town Clerk Fall:** Council Member Wenzel

**Council Member Wenzel:** Aye

**Resolution 112-20:** Council Member Potter motioned, seconded by Supervisor Tidball to approve the Special Town Board Meeting minutes of Monday, October 5<sup>th</sup>, 2020.

Motion carried, 4 ayes

**Council Member Potter:** I make the motion for approval of minutes for the Town Board Meeting on Thursday October 8<sup>th</sup>, 2020.

**Council Member Wenzel:** Second.

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

**Deputy Town Clerk Fall:** Council Member Potter

**Council Member Potter:** Abstain

**Deputy Town Clerk Fall:** Council Member Wenzel

**Council Member Wenzel:** Aye

**Deputy Town Clerk Fall:** Council Member Ganther

**Council Member Ganther:** Aye

**Deputy Town Clerk Fall:** Council Member Senecal

**Council Member Senecal:** Aye

**Deputy Town Clerk Fall:** Supervisor Tidball

**Supervisor Tidball:** Aye

**Resolution 113-20:** Council Member Potter motioned, seconded by Council Member Wenzel to approve the Town Board Meeting minutes of Monday, October 8th, 2020.

Motion carried, 4 ayes

**Supervisor Tidball:** Payment of claims please

**Council Member Potter:** Vouchers to be paid Town of Duanesburg Vouchers per Fund. General Fund - \$3,085.91. Highway fund- \$76,015.42 SD#1- \$16,347.09, SD#2 - \$1,088.96, SD#3 - \$887.93. Total vouchers to be paid - \$97, 425.31.

**Council Member Ganther:** Second

**Supervisor Tidball:** Any discussion. Brandy call the roll please.

**Deputy Town Clerk Fall:** Council Member Potter

**Council Member Potter:** Aye

**Deputy Town Clerk Fall:** Council Member Ganther

**Council Member Ganther: Aye**

**Deputy Town Clerk Fall: Council Member Senecal**

**Council Member Senecal: Aye**

**Deputy Town Clerk Fall: Council Member Wenzel**

**Council Member Wenzel: Aye**

**Deputy Town Clerk Fall: Supervisor Tidball**

**Council Supervisor Tidball: Aye**

**Resolution 114-20:** Council Member Potter motioned, seconded by Council Member Ganther to pay the following claims:

Motion carried, 5 ayes

### **Vouchers to be Paid October 22, 2020**

<b>General Fund:</b>	<b>\$3,085.91</b>
<b>Highway Fund:</b>	<b>\$76,015.42</b>
<b>SD#1 Fund:</b>	<b>\$16,347.09</b>
<b>SD#2 Fund:</b>	<b>\$1,088.96</b>
<b>SD#3 Fund:</b>	<b>\$887.93</b>

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**Total To Be Paid:**

**\$97,425.31**

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

**Highway:**

**Highway Superintendent Reed:** Since the last meeting the rental on the paving machine has come and gone. We were able to get quite a few patches of asphalt down on a few roads, Schoonmaker, South Shore and we were actually able to get Feuz Lane paved this year. From what I understand, the neighbors actually had a block party last weekend on it. They were quite pleased, kids were riding their bicycles and mom's were pushing strollers. They had a great old time. That was actually an extra bonus, I was able to find some money in the budget to do it. They've been pretty patient down there. And we also took care of some paving at one of our parks. Shafer Park has a good base to it now. That's a good start and next year we can do the tail end of it.

**Supervisor Tidball:** Absolutely. I was going to talk about it in the Park Committee, it was greatly needed. We had talked about in the past for you to find the time and get it done. Those funds will be coming out of the Parklands so it doesn't come out of the highway. I know in the past we have had a lot of parents complain about the potholes at the end when they dropped the kids off.

**Highway Superintendent Reed:** We've been filling the pothole for, well since I've been here. We found out that the entrance wasn't actually built correctly and when we dug it up, there was no level underneath it and the water was bubbling up out of the sewer ditch on the right shoulder. So we dug it down 12+ inches and put in a bag of pea stone with a bleeder pipe. Topped that with a fabric and another 6-8 inches of rubble and about 4 inches of pavement on top of it. So it should hold for a long time.

**Supervisor Tidball:** And your saying another light layer on top of that for next year?

**Highway Superintendent Reed:** I got a start on the front with the base top but if we can put it together. Continue on with the base and then top the whole thing next year and then it will be

done for a long, long time. The upper end of the parking lot near the cul de sac has got good gravel so we're in good shape there.

**Supervisor Tidball:** We appreciate that getting done by the highway department. Anything else Bill?

**Highway Superintendent Reed:** Next week, Friday, I am closing Van Patten Road. We are going to have some very large trees taken down. We are piggy backing off the Town of Rotterdam Municipal contract to Harmony Tree Service. It came out that they quoted the project at \$4500 which is a really good deal considering he has to put a crane up in the middle of the road. That's why we have to close it completely, there is no way he could open it to drive on.

**Supervisor Tidball:** And are we notifying the residents somehow?

**Highway Superintendent Reed:** It's already done. There was an ad in the paper and then I put a flyer out to Schenectady County that distributes it to all the departments and services that need to know about it. So there is plenty of head's up on it.

**Supervisor Tidball:** That be it?

**Highway Superintendent Reed:** That's it.

**Supervisor Tidball:** Ok questions or anything for Bill? Alrighty. Next. Public Safety. We don't have much going on there other than we did sit with DVAC the other night when we were going over budget stuff and they gave us the story of the gentleman that they responded to. They gave us the updates on the other numbers of time going in and out that Ricky alluded to. So we are glad to hear that services are being used and that the money is going to a great cause. It was great news to hear from Dianne and Peter about everything. So, again, our hats are off to them for making it happen and for us to make it happen for them. You had nothing else on Public Safety did you?

**Council Member Wenzel:** No.

**Supervisor Tidball:** Ok we'll go off into the Park Committee.

**Park Committee:**

**Council Member Wenzel:** I do not have anything new we are continuing to look at the disc golf but beyond that, nothing new.

**Supervisor Tidball:** What is the latest news on the disc golf? I know we discussed our concern that the one in the middle but they said that they could put it in a sleeve.

**Council Member Wenzel:** They can put that in a sleeve that would be flush mounted so it could be taken out and they provide a little cap that would go over the sleeve. So, it's not gonna get dirt and what have you in it so that it would be a problem to get it back in.

**Supervisor Tidball:** Do we, if we wanted to get it done, could they do that this year?

**Council Member Wenzel:** If we move fairly soon on that they would be able to get that done this year.

**Supervisor Tidball:** We want to contact them because we had the money also in the parklands set aside for stuff like that. So I would say that the board, we talked about this.

**Council Member Ganther:** So there's money in the budget for this year?

**Supervisor Tidball:** Yeah, there is money in the reserve money in the parklands. Parklands is money we get that is built up over many years of major subdivisions. A fee went to that fund and we bought the dump trailer and one mower with. We had a significant amount of money in there and we still have after what Bill Reed is using we still have enough to pay easily pay for this. If you want to get a final draft from them for price.

**Council Member Wenzel:** I can do that. The only other thing I'd ask, I'll ask you Teresa, I think it would be a good idea to just write up a very simple agreement with them so they understand the parameters of what we want. That the Parkland can still be a multi-use facility and the only way to accomplish that is by installing the tees and the pipes in the ground so that they're all flush mount. And I think that we need to have that in writing with them just, just so that there's no misunderstandings later on.

**Supervisor Tidball:** If you can get the contact information and keep Teresa in on it. I don't think there will be a problem with that. But you are absolutely right, we don't want to show up one day and they are in concrete.

I think it's a great idea and we have already had some residents ask when it is going to be done. So it's actually an up and coming thing. Actually my cousins who live down south are on a team.

They have a team down there, I didn't know how big it was. They have outings and go from place to place and play in these tournaments.

**Council Member Wenzel:** Well the fella that's going to do the install, the two of them are involved in a league and there's a lot more to it than I realized. One thing I will say about this though, this course was designed and laid out to be a beginner course which means it's family friendly and I made that clear that it's something you know little kids should be able to play this as well as adults.

**Supervisor Tidball:** It's appreciated that you did that. That's what we want in this town. If you can get that rolling then maybe we can have something by the next board meeting and go from there. Thank you. Sewer Districts.

#### **Sewer Districts:**

**Council Member Ganther:** OK go over a summary of the wastewater teams activities for the month of September, last month. They greased the blowers at the Delanson and Mariaville plant. They had to replace a pump in the Delanson plant, the tank wasn't being pumped down enough. The Cole Road pump station the vacuum filters and seals at the base of pump number one needed to be replaced. Then pump number two had to be pulled and cleaned a few days later because of rags caught in it. We had to have A-Team in to work on the mudwell at the Mariaville plant. Installed a check valve and in the process of doing that found a broken pipe that needed to be repaired. The county had paved over some manhole covers on Weast Road so the team had to remove some blacktop from there and they added some riser rings to the manholes to prevent this in the future. They had to replace floats on two grinder pumps in Mariaville. Pump number two at the Spring Road pump station in Mariaville had to be pulled in order to clean out rags that were clogging it. They applied degreaser at the Routes 159 and 160 pump stations and they had to have Blue Diamond in to pump out the SVR tank number two at the Mariaville plant so that tank could be clean. That was a summary of their activities last month. Bill Brown did forward us a draft SPDES permit for the Delanson Wastewater Treatment Plant. Unlike the one that we needed for the Mariaville permit, there doesn't appear to be any new requirements for this permit. So we are pleased about that. The other plants there was initial testing tht needed to be done but that doesn't seem to be the case for this plant. With that, if we could turn on Bill Brown's microphone maybe he can let us know what the next steps are for that draft SPDES permit and any other updates that he may have. Bill ya out there?

**Bill Brown from Delaware Engineering:** Hello how you doing everybody? I mean on the SPDES permit, that'll go through the review process at DEC and then the town should get a letter from

them that the new permit is going to be in effect. I think we are just waiting on the paperwork from the state on that end. No real other big updates or nothing to ask from the board. Next month, we should have the plans finalized for the Delanson upgrade and we will be asking to go out to bid with that project to stay in conformance with the consent order there. Mariaville, probably first quarter 2021 we'll be asking to proceed with design for the UV project there. Plans have to be in by May 2021 to comply with the SPDES permit schedule for that project.

**Council Member Ganther:** Ok, that's it?

**Bill Brown:** I think that's it.

**Council Member Ganther:** Very good. Any questions for Bill?

**Supervisor Tidball:** I got nothing. Thanks Bill. Alrighty, IT John?

**IT:**

**Council Member Ganther:** Broadband committee minutes from the last meeting are in the process of being posted to the website so they will be available to the public soon. Our next meeting is scheduled for Tuesday November 10th at 6:30 PM downstairs. We did learn recently that spectrum did extend service to the end of Humphrey Rd so we got some intentions there and that Verizon has added services in homes over on Millers Corners Road. So, yeah almost every meeting I'm able to give a little bit of good news about someone getting hooked up somewhere, so we continue to make good progress.

**Council Member Senecal:** I happened to be at one of those houses doing a job and they were so ridiculously happy to have it so they could function. And they brought it up that their house was worth more.

**Council Member Ganther:** Absolutely especially with COVID now and so many people working from home and school work being done at home, it's a big deal.

**Council Member Senecal:** It was almost like you were giving them oxygen for the first time.

**Council Member Ganther:** Yeah, I'm going to read an email that we got from one of the residents over on Millers Corners Road. Well I'm so happy to say that I got my FIOS installed two weeks ago. Being that we have a long driveway we're waiting on the cable to get buried in the ground. This has been a life changer in my household. My son is able to school work at



home, my husband and I are able to plan teaching lessons without poor connectivity, we have Netflix, online streaming for workouts. We really appreciate all the hard work that everyone on the broadband committee has put forth in order to get us connected. Let us know if you ever need anything. I'm willing to help me out anyway I can. So yeah, another basically person that's just thrilled to be caught up with the modern age. As folks know we have a solar moratorium in place right now. We had our first public meeting on this topic yesterday. Residents attend via Zoom. The meeting was recorded and will get posted on our website. We didn't get too much feedback but I recommend we do a couple more of those meetings over the next couple of month. Maybe other people will want to get on and give us their thoughts. It makes sense we'll schedule maybe one each month for the next couple months. And then evaluate what kind of feedback we have. Two factor authentication for our email we had we had trouble with email spoofing. We are going to implement two factor authentication. I did receive a documentation on how that gets set up. Next week Omnis is going to turn it on just on my account to get me on it so I can review the instructions and be sure they're user friendly. I'll get them out to everyone and what we can do is we can you know bring up a couple of groups at a time on the two factor that should give us much more secure email and should address the spoofing problem. So we are moving forward there. Working with our internal staff to improve our accounting procedures. We did get, OMNIS set up a [invoices@duanesburg.net](mailto:invoices@duanesburg.net) mailbox which will help streamline invoices that we receive. We receive in the mail, they get stamped when they are received but invoices that come in online go to different departments and we don't know necessarily when they come in. We lose a little bit of control as to when they get paid, and if they get in the system promptly. So this this mailbox will be a central point where all vendors can send invoices to Duaneburg through this mailbox so that we can record them like we do with any that are coming through the mail and then they can just be disseminated to the departments. Lastly, we had a problem with our Internet access this Monday. Initially it was a Spectrum issue but then once that was resolved and we rebooted our system here there was a secondary issue that seems to be some residues from a power surge maybe a power outage along the way. We had to get OMNIS involved and it turned out that the power supply to one of our access points in the building was fried. So they replaced that power supply to it and it came back up. They did point out that we do have two access points in the building and they are old so we ought to consider replacing them at some point soon. They probably run about \$500 with labor. It's not an immediate concern but something we do want to address before we have a failure, then we are kind of stuck. So, we'll just keep that as a to do item over the next coming months.

**Supervisor Tidball:** Yeah, I'll look at the budget and where we are year to date and then we can move some money around.

**Council Member Ganther:** Great, that's all I have.

**Supervisor Tidball:** Thank you for covering the solar meeting, I was going to bring that up. Again, like John said, this is a pretty hot topic since the last couple solar farms applied. We did plan a meeting back, pre COVID. We had a lot of people interested in meeting and talking about it. The town board, and correct me if I am speaking out of turn for the Town Board, please let me know, we're not looking to overhaul the current solar law. The current law, when it was written there was a lot of work put into it. I thank the town Planning Board and the Zoning Board, Terresa's office. A lot of information went into, we took information from other town, local towns, states. So a lot of work was done to it. So like I said, we aren't out to overhaul the current law, things do change, opinions change, board members change, residents change. So opinions change so that's what these meetings are about, to hear what people think of the current law and things that we should add or subtract or change. Like I said we're not looking to start from day one, you know column one of what we want in the solar law. I believe the solar law, me personally, I think it is pretty tight. But there are, like I said, things change and we are here to the answer to the residents. So if the majority of the residents are saying this is what we should look at, the Town Board is going to look at it. Like I said, some things were decided in the best interest of the town and we adopt and change the laws. So like I said, we have always been an open group and that's why we have, basically having these Zoom meetings. I'm sorry that they are Zoom meetings, I really wish they were public because they go a lot easier that way. So like John said, the next Board meeting we will schedule the next one. Also folks, the town board members are available if you want to speak to them one on one through emails, chat whatever, you know to get your opinions out or look at the town's current solar law and highlight what you don't like or whatever and get us the comments that way we and we can read them during these Zoom meetings and distribute them to the Town Board. So when we are done with the meetings, a couple, like John proposed, we will compile everything that was brought to us, I know the current Planning Board had a few comments. We'll put it all together and look at it and see if the town board decides if any changes need to be done and what we need to do. I am sure some line will change but I can't guarantee what, who and how but when we get there, we'll get there. Other than that, I got nothing else committee wise or news wise. Been super busy on the budget, so that's all I got. Anyone else have anything before we go into the business meeting? The boss lady, yes.

**Town attorney Terresa Bakner:** So, under number one, the motion to adopt the Local Law, that is fine for tonight. We need to actually file it with the Secretary of State before it becomes effective and you can adopt the budget. So, we'll have to push the resolution on the budget to November 12<sup>th</sup>. Is that OK with everyone? Roger is that alright with you?

**Supervisor Tidball:** Sure. As long as it is within the time cap.

**Town Attorney Terresa Bakner:** November 20<sup>th</sup> is the cap.

**Supervisor Tidball:** So we're not going to do number two then tonight?

**Town Attorney Terresa Bakner:** We're not doing number two tonight. We also somehow managed not to get on the agenda that is near and dear to the Highway Superintendent's heart which is the skid steer. Did you want to have that on tonight?

**Supervisor Tidball:** Yeah, we discussed it earlier. Do you have the resolution for it?

**Town Attorney Terresa Bakner:** I do. I have everything.

**Supervisor Tidball:** Ok, so we're not doing number two and then we are going to add this to the list. So with that, we'll go into the business meeting then.

**Business Meeting:**

**Council Member Potter:** Make a motion to adopt Local Law No. 3 of 2020 entitled "Tax Cap Override for FY 2021."

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

**Supervisor Tidball:** Any discussion? Any further discussion? We already discussed this in the Public Hearing. Brandy call the roll please.

**Deputy Town Clerk Fall:** Council Member Potter

**Council Member Potter:** Aye

**Deputy Town Clerk Fall:** Council Member Ganther

**Council Member Ganther:** Aye

**Deputy Town Clerk Fall:** Council Member Senecal

**Council Member Senecal:** Aye

**Deputy Town Clerk Fall:** Council Member Wenzel

**Council Member Wenzel:** Aye

**Deputy Town Clerk Fall:** Supervisor Tidball

**Council Supervisor Tidball:** Aye

**Resolution 115 -20:** Council Member Potter motioned, seconded by Council Member Ganther to adopt Local Law No. 3 entitled "Tax Cap Override for FY 2021."

Motion carried, 5 ayes

**Supervisor Tidball:** Remember, we are skipping number two.

**Council Member Ganther:** Ok, I'll take one. Motion to set a hearing on November 12, 2020 at 7:00 p.m. to provide an opportunity for the property owner to address the Town Board regarding 3000 Western Turnpike unsafe conditions.

**Council Member Potter:** Second it.

**Supervisor Tidball:** Any discussion on this? A little discussion on this, we have had several small discussions about this openly. The resolution speaks for itself. So, since we are in the COVID stage, he has, we are inviting him to speak about it during the public hearing if he wishes to. So, in the situation he is in, I don't know if he has access to a computer. Like we said before we will allow people here. So I don't know if we need to get notice to the gentleman that if he wants to come and speak in person, you know we'll just follow all the protocols. We will allow him here for the public hearing to come speak.

**Town Attorney Teresa Bakner:** I believe the two property owners will most undoubtedly be able to speak via computer and the other gentleman has an attorney and we will invite the attorney to come.

**Supervisor Tidball:** So, no other discussion? Brandy please call the roll.

**Deputy Town Clerk Fall:** Council Member Ganther

**Council Member Ganther:** Aye

**Deputy Town Clerk Fall:** Council Member Potter

**Council Member Potter:** Aye

**Deputy Town Clerk Fall:** Council Member Senecal

**Council Member Senecal:** Aye

**Deputy Town Clerk Fall:** Council Member Wenzel

**Council Member Wenzel:** Aye

**Deputy Town Clerk Fall:** Supervisor Tidball

**Council Supervisor Tidball:** Aye

**Resolution 116-20:** Council Member Ganther motioned, seconded by Council Member Potter to set a hearing on November 12, 2020 at 7:00 p.m. to provide an opportunity for the property owner to address the Town Board regarding 3000 Western Turnpike unsafe conditions.:  
Motion carried, 5 ayes

**Council Member Potter:** Make the motion to authorize the Town supervisor to execute any documents necessary to purchase of a compact track loader (skid steer).

**Council Member Senecal:** Second.

**Supervisor Tidball:** Discussion on this. We budgeted for this for this year. It just got put on the back burner. I appreciate Mr. Reed looking into the state contract pricing which I believe was over a \$30,000 decrease in price because the contract from what the MSRP price is. Which is tremendous, tremendous savings. So, that's what are some good things about the Office of General Services Contract, you can save a lot of money. So it was less than what we originally budgeted for so it's a great deal and you need it. You've been asking for it and we budgeted for it, so we got a deal. Any other discussion on it?

**Highway Superintendent Reed:** It's a very handy machine to have.

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

**Deputy Town Clerk Fall:** Council Member Potter

**Council Member Potter:** Aye

**Deputy Town Clerk Fall:** Council Member Senecal

**Council Member Senecal:** Aye

**Deputy Town Clerk Fall:** Council Member Ganther

**Council Member Ganther:** Aye

**Deputy Town Clerk Fall:** Council Member Wenzel

**Council Member Wenzel:** Aye

**Deputy Town Clerk Fall:** Supervisor Tidball

**Council Supervisor Tidball:** Aye

**Resolution 117-20:** Council Member Potter motioned, seconded by Council Member Senecal to authorize the Town supervisor to execute any documents necessary to purchase of a compact track loader (skid steer).

Motion carried, 5 ayes

**Supervisor Tidball:** Nothing else for the business meeting. We are going to open the privilege of the floor. If anybody wishes to speak. If Ms. Bruning is on, I do have your letter. I don't know if you want me to read it or if you want to read it.

**Privilege of the floor:**

**Lynn Bruning:** I can read. (Ms. Bruning read her letter, please see attached.)

**Supervisor Tidball:** Thank you for your comments. Anybody else wish to speak?

**Deputy Town Clerk Fall:** It's just Lynn and Bill Brown on.

**Supervisor Tidball:** Alright folks, we'll close the privilege of the floor. I'll make the motion to go into executive session to discuss personnel issues.

**Privilege of the floor closed:**

**Council Member Potter:** Second.

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

**Deputy Town Clerk Fall:** Supervisor Tidball

**Supervisor Tidball:** Aye

**Deputy Town Clerk Fall:** Council Member Potter

**Council Member Potter:** Aye

**Deputy Town Clerk Fall:** Council Member Ganther

**Council Member Ganther:** Aye

**Deputy Town Clerk Fall:** Council Member Senecal

**Council Member Senecal:** Aye

**Deputy Town Clerk Fall:** Council Member Wenzel

**Council Member Wenzel:** Aye

**Supervisor Tidball:** Folks thank you have a good night.

**The Town Board came out of executive session at 8:45p.m.**

I, Brandy Fall, Deputy Town Clerk of the Town of Duanesburg, so hereby certify that this is a true and accurate transcript of the Regular Town Board Meeting held on Thursday October 22, 2020 at the Duanesburg Town Hall, 5853 Western Turnpike, Duanesburg, New York 12056.

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

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PLEASE TAKE NOTICE, that the Town Board of the Town of Duanesburg, New York, will meet at the Town Offices of Duanesburg, 5853 Western Turnpike, on **Thursday, October 22, 2020** at **7:00 p.m.** for the purpose of hearing all persons interested in the adoption of Local Law No. 3 of 2020.

**The Proposed Local Law No. 3 of 2020** is entitled "Tax Cap Override for FY 2021." The proposed local law will allow the Town of Duanesburg to override the limit on the amount of real property taxes that may be levied, pursuant to General Municipal Law § 3-C, and allow the Town of Duanesburg to adopt a town budget for fiscal year 2021 that requires a tax levy in excess of the tax levy limit. A copy of the proposed local law is on file at the office of the Town of Duanesburg Town Clerk, 5853 Western Turnpike, Duanesburg, New York, 12056.

BY ORDER OF THE TOWN BOARD  
TOWN OF DUANESBURG

Dated: October 8, 2020



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

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PLEASE TAKE NOTICE, that the Town Board of the Town of Duanesburg, New York, will meet at the Town Offices of Duanesburg, 5853 Western Turnpike, on **Thursday, October 22, 2020** at **7:00 p.m.** for the purpose of hearing all persons interested in the Preliminary Budget for 2021, and that any person may be heard in favor or against the items therein contained.

The Preliminary Budget for the Town of Duanesburg for the fiscal year beginning January 1, 2021 has been filed in the office of the Town Clerk, Town Hall, 5853 Western Turnpike, Duanesburg, New York, where it is available for inspection during regular office hours.

Pursuant to Section 108 of the Town Law, the proposed salaries of Town Officers are hereby specified as follows:

Town Supervisor: \$21,140  
Town Justice: \$16,315  
Town Justice: \$16,315  
Town Council-Member: \$7,025  
Town Council-Member: \$7,025  
Town Council-Member: \$7,025  
Town Council-Member: \$7,025  
Town Clerk: \$45,511  
Highway Superintendent: \$56,871.12

**BY ORDER OF THE TOWN BOARD  
TOWN OF DUANESBURG**

Dated: October 8, 2020

**Town of Duaneburg**

**Vouchers per Fund**

<b>Fund</b>	<b>Amount</b>
General Fund	\$ 3,085.91
Highway Fund	\$ 76,015.42
Sewer District # 1	\$ 16,347.09
Sewer District # 2	\$ 1,088.96
Sewer District # 3	\$ 887.93
<b>Total</b>	<b>\$ 97,425.31</b>

**TOWN OF DUANESBURG TOWN BOARD**

**RESOLUTION NO. 115-2020**

**October 22, 2020**

**Adopting Local Law No. 3 of 2020**

**WHEREAS**, Local Law No. 3 of 2020 entitled "Tax Cap Override for FY 2021" (the "Proposed Local Law") will allow the Town of Duanesburg to override the limit on the amount of real property taxes that may be levied, pursuant to General Municipal Law §3-C, and allow the Town of Duanesburg to adopt a town budget for fiscal year 2021 that requires a tax levy in excess of the tax levy limit; and

**WHEREAS**, the proposed local law was introduced at the meeting of October 8, 2020 of the Town Board and each member of the Town Board received the Proposed Local Law; and

**WHEREAS**, a public hearing was duly noticed and held on October 22, 2020.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board hereby adopts Local Law No. 3 of 2020 and directs that the local law be filed in the Town Clerk's office and with the New York State Secretary of State's Office.

Motion made by Council Member Potter  
Motion seconded by Council Member Gauthier

  
Roger Tidball, Supervisor

Brandy L. Fall  
Town Clerk/Deputy Town Clerk

Present: Supervisor Tidball, Council Member Potter, Council Member Gauthier,  
Absent: Council Member Senecal, Council Member Wenzel

Council Members:

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

**TOWN OF DUANESBURG LOCAL LAW NO. 3 OF 2020**

**TAX CAP OVERRIDE FOR FY 2021**

**BE IT ENACTED** by the Town Board of the Town of Duanesburg in the County of Schenectady as follows:

**Section 1. Title of the Local Law.**

This local law shall be entitled "Tax Cap Override for FY 2021."

**Section 2. Authorization.**

This local law is adopted pursuant to subdivision 5 of the General Municipal Law § 3-C, which expressly authorizes the town board to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the Town Board.

**Section 3. Purpose.**

The purpose of this local law is to permit the override of the limit on the amount of real property taxes that may be levied by the Town of Duanesburg, County of Schenectady, pursuant to General Municipal Law § 3-C, and to allow the Town of Duanesburg to adopt a town budget for the fiscal year 2021 ("FY 2021") that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-C.

**Section 4. Tax Cap Override for FY 2020**

The Town Board of the Town of Duanesburg, County of Schenectady, is hereby authorized to adopt a budget for FY 2021 that requires a real property tax levy in excess of the amount otherwise proscribed in General Municipal Law § 3-C.

**Section 5 Supersession.**

Pursuant to the powers granted by the Municipal Home Rule, this Local Law supersedes all provisions of the Town of Duanesburg Town Code, in so far as such statutes are inconsistent with this Local Law and any other laws or regulations of the Town of Duanesburg are superseded to the extent necessary to give this Local Law full force and effect. All other provisions shall remain the same.

**Section 6. Severability.**

Each separate provision of this Local Law shall be deemed independent of all other provisions therein, and if any provisions shall be deemed or declared invalid, all other provisions hereof shall remain valid and enforceable.

**Section 7.     Effective Date.**

This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with Municipal Home Rule Law § 27.

**Town of Duanesburg Town Board**

**RESOLUTION NO. 116 - 2020**

**October 22, 2020**

**WHEREAS**, pursuant to Local Law No. 1 of 1992 (the "Unsafe Buildings Law"), the Town Board has the authority to order owners of unsafe and/or dangerous buildings to repair or demolish and remove such buildings; and

**WHEREAS**, on several dates in 2020, the Town of Duanesburg Building Inspector (the "Building Inspector") inspected the property located at 3000 Western Turnpike, Duanesburg, New York, 12056 (SBL #68.00-1-24) (the "Property"), pursuant to the Section 5 of the Unsafe Buildings Law; and

**WHEREAS**, the building inspector reported that the condition of the Property is unsafe to the general public, may attract rodent infestation, presents danger to the health safety, morals and general welfare of the public, and is unfit for the purposes for which it may be lawfully used.

**WHEREAS**, on October 15, 2020, pursuant to Section 5 of the Unsafe Buildings Law, the Building Inspector reported to the Town Supervisor and Town Board members his findings and recommendations based on his inspection of the Property (the "Report"); and


**WHEREAS**, in the Report, the Building Inspector noted that the Property is: littered with debris, garbage, and at least one animal carcass; and has no electricity due to the power being terminated.

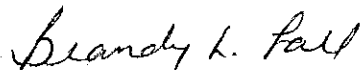
**WHEREAS**, pursuant to Section 6 of the Unsafe Buildings Law, the Town Board has considered the Report and in the Town Board's opinion the building is unsafe.

**NOW, THEREFORE, BE IT RESOLVED**, that

- (1) based on the Report of the Building Inspector, the Town Board determines that the building is unsafe, and the conditions identified require remediation and/or repair; and
- (2) the Town Board directs that the attached Notice of Unsafe Condition to be served on the property owner or other persons pursuant to Section 8 of the Unsafe Buildings Law; and
- (3) the Town Board directs that Notice of Unsafe Condition be filed in the Office of the Schenectady County Clerk pursuant to Section 9 of the Unsafe Buildings Law; and
- (4) that the Town Board shall meet to hold a hearing on November 12, 2020 at 7:00 p.m. at the Town of Duanesburg Town Hall, 5853 Western Turnpike, Duanesburg, New York, to provide an opportunity for the property owner to address the Town Board on said matter.

By (unanimous/majority) vote of the Town Board of the Town of Duanesburg at its regular meeting of October 22, 2020.

  
Roger Tidball, Supervisor

  
Town Clerk/Deputy Town Clerk

Date 10/22/2020

Date

Present: Supervisor Tidball, Council Member Potter, Council Member Gauthier, Council  
Absent: Member Senecal, Council Member Wenzel

Town Board Members:

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



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

October 22, 2020

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

**Re: Town of Duanesburg  
Unsafe Building Inspection  
111 Darby Hill Road  
Our Project No. GNY02WD-20498**

Dear Mr. Warner:

This letter summarizes my findings and recommendations based on a visual inspection from the street that was performed on the above referenced property on October 22, 2020. There are two separate structures consisting of a house and an outbuilding located on the property that were both severely damaged during a fire that occurred on December 29, 2019. Photographs are attached, showing the condition of the structures before the fire and at the time of the visit.

The house was originally a two-story, wood framed structure with front and back porches, and a basement. The structure burned down to the first floor, with upper wall and floor remnants collapsed onto the first floor and into the basement. A small section of brick/masonry fireplace remains standing. There is a considerable amount of debris on and around the remaining foundation footprint and debris has spilled onto the sidewalk. Much of the first floor appears to be caved into the basement, however due to the amount of debris, an accurate determination could not be made if there are any portions of the first-floor platform or supporting members that remain intact, or their condition. The condition of the remaining foundation walls could not be determined either. Based on my observations of the extent of damage and amount of debris; the house structure is uninhabitable, structurally unsafe, unsafe to enter, in danger of portions collapsing into the basement, and beyond repair.

The outbuilding, which appears to have been used as a storage building is an approximately 700 square foot, 1 ½ story, wood framed structure with a shed on the back. The roof has been burned off, the ceiling/second floor are fire damaged along with varying extents of damage to all the walls, where large portions are missing. From my observations of the extent of fire damage to the structural elements of the upper walls, roof and second floor; the structure is unsafe to enter, in danger of collapse, uninhabitable, and beyond repair.

We recommend that the remaining portions of both buildings be safely demolished, and all debris removed and legally disposed of. If there are oil or fuel tanks on site, special care must be taken to not rupture tanks or cause a spill. Tanks should be pumped out and then properly disposed of. Also, all utilities (water, sewer, electrical) should be safely shut off, cut and properly capped as applicable.



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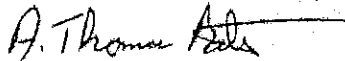


Once the first-floor deck, platform, and supports are removed, portions of the remaining foundation walls may become unstable over time and collapse inward. If left open, the remaining hole will be an unsafe condition and may fill with water. We recommend knocking holes into basement slab, cutting down the foundation walls to just below grade and filling the hole up to grade with a clean, compacted run of bank gravel.

If you have any questions, please feel free to contact me.

Sincerely,

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



A. Thomas Bates, P.E.  
Senior Director of Operations & Engineering



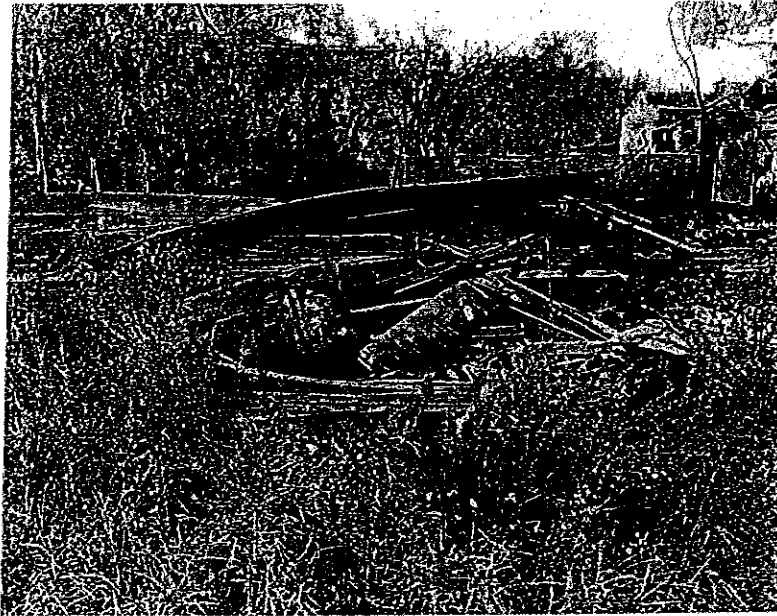


Before 12/29/19 Fire: 111 Darby Hill Road (Looking South)



Remaining House Structure, 10/22/2020 Looking South



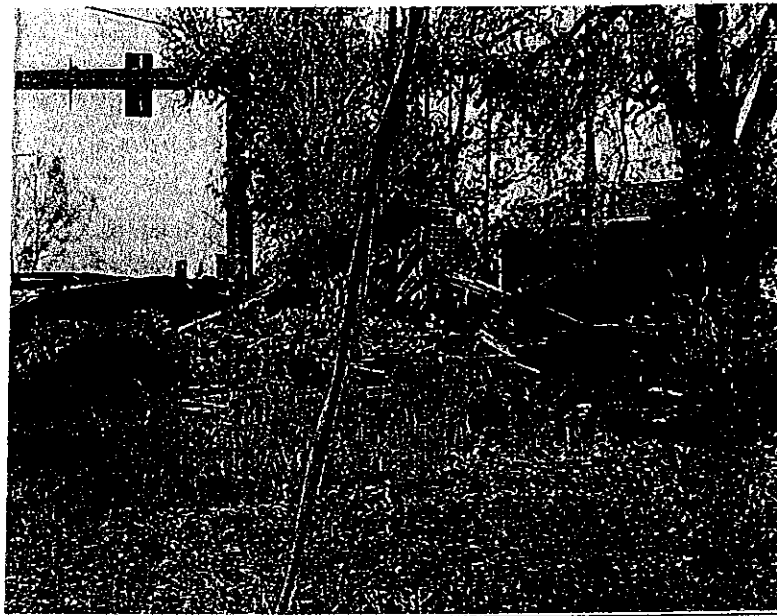


Remaining House Structure, 10/22/2020 Looking East



Remaining House Structure, 10/22/2020 Looking East





Remaining House Structure, 10/22/2020 Looking North



Remaining Outbuilding Structure, 10/22/2020 Looking East



**Town of Duanesburg  
5853 Western Turnpike  
Duanesburg, New York 12056**

**VIA REGISTERED MAIL**

Urbano Fabio  
256 Glengary Rd.  
Schenectady, New York  
12304

Giuseppe G Caschera  
256 Glengary Rd.  
Schenectady, New York  
12304

**Re: Notice of Unsafe and Condition**

Dear Mr. Fabio and Mr. Caschera:

On several dates in 2020, the Town of Duanesburg Building Inspector (the "Building Inspector") inspected the property located at 3000 Western Turnpike, Duanesburg, New York, 12056 (SBL #68.00-1-24) (the "Property"), pursuant to the Section 5 of Local Law No. 1 of 1992 (the "Unsafe Buildings Law") and reported that the Property was in unsafe condition.

On October 15, 2020, pursuant to Section 5 of the Unsafe Buildings Law, the Building Inspector reported to the Town Supervisor and Town Board members his findings and the conditions requiring repair and/or remediation (the "Report"). See **Exhibit A**. In the Report, the Building Inspector noted that the Property is: littered with debris, garbage, and at least one animal carcass; has no electricity due to the power being terminated; and is without heat, smoke or carbon monoxide alarms.

On October 22, 2020, pursuant to the Unsafe Buildings Law, the Town Board adopted a resolution determining, based on the Report of the Building Inspector, that the Property is in unsafe condition and requires repair and/or remediation. The resolution of the Town Board is attached hereto as **Exhibit B**.

***The Premises***

3000 Western Turnpike, Duanesburg, New York, 12056 (SBL #68.00-1-24).

***Statement of the Particulars In Which the Building is Unsafe or Dangerous***

Please See Exhibits A and B for Building Inspector's findings with regard to the condition of the Property.

***Repair and/or Remediation***

All of the conditions identified by the Building Inspector and set forth further in Exhibits A and B, must be remediated and/or repaired. All debris and garbage must be removed from the property including the dead animal carcass. Power to the property must be restored. Any and all rodent infestation must also be addressed. The Property must be brought to all applicable codes, rules, laws, and regulations.

The repairs and remediation must commence within thirty (30) days after service of this notice and must be completed within sixty (60) days thereafter, unless good cause shown, such time is extended by the Town Board.

***Failure to Comply***

Failure to comply with this notice will result in the Town Board taking action pursuant to the Unsafe Building Law including surveying the Property and, if such survey shall report the building unsafe or dangerous, applying to the Special Term of the Schenectady County Supreme Court for an order determining the building to be a public nuisance and directing that it be repaired and/or remediated, and that the expenses of the cost of securing or removing unsafe conditions be assessed against the land on which is located.

***Public Hearing***

A hearing on this matter will be held at the Town Offices of Duanesburg, located at 5853 Western Turnpike, Duanesburg, New York on November 12, 2020 at 7:00 p.m.

Dated: [October 22, 2020]  
Duanesburg, New York

By Order of Town Board of the Town of Duanesburg,  
County of Schenectady

---

Jennifer Howe  
Town Clerk  
Town of Duanesburg

**TOWN OF DUANESBURG**

**RESOLUTION NO. 117-2020**

**October 22, 2020**

**WHEREAS**, the Town of Duanesburg Highway Superintendent has determined that it is necessary to purchase a "compact track loader" (or "skid steer") for use by the Town; and


**WHEREAS**, pursuant to New York General Municipal Law ("GML") § 104, the Town Board of the Town of Duanesburg is authorized to purchase equipment, such as the compact track loader, through New York State Office of General Services contracts without conducting a competitive bid process; and

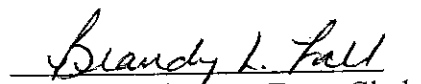
**WHEREAS**, through a New York State Office of General Services contract, the Town has identified a compact track loader to purchase for \$66,000; and

**WHEREAS**, the purchase price takes into consideration the contract discount, shipping, and necessary machine preparation by the authorized dealer.

**NOW THEREFORE BE IT RESOLVED**, the Town of Duanesburg Town Supervisor is authorized to execute any documents necessary to effectuate the purchase of a compact track loader through the New York State Office of General Services contract with the authorized dealer pursuant to GML § 104 for \$66,000. No borrowing has been authorized for this purchase.

By (unanimous/majority) vote of the Town Board of the Town of Duanesburg at its regular meeting of October 22, 2020.

  
Roger Tidball, Supervisor

  
Town Clerk/Deputy Town Clerk

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

**Town Board Members:**

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

Quote Id: 22879238

---

Prepared For:  
**DUANESBURG TOWN HIGHWAY DEPARTMENT**



Prepared By: **BRANDON LITTLE**

Nortrax, Inc.  
14 Crossing Boulevard  
Clifton Park, NY 12065  
Tel: 518-371-5111  
Fax: 518-371-8671  
Email: [brandon.little@nortrax.com](mailto:brandon.little@nortrax.com)

Date: 01 October 2020

Offer Expires: 08 October 2020

---

Confidential



---

**Quote Summary****Prepared For:**

DUANESBURG TOWN HIGHWAY DEPARTMENT  
5853 WESTERN TPKE  
DUANESBURG, NY 12056  
Business: 518-895-2772

**Prepared By:**

BRANDON LITTLE  
Nortrax, Inc.  
14 Crossing Boulevard  
Clifton Park, NY 12065  
Phone: 518-371-5111  
brandon.little@nortrax.com

---

**Quote Id:** 22879238  
**Created On:** 01 October 2020  
**Last Modified On:** 21 October 2020  
**Expiration Date:** 08 October 2020

---

<b>Equipment Summary</b>	<b>Selling Price</b>	<b>Qty</b>	<b>Extended</b>
JOHN DEERE 331G COMPACT TRACK LOADER	\$ 66,000.00 X	1 =	\$ 66,000.00
ALITEC CP-24-ATDXTS/C	\$ 16,000.00 X	1 =	\$ 16,000.00
<b>Equipment Total</b>			<b>\$ 82,000.00</b>

---

**Quote Summary**

Equipment Total	\$ 82,000.00
SubTotal	\$ 82,000.00
Total	\$ 82,000.00
<b>Balance Due</b>	<b>\$ 82,000.00</b>

Salesperson : X \_\_\_\_\_

Accepted By : X \_\_\_\_\_

# Selling Equipment

Quote Id: 22879238

Customer: DUANESBURG TOWN HIGHWAY DEPARTMENT

## JOHN DEERE 331G COMPACT TRACK LOADER

Hours:

Stock Number:

Code	Description	Qty
0BE2T	331G COMPACT TRACK LOADER	1

### Standard Options - Per Unit

170C	JDLink™ Ultimate Cellular - 5 Years	1
0755	Cab/Heat/AC, Power QT, Hi Flow, SL & RC, 2Spd, LED Lights, Rev Fan	1
0995	ISO Joystick Controls with Integrated Detents & EH Joystick Performance Package & EH Boom Performance Package	1
1501	English Operator's Manual and Decals	1
2650	Zig-Zag Bar Tread Pattern - 17.7 in. (450 mm) Tracks	1
4001	2-Inch Seat Belt with Shoulder Harness	1
6006	Air Suspension Seat (Cloth with Heat)	1
8042	Rear View Camera	1
8050	Cold Start Package	1
8060	Engine Air Precleaner	1
8310	Counterweight, (Triple Set)	1
8342	Radio, AM/FM with Bluetooth	1
8380	Footrest with Floormat	1
9062	84 in. HD Construction Bucket (21.0 cu. ft.) with Edge	1

### Dealer Attachments

BYT10048	Beacon Warning Light	1
----------	----------------------	---

## ALITEC CP-24-ATDXTS/C

Equipment Notes:

Hours: 0

Stock Number:

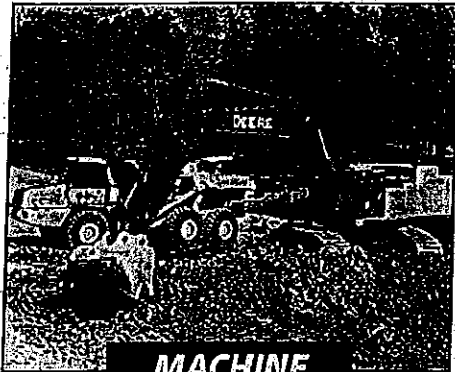
## Selling Equipment

Quote Id: 22879238

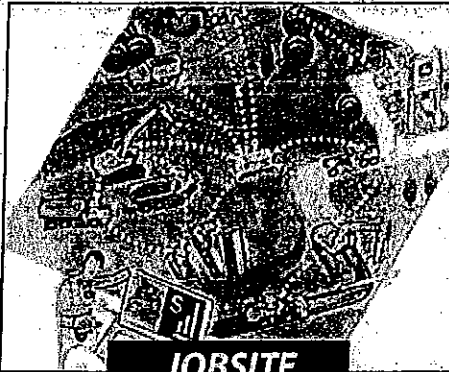
Customer: DUANESBURG TOWN HIGHWAY DEPARTMENT

Code	Description	Qty
CP24ATDXTS/C	PLANNER 24" A CNTR PVT T/D NO QDS	1

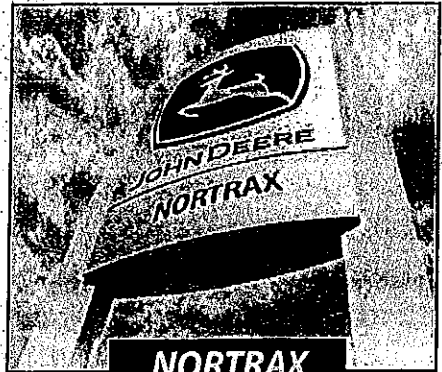
# JOHN DEERE WORKSIGHT™ SOLUTIONS



**MACHINE**



**JOBSITE**



**NORTRAX**

John Deere Worksight integrates services to help monitor productivity, protect machine health, and connects your machine and jobsite to Nortrax, so we can initiate profit-saving action before a machine-down situation — without even visiting your jobsite. It's a suite of five core technologies that will streamline your fleet management, resulting in more accurate bidding and better profit margins.

## FIVE CORE TECHNOLOGIES:



**JDLink™  
Ultimate  
Telematics**



**Machine-  
Health  
Prognostics**



**Remote-Diagnostics  
and -Programming  
Capability**



**Payload  
Weighing**



**Integrated  
Grade Control**

Anytime remote access to fleet location and utilization, machine alerts, maintenance reminders, and more. Standard with three years of service on most new John Deere machines, five years on production-class models.

Analyze your machine's JDLink™ data and fluid samples to recommend maintenance to address issues before they turn into costly repairs and downtime.

With an active JDLink Ultimate subscription, Nortrax can read and reset diagnostic trouble codes, record performance readings, and update software without a trip to the jobsite.

Makes loading and moving material more efficient and accurate on select John Deere wheel loaders and ADTs. Payload and production data can be viewed remotely in JDLink Ultimate.

Helps dozer, excavator, and motor grader operators work faster and more accurately. Grade-control utilization can be viewed remotely in JDLink Ultimate.

**WE STAND READY.**

**NORTRAX**  
[www.nortrax.com](http://www.nortrax.com)

\*JDLink™ Ultimate is factory equipped on many construction models and is available on other pieces of equipment including Forestry machines. See Nortrax for details.



**JOHN DEERE**

# NORTRAX TECHNOLOGY SOLUTIONS

## AT YOUR SERVICE. MANAGING YOUR FLEET.

Meet your Nortrax team of technology specialists dedicated to helping you understand and utilize the technology built in to your machines.



**MMS**

### Machine Monitoring Specialists

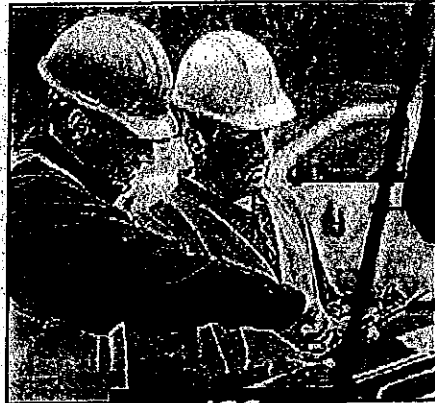
Our staff of highly trained and factory certified MMS work hard behind the scenes watching over your machines. They utilize John Deere's telematics system, JDLink™ and an industry exclusive Remote Diagnostics and Programming to connect with machines that are often hundreds of miles away.



**PSTR**

### Product Support Technology Representatives

Your dedicated PSTRs will conduct training sessions on multiple technology solutions and use telematics to help you stay connected to your equipment 24/7/365. They can perform on-site and remote machine performance optimization sessions, to keep your machines on the job and performing to their fullest potential.



**IGC**

### Integrated Grade Control Specialists

Our IGC specialists will be your first call for all training, demonstrations and trouble shooting of grade control and other machine technology components on construction equipment.

## At Nortrax, we are making technology personal.

Technology is quickly changing the world we work in, and at Nortrax, your MMS, PSTR and IGC Specialists will ensure these changes positively impact your equipment's productivity, uptime and reduce your daily operating costs. From training you face-to-face on advancing new technologies, delivering you detailed proactive messages from your machines, or helping with all your parts and service needs, they are dedicated to helping you grow your business, no matter the size of your fleet.



**WE STAND READY.**

**NORTRAX**  
[www.nortrax.com](http://www.nortrax.com)



**JOHN DEERE**

# NORTRAX TECHNOLOGY SOLUTIONS

## NORTRAX ULTIMATE UPTIME

AN ULTIMATE UPTIME SOLUTION  
FEATURING JOHN DEERE WORKSIGHT™



### POWERFUL PACKAGES FOR WORRY FREE OWNERSHIP.

Not all operations are the same, so that's why Nortrax offers three levels of Ultimate Uptime. Your dedicated Product Support Technology Representative (PSTR) will work closely with your team on the jobsite and at the office, maximizing your Productivity and Uptime while lowering your Daily Operating Costs.

### Three levels of Nortrax Ultimate Uptime to choose from and totally customized.

	Level 1	Level 2	Level 3
JDLink™ Machine Monitoring System & Multiyear Contract	●	●	●
JDLink User Setup and Training	●	●	●
Monthly Fleet Monitoring Reports	●	●	●
Quarterly Machine Optimization Consultations	●	●	●
Timely Maintenance Reminders	●	●	●
Factory Certified Remote Machine Monitoring	●	●	●
Remote Diagnostics and Controller Reprogramming	●	●	●
Preventative Maintenance Parts and Labor	●	●	●
Oil Scan Fluid Sampling	●	●	●
Total Maintenance and Repair Contract	●	●	●

WE STAND READY.

**NORTRAX**  
www.nortrax.com



JOHN DEERE

PO Box 160  
Quaker Street, NY 12141

Supervisor Tidball and Town Board  
Town of Duanesburg  
5853 Western Turnpike  
Duanesburg, NY 12141

October 22, 2020

Re: minutes and website compliance with New York Open Meeting Law

Dear Supervisor Tidball,

Please include my comments in the official record of tonight's meeting minutes as posted on the town website.

I would like to thank the town for posting the draft meeting minutes for October 8, 2020 within the two week deadline as required by New York Open Meeting Law.

The October 20, 2020 the Zoning Board of Appeals Agenda was not posted in time for the meeting. *See* Exhibit A screen shot taken this afternoon.

Zoning board minutes have not been posted since August 18, 2020. *See* Exhibit B.

Councilman Ganther thank you for your October 9, 2020 email response to my statement at October 8, 2020 town board meeting privilege of the floor concerning the town website.

As of today the homepage "news" menu tab includes the following mix of legal notices and town announcements: *See* Exhibit C

The homepage left sidebar "Legal & Public Notices" tab has not been updated since October 2018. At the bottom of the page is a link to "Archived Legal Notices" which opens a window showing 12 legal notices from 2017. The towns "legal & public notices" is misleading and misrepresents the number of legal notices the town may or may not have posted for public hearings held by the town, planning board, or zoning board. Please use the tab to post all legal

notices so that residents are informed of upcoming, current and historical legal notices. *See* Exhibit D

Failure to provide draft meeting minutes, public hearing notices, and other legal notices to the residents according to New York State Open Meeting Law leaves the residents uninformed and unable to freely and fully participate in their local government. The towns lack of transparency, accountability, and equity with all residents opens the door to potential litigation.

The Duanesburg Planning Board is of particular concern because it consistently does not adhere to New York State Open Meeting Law by providing minutes within two weeks. This lack of information was exacerbated by former Chairman Phil Sexton not responding to my emails in July, August, and September 2019. The town's failure to provide accurate and timely information and to communicate with residents contributed to the Biggs/Bruning v. Eden Renewables et. al. Article 78 proceedings.

Consistent failure to provide residents with free and full access to the minutes and application records as documented over the past 15 months should not be tolerated by the town Supervisor and the town Attorney.

Why isn't the town upholding the New York Open Meeting Law? What does the town hope to gain by preventing resident access to town, planning and zoning board actions? What will the town do to prevent these problems in the future?

Thank you.

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



# **EXHIBIT**

**A**



[About](#) [Government](#) [Community](#) [Businesses](#) [Veterans](#) [Community Resource](#)

**FIND IT  
FAST**

[August 18, 2020 Zoning Board  
Public Hearing](#)

[Board Meeting Videos](#)

[Home Occupation Application](#)

[October 20, 2020 Public Hearing  
Collins Zoning Board](#)

[Variance Application](#)

[Variance Application  
Instructions](#)

[Zoning Board Public Hearing  
Bart](#)

[Home » Zoning Board of Appeals » All Zoning Board of Appeals Meeting  
Agendas](#)

## 2020 Zoning Board of Appeals Meeting Agendas

September 15, 2020

September 15, 2020 - 7:00pm

August 20, 2020

August 20, 2020 - 7:00pm

July 21, 2020

July 21, 2020 - 7:00pm

February 18, 2020

February 18, 2020 - 7:00pm

January 21, 2020

January 21, 2020 - 7:00pm



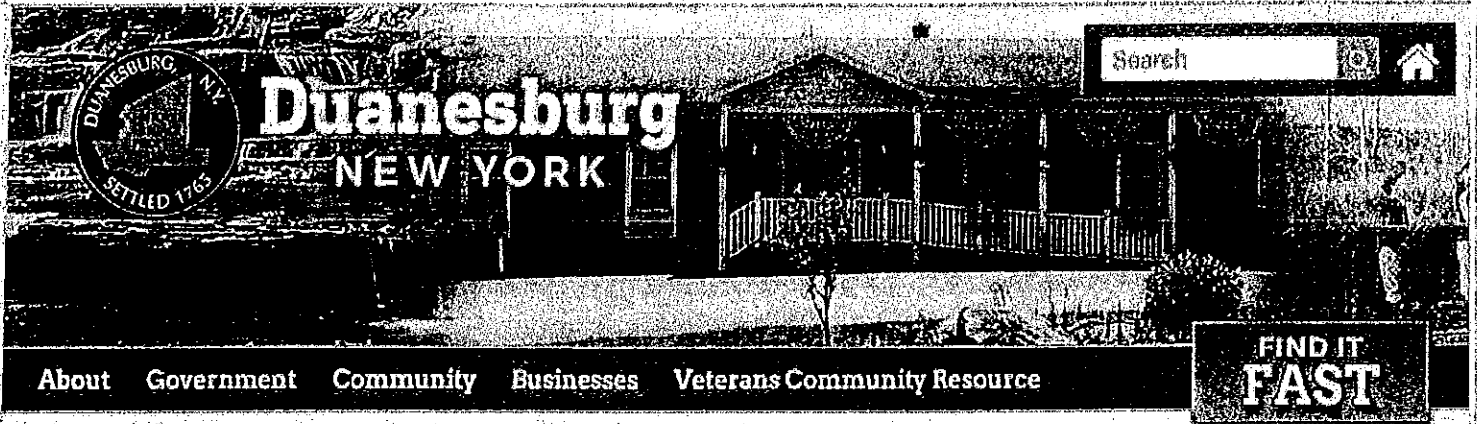
**Duanesburg  
NEW YORK**

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

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

# **EXHIBIT**

**B**



August 18, 2020 Zoning Board  
Public Hearing

Board Meeting Videos

Home Occupation Application

October 20, 2020 Public Hearing  
Collins Zoning Board

Variance Application

Variance Application  
Instructions

Zoning Board Public Hearing  
Barry

Home » Zoning Board of Appeals » All Zoning Board of Appeals Meeting  
Minutes

## 2020 Zoning Board of Appeals Meeting Minutes

August 18, 2020

August 18, 2020

July 21, 2020

July 21, 2020

June 16, 2020

June 16, 2020

May 19, 2020

May 19, 2020

April 21, 2020

April 21, 2020

March 17, 2020

March 17, 2020

February 18, 2020

February 18, 2020

January 21, 2020

January 21, 2020

# **EXHIBIT**

## **C**

# Duanesburg NEW YORK

Search

FIND IT  
FAST

About Government Community Businesses Veterans Community Resource

News Calendars Social Popular Pages

## Citizen Action Center

Contact Us	Agendas & Minutes
Online Bill Pay	Legal & Public Notices
Alert / E-Notification	Report an Issue
Town Code	Assessment Roll

NOTICE OF REMOTE ACCESS FOR TOWN BOARD MEETING  
ON October 22nd, 2020 at 7:00 p.m. »

NOTICE OF REMOTE ACCESS FOR TOWN BOARD MEETING ON October  
22nd, 2020 at 7:00 p.m.

Notice of Public Hearing on The Proposed Local Law No. 3 of  
2020 is entitled "Tax Cap Override for FY 2021." »

LEGAL NOTICE OF PUBLIC HEARING TOWN BOARD TOWN OF  
DUANESBURG

Notice of Public Hearing on Preliminary Budget 2021 »

LEGAL NOTICE OF PUBLIC HEARING TOWN BOARD TOWN OF  
DUANESBURG

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## FIND IT FAST

October 20, 1970 - 42773

DECEMBER 23, 2009, MONDAY

[illegible]

OCTOBER 9, 2023 - 9:55AM

OCTOBER 1950 - 4124

09-06-2018 - 21:47:37

REF ID: A63283

SEPTEMBER 24, 2010 20215

[illegible]

STYVO, 1982a,b, 1986, 1989, 1993

TABLE 1. *Continued*

# **EXHIBIT**

## **D**



https://www.duanesburg.net

Search

FIND IT  
FAST

About Government Community Businesses Veterans Community Resource

### Citizen Action Center

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Online Bill Pay

Legal & Public Notices

Alert / E-Notification

Report an Issue

Town Code

Assessment Roll

News

Calendars

Social

Popular Pages

NOTICE OF REMOTE ACCESS FOR TOWN BOARD MEETING  
ON October 22nd, 2020 at 7:00 p.m. »

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DUANESBURG

Notice of Public Hearing on Preliminary Budget 2021 »

LEGAL NOTICE OF PUBLIC HEARING TOWN BOARD TOWN OF  
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Broadband Program Office (BPO) Map

Duanesburg Broadband Committee Shared Google Map

Duanesburg Broadband Initiative

Duanesburg Broadband Initiative Powerpoint Presentation

Legal Notice for Entering and Terminating Fire Contracts Public Hearing Oct 25, 2018

NOTICE OF ADOPTION OF RESOLUTION SUBJECT TO PERMISSIVE REVENUE

Resolution 161-17 Cables Published Sewer District 2

The Town Amended Local Law 161-17

Home

## Legal Notices and Public Notices

### October 2018

- October 30, 2018 Public Hearing for Cable Agreement
- October 25, 2018 Public Hearing for Preliminary Budget and LL# 7 of 2018
- October 25, 2018 Sewer District Assessment Roll Public Hearing
- October 4, 2018 Town Board Special Meeting

### September 2018

- September 27, 2018 Special Town Board Meeting Budget Workshop
- September 21, 2018 Special Town Board Meeting
- Instructions for Spectrum Broadband contract in construction
- Schofield/Livingston Public Notice
- Schworm/BBB Drilling Public Notice

### August 2018

- Dog Control Law Amendment
- Zoning Board of Appeals Public Hearing

### July 2018

- Public Hearing on the proposed improvements to Marlville Lake Sewer District #2 pursuant to Town law §202-b

### June 2018

- Hayes Major subdivision Public Hearing
- Hayes Special Use Public Hearing

### May 2018

Town Board Supplemental bond Resolution Legal Notice

Town Board Local Law #3 of 2018 Legal Notice

DiCaprio Planning Board Legal Notice

Schworm Planning Board Legal Notice

Schworm #2 Planning Board Legal Notice

### April 2018

Residents may now connect to Sewer District #3

Sewer District 1 & 3 Legal Notice

### March 2018

Unserviced Road - Please confirm your road is listed. If it is not let us know so we can update our records.

## News & Announcements

Town of Duanesburg Broadband Public Hearing

Twin Board Local Law #3 of 2018 Legal Notice

DiCaprio Planning Board Legal Notice

Schwartz Planning Board Legal Notice

Schwartz #12 Planning Board Legal Notice

April 2018

Residents may now connect to Sewer District #3

Sewer District 18.3 Legal Notice

March 2018

Unserviced Roads: Please confirm your road is listed. If it is not let us know so we can update our records.

February 2018

Fire Protection District #3 Contract Public Hearing

January 2018

• Schenectady County Recreational Facilities Closure Notice

June 2017



Read More About

All these illegal practices are not only unethical but they also pose a serious threat to the health, safety and welfare of the community. Please do not let this happen to your community. If you see any of these practices, please call the police or the fire department. If you see any of these practices, please call the police or the fire department. If you see any of these practices, please call the police or the fire department.

Don't let it happen.  
Protect the community.

• Sewer User Public Notice

Archived Legal Notices

• View Older Public Notices and Announcements

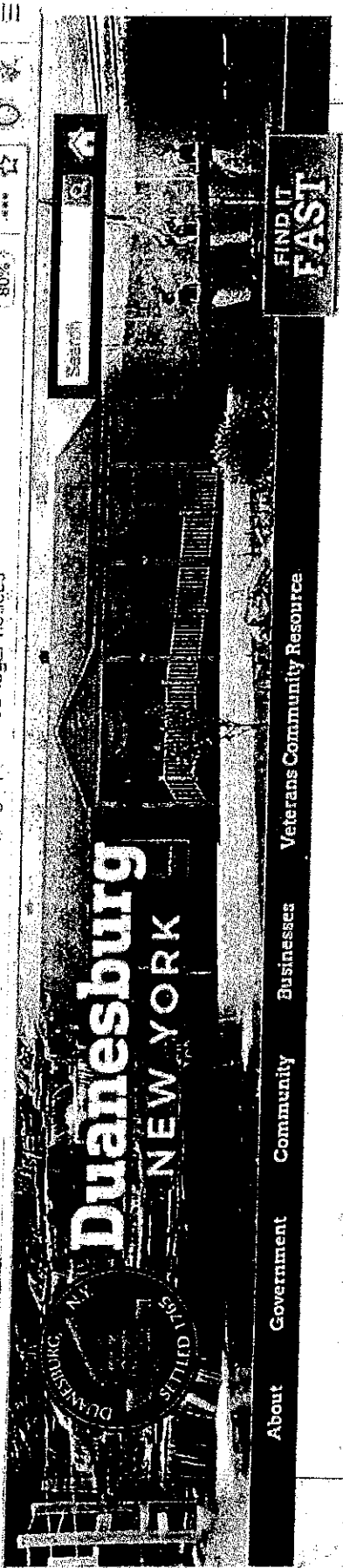


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Home » Legal Notices and Public Notices

# Archived Legal Notices

Welcome to our new website! We will move older Legal Notice content to this page over time.

2017

- Read Clearance #16 30
- 2017 Hazardous Waste Collection
- Maloney Public Notice
- Lewett Family Trust Public Notice
- Valley Mobile Home Court LLC Public Notice
- Van Patten Park Bathroom Renovation Public Notice
- Notice of Adoption of Resolution Subject to Formal Review Referendum
- Barnes Public Notice
- The Town Amending Sewer Use Law Section 305
- Resolution 16-17 Gazette Publication Sewer District
- Route 20 & Route 7A Intersecting Lane Closure
- Whitaker Public Notice



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