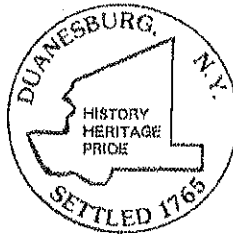


Roger Tidball, Town Supervisor
Jennifer Howe, Town Clerk
Brandy Fall, Deputy Town Clerk
William Reed, Highway Superintendent



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

Thursday September 9, 2021

Regular Town Board Meeting

Meeting Time: 7:00PM

Meeting called to order by Supervisor Tidball at 7:10PM

Present: Supervisor Tidball, Council Members Senecal and Wenzel, Town Clerk Jen Howe, Town Attorney Terresa Bakner

Pledge of Allegiance

Resolution 111-21: Council Member Senecal motioned, seconded by Council Member Wenzel to approve the Town Board Meeting minutes of Thursday, August 26, 2021.

Motion carried, 5 ayes

Town Clerk, Jen Howe, read the Town Clerk's Report for August 2021 (see attached).

Supervisor, Roger Tidball, read the Supervisor's Report for August 2021 (see attached).

Resolution 112-21: Supervisor Tidball motioned, seconded by Council Member Senecal to pay the following claims:

Motion carried, 5 ayes

Vouchers to be Paid
September 9, 2021

General Fund:	\$75,427.03
Highway Fund:	\$6,835.80
SD#1 Fund:	\$1,795.69
SD#2 Fund:	\$162,069.31
SD#3 Fund:	\$933.11

Total To Be Paid:	\$247,060.94
--------------------------	---------------------

Highway: Council Member Potter reported that they are working on cutting the shoulders back and ditch work. They are going to do fog seal as we don't have enough time for chip seal to cure this year. They will be starting up mowing again. Council Member Ganther asked If we could have the highway department work on the back parking lot, maybe bring in some loads of stone. Highway Superintendent Reed got back saying that they would.

Public Safety: Supervisor Tidball wanted to mention on a personal note his gratitude to the Esperance Volunteer Fire Department and DVAC. His daughter was in an accident last night, everybody was fine, but it was pretty serious. To have the response time that Esperance showed and the way they handled the scene. DVAC showed up in no time and the Sheriff's Department showed up. It was great to see what our volunteers can do and I am very proud to have somebody like Matt Deffer and the Volunteer Esperance Fire Department on our side.

Parks: Council Member Wenzel reported that the park committee had a meeting on Tuesday night. Nothing new to report. They did talk a bit about the state forest and getting new signs made for the perimeter.

Sewer District #1, 2 & 3: Council Member Ganther reported that the written reports from DEC WWTP inspectors did come back and are good except for the minor issues we are already working on. Bill Brown of Delaware Engineering reported that construction continues in Delanson. Equipment is starting to come in and be installed. Everything is on schedule for completion, but we do have some delivery that is being pushed out due to supply delays that they are keeping an eye on.

Technology: Council Member Ganther reported that we ordered a new laptop to be used for PowerPoint presentations during meetings. That did come in today just in time for the workshop. The next Broadband Committee meeting will be on Tuesday September 14, 2021 at 6:30pm here at Town Hall. The meeting will also be available via Zoom.

Other: Supervisor Tidball mentioned that we need to set a budget workshop for next week. Everyone agreed that Wednesday the 15th at 7pm would work. Council Member Ganther reported that Dale, Bill Wenzel and himself met with Judge Wren to discuss OCA funding. Each year they make available up to \$30,000 for the town. Deadline for taking applications is in October each year. So, we would have to wait until next year. They also discussed the possibility of installing a Judge's bench downstairs.

Business Meeting:

Resolution 113-21: Council Member Potter motioned, seconded by Council Member Senecal to introduce Local Law No. 2 of 2021 and to set a date for the Public Hearing for Local Law No. 2 of 2021 entitled "2021 Temporary Moratorium Law on Major Solar Energy Systems including Battery Energy Storage Systems."

Motion carried, 5 ayes

Resolution 114-21: Supervisor Tidball motioned, seconded by Council Member Wenzel to approve ESG (Energy Storage Response Group LLC) as a new vendor and to authorize the Town Supervisor to sign the agreement. Expenses will be paid by the applicant.

Motion carried, 5 ayes

Resolution 115-21: Council Member Senecal motioned, seconded by Supervisor Tidball to set the budget workshop for September 15, 2021 at 7:00pm here at Town Hall.

Motion carried, 5 ayes

Privilege of the Floor: Opened at 7:39 p.m.

Supervisor Tidball read a statement on behalf of Susan Biggs (please see attached).

Supervisor Tidball read a statement on behalf of Pamela Rowling (please see attached).

Lynne Bruning of 13388 Duanesburg Road read a statement (please see attached).

Resident from Westerlo spoke regarding concern with battery storage.

Resident Josh Barnes spoke regarding his concerns with battery storage and had some questions for the board.

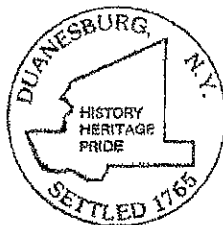
Resident Larry O'Connor spoke on some of the review of the documents he has done.

Floor Closed: 8:31 p.m.

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

I, Jennifer Howe, Town Clerk of the Town of Duanesburg, so hereby certify that this is a true and accurate transcript of the Regular Town Board Meeting held on Thursday September 9, 2021, at the Duanesburg Town Hall, 5853 Western Turnpike, Duanesburg, New York 12056.

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 August 26, 2021
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, Town Clerk Jen Howe, Town Attorney Teresa Bakner

Pledge of Allegiance
Prayer/Moment of Reflection offered by Pastor Solomon
Moment of Silence for Trooper Monda

Resolution 106-21: Council Member Potter motioned, seconded by Council Member Ganther to approve the Town Board Meeting minutes of Thursday, August 9, 2021.
Motion carried, 5 ayes

Resolution 107-21: Council Member Potter motioned, seconded by Council Member Ganther to pay the following claims:
Motion carried, 5 ayes

Vouchers to be Paid
August 23, 2021

General Fund: \$18,265.23

Highway Fund: \$30,538.63

SD#1 Fund: \$3,784.15

SD#2 Fund: \$5,828.25

SD#3 Fund: \$469.84

Total To Be Paid: \$60,506.96

Hwy: Working on the motor pave. Nothing else to report.

Parks: Council Member Wenzel reported that the disc golf course is installed and the gentleman that installed the course did leave a couple discs for people to try. They just ask that you put them back after you use them.

Sewer District #1, 2 & 3: Council Member Ganther met with Dale this morning. Construction is going good over at the pants. They are limited on doing more until the equipment comes in. We were hoping to do more I & I testing, but with all this rain they are unable to get down there with the camera. Bill Brown with Delaware reported that the building is up at the Delanson plant/ UV unit was installed last week. More equipment coming in and getting installed. Then the electrician will come out and wire everything up. Then it is on to programming them.

Technology: Council Member Ganther reported that he sent a request to Omnis for budgeting on equipment. We are looking to get an inexpensive laptop to do PowerPoint on for the Planning Board meetings. We have some good news, Creek Rd. is finally getting broadband.

Solar: Supervisor Tidball reported that we are trying to do the best by the town and the residents. We as a town board asked the Planning Board that when these proposals are in front of the board

we go through them with a fine tooth comb. Prime AE is doing a really good job, but we would really like to bring on another consultant as a second opinion. Because of all the changes that have been proposed we have some safety concerns as well as many residents in the town have safety concerns. We did reach out to Larry O'Conner who has an extensive engineering background for a proposal and Dale reached out to a resident who will also be putting a proposal together. Larry spoke on his credentials and some laws he feels need to be enforced by Dale. He would like to review our use of Chapter 17 and stated that the focus should be on building code and special inspections. Town Attorney Terresa Bakner stated that NYSERDA will be sending a representative to the workshop to help answer questions, etc. She also stated that she sent a few names to Dale that are additional electrical engineers with experience in battery energy storage. There was also a name from an institute that is manned by a New York City firefighter who has retired and now deals with firefighting safety associated with these types of installation.

Supervisor Tidball stated that the town board would like to go about doing a moratorium on future solar and battery storage units. They will introduce the Local Law at the next meeting and then schedule the public hearing for the 2nd meeting in September.

Council Member Ganther stated that this experience with this solar farm has brought more to light. He believes that maybe there should be changes to the solar law again, a battery storage law, etc. He stated that it makes sense to put the brakes on any future projects before we let them start.

Supervisor Tidball stated that he agrees with John that you need to learn more before you can allow more, learn from start to finish before they allow a second one to come through. Especially any with battery storage units, since this is new to them. Town Attorney Terresa Bakner stated that in her opinion it would be good to look at if you can require battery energy storage to be at the site of the utilities sub station rather than in a field in the middle of nowhere. Council Member Ganther let everyone know about the workshop on Thursday September 9, 2021 from 5pm – 7pm at Town Hall. They will be going over all the recommendations and changes that Prime identified and NYSERDA will also be there.

Other: Supervisor Tidball stated that a resident had inquired about the clean up of the house on Darby Hill that burnt down. We went through a lot of work to get that done, is being held up by the state. The air sample guy is waiting on a special permit from one of the state agencies. Town Attorney Terresa Bakner stated that it went in for a variance from the Department of Labor that is a commonly requested one, especially with asbestos. So they are just waiting on that and once we have that, they can get in there and get that cleaned up.

Council Member Ganther spoke about a meeting he had with CT Male, Council Member Wenzel and Dale regarding a small expansion at the back of the building. (See the attached). The next step would be to get more information on the ARPA funds and what they can be used for. He is going to setup a meeting with Judge Wren on what grant money we can get from the state court funding. Council Member Wenzel stated that they would add a split system to provide some heat, air purity

and air conditioning. He stated we should replace the roof on the main part of Town Hall with a metal roof with ice rakes. They would also like to work on the ramp out front to make it comply with ADA regulations. It would also include proper cooling and ventilation for the computer system upstairs.

Business Meeting:

Resolution 108-21: Council Member Potter motioned, seconded by Council Member Ganther to approve payment to Delaware Engineering in the amount of \$23,210.55.

Motion carried, 5 ayes

Resolution 109-21: Council Member Wenzel motioned, seconded by Council Member Senecal to approve payment to MCJ in the amount of \$291,481.85.

Motion carried, 5 ayes

Resolution 110-21: Council Member Senecal motioned, seconded by Council Member Potter to approve the town board supporting the County's plan for counsel at initial appearance coverage for arraignments in local courts.

Motion carried, 5 ayes

Privilege of the Floor: Opened at 7:53 p.m.

Susan Biggs read a statement (see attached).

Lynne Bruning read a statement (please see attached).

Floor Closed: 8:03 p.m.

Supervisor Tidball motioned, seconded by Council Member Senecaladd to adjourn the meeting.

Motion carried, 5 ayes

I, Jen Howe, Town Clerk of the Town of Duaneburg, so hereby certify that this is a true and accurate transcript of the Regular Town Board Meeting held on Thursday August 26, 2021, at the Duaneburg Town Hall, 5853 Western Turnpike, Duaneburg, New York 12056.

Town of Duanesburg Town Board

RESOLUTION NO. ____ - 2021

August 26, 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 August 17, 2021, for Town Board review in the amount of **\$23,210.55** for professional services provided during July and August 2021 ("Professional Services Invoice No. 17"); and

NOW, THEREFORE, BE IT RESOLVED, the Town Board approves Professional Services Invoice No. 17 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 **\$23,210.55**.

By (unanimous/majority) vote of the Town Board of the Town of Duanesburg at its regular meeting of August 26, 2021.

Roger Tidball, Supervisor

Town Clerk/Deputy Town Clerk

Date

Date

8/26/21

Present: ALL

Absent:

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	<u>Yea</u>	Nay	Abstain



DELAWARE ENGINEERING, D.P.C.

55 South Main Street
Oneonta, NY 13820

Tel: 607.432.8073
Fax: 607.432.0432

August 17, 2021

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

Re: Delanson WWTP (SD#1 & SD#3)
Long Term Improvements Project - Professional Services Invoice #17

Dear Roger:

Attached for Town review, processing and payment is our invoice totaling \$23,210.55 for services related to the above referenced project.

Services provided during July 2021 include:

- Continued communications with Town and regulatory agencies
- Review contractor's payment requests
- Travel to site to review project status with Town and contractors
- NYSEFC compliance documentation
- Onsite construction inspection

Services anticipated to be provided during August 2021 include:

- Continued communications with Town and regulatory agencies
- Review contractor's payment requests
- Travel to site to review project status with Town and contractors
- SCADA equipment submittal review
- Onsite construction inspection

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)

08-2021 Duaneburg (T) Delanson WWTP Long Term Improvements CL 17



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 19-1712-17
Date 08/10/2021

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

For Services Rendered Through August 01, 2021

3 Construction Management/Admin

	Units	Rate	Billed Amount
Abfen Amrod	9.00	200.00	1,800.00
Eric Michelitsch	10.50	110.00	1,155.00
Michael Primmer	2.25	165.00	371.25
William J. Brown	25.00	155.00	3,875.00
subtotal	46.75		7,201.25

REIMBURSABLES

	Units	Rate	Billed Amount
Mileage - Oneonta 2021	120.00	0.56	67.20

CONSULTANT

	Units	Rate	Billed Amount
ATLANTIC TESTING LAB			1,243.00
Phase subtotal			8,511.45

4 Construction Inspection

	Units	Rate	Billed Amount
Tucker Lewis	99.50	125.00	12,437.50

REIMBURSABLES

	Units	Rate	Billed Amount
Tucker Lewis			
Mileage - Albany 2021	1,360.00	0.56	761.60
Phase subtotal			13,199.10

6A NYSEFC Contract Coordination (SUB-Deroo Consulting)

CONSULTANT

	Units	Rate	Billed Amount
Deroo Consulting			1,500.00
Invoice total			23,210.55



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

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

Invoice number 19-1712-17
Date 08/10/2021

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 607-482-8073/FAX 607-482-0432

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

PROJECT ID 19-1712

PROJECT: Delanson WWTP Long Term Improvements
INVOICE/REQUISITION No.: 17

	CURRENT COST	PREVIOUS COST	COST TO DATE	BUDGET
1. Task 1 - Design				
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
SUBTOTAL - TASK 1	\$ -	\$ 98,999.69	\$ 98,999.69	\$ 100,000.00
2. Task 2 - Bid/Award				
Labor	\$ -	\$ 7,496.25	\$ 7,496.25	
Reimbursable Expenses	\$ -	\$ -	\$ -	
SUBTOTAL - TASK 2	\$ -	\$ 7,496.25	\$ 7,496.25	\$ 7,500.00
3. Task 3 - Construction Management/Admin				
Labor	\$ 7,201.25	\$ 26,572.50	\$ 33,773.75	
Reimbursable Expenses	\$ 67.20	\$ 436.80	\$ 504.00	
Subcontractors (Atlantic Testing Laboratories)	\$ 1,243.00	\$ -	\$ 1,243.00	
SUBTOTAL - TASK 3	\$ 8,511.45	\$ 27,009.30	\$ 35,520.75	\$ 50,000.00
4. Task 4 - Construction Inspection				
Labor	\$ 12,437.50	\$ 42,395.00	\$ 54,832.50	
Reimbursable Expenses	\$ 761.60	\$ 1,533.28	\$ 2,294.88	
SUBTOTAL - TASK 4	\$ 13,199.10	\$ 43,928.28	\$ 57,127.38	\$ 74,000.00
5. Task 5 - As Built Drawing Preparation				
Labor	\$ -	\$ -	\$ -	\$ 500.00
Reimbursable Expenses	\$ -	\$ -	\$ -	
Subcontractors (Synergetic Solutions, LLC)	\$ -	\$ -	\$ -	\$ 3,000.00
SUBTOTAL - TASK 5	\$ -	\$ -	\$ -	\$ 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
6. Task 6 - NYSEFC Contract Coordination				
Labor	\$ -	\$ 4,998.75	\$ 4,998.75	\$ 5,000.00
Reimbursable Expenses	\$ -	\$ -	\$ -	
Subcontractors (Deroo Consulting)	\$ 1,500.00	\$ 4,301.43	\$ 5,801.43	\$ 10,000.00
SUBTOTAL - TASK 6	\$ 1,500.00	\$ 9,300.18	\$ 10,800.18	\$ 15,000.00
7. Task 7 - Preliminary Engineering				
Labor	\$ -	\$ 70,894.70	\$ 70,894.70	\$ -
Reimbursable Expenses	\$ -	\$ -	\$ -	
SUBTOTAL - TASK 7	\$ -	\$ 70,894.70	\$ 70,894.70	\$ 70,894.70
TOTAL	\$ 23,210.55	\$257,628.40	\$ 280,838.95	\$ 320,894.70
AMOUNT DUE FOR CURRENT SERVICES	\$ 23,210.55			
AMOUNT PAST DUE	\$ 32,781.40	Invoice #16, 7/9/2021		
TOTAL NOW DUE	\$ 55,991.95			
BUDGET BALANCE	\$ 40,055.75			

THIS STATEMENT REFLECTS PAYMENTS RECEIVED ON OR BEFORE BILLING DATE



ATLANTIC TESTING LABORATORIES

Remit To: 6431 US Highway 11
Canton, New York 13617
Phone: 315-386-4578

Inquiries To: 22 Corporate Drive
Clifton Park, New York 12065
Phone: 518-383-9144

WBE certified company

June 30, 2021

Accounts Payable
Delaware Engineering, D.P.C.
28 Madison Ave. Extension
Albany, NY 12203

Client Information

Contact: Bill Brown
Telephone: 607-432-8073

#19-1712

#3

RECEIVED

JUL 09 2021

REQUEST FOR PAYMENT

DELAWARE ENGINEERING

Construction Materials Engineering and Testing Services
Duanesburg Waste Water Treatment Plant
Delanson, New York
ATL Project No. AT3479
ATL Contract No. AT998-1081-05-21

Service dates: May 31, 2021 through June 27, 2021

Service	Quantity	Unit Fee	Amount
Atlantic Testing Laboratories			
Technical Personnel - CMET			
Project Manager	2	\$99.00 / Hour	\$198.00
Concrete Field Testing Technician	1	\$240.00 / Half Day	\$240.00
Concrete Field Testing Technician	1	\$360.00 / Day	\$360.00
Laboratory Testing - CMET			
Concrete and Aggregate - ASTM C 39: Compressive Strength Test or Hold Cylinder (fabricated by ATL)	9	\$15.00 / Cylinder	\$135.00
Miscellaneous - CMET			
Sample Pickup - When no other services are performed	1	\$120.00 / Trip	\$120.00
Travel - Includes Labor and Mileage	2	\$95.00 / Trip	\$190.00
TOTAL			\$1,243.00

An itemized Schedule of Services is attached for your reference.

Invoice Summary

Previously Invoiced: \$0.00
Current Invoice: \$1,243.00
Total Invoiced to Date: \$1,243.00

Invoice No. 234173

Accounts are due when rendered. Accounts 10 days and over are subject to a SERVICE CHARGE, which is computed by a PERIODIC RATE of 1.5% per month or an ANNUAL RATE of 18%. If written response is not received within 10 days of Invoice, the Invoice will be considered correct. Terms Net - Upon Receipt of Invoice.

Itemized Schedule of Services for Invoice No. 234173
 Duaneburg Waste Water Treatment Plant
 Delaware Engineering, D.P.C.
 ATL Project No. AT3479
 June 30, 2021

Date	Concrete Field Testing Technician		ASTM C 39 (fabricated by ATL)	Sample Pickup	Travel
	Day	Half Day			
06/10/2021	1		4		1
06/11/2021				1	
06/25/2021		1	5		1
Totals:	1	1	9	1	2

Deroo Consulting

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

INVOICE

INVOICE NO: 55
DATE: August 2, 2021

Delaware Engineering, DPC

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

T/Duanesburg-Delmar, NY #19-1712 #6A

DESCRIPTION	UNIT PRICE	AMOUNT
Town of Duanesburg WWTP Project C4-5469-06-00		\$1500.00
Total Hours: 15 hours in July 2021	\$75 per hour	\$ 1500.00
<ul style="list-style-type: none">• MWBE Monthly reports: compilation and submission• Quarterly Reporting• MWBE compliance• Follow up on Document Collection		
		\$ 0.00
Mileage (round trip):	\$0.56 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. __ - 2021

August 26, 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 August 19, 2021, for Town Board review in the amount of **\$291,481.85** for services provided for the period ending August 17, 2021 ("Contractor Invoice No. 4").

NOW, THEREFORE, BE IT RESOLVED, the Town Board approves Contractor Invoice No. 4 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 MCJ Construction in the amount of **\$291,481.85**.

By (unanimous/majority) vote of the Town Board of the Town of Duanesburg at its regular meeting of August 26, 2021.

Roger Tidball, Supervisor

Date

Present: ALL
Absent:

Town Clerk/Deputy Town Clerk

Date

8/26/21

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	<u>Yea</u>	Nay	Abstain



Delaware Engineering, D.P.C.

55 South Main Street
Oneonta, NY 13820

Tel: 607.432.8073
Fax: 607.432.0432

August 19, 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 #4

Dear Supervisor Tidball:

We have reviewed the attached Payment Application No. 4 for MCJ Construction, the contractor for the subject project, for the period ending August 17, 2021 in the amount of \$291,481.85. The balance to finish including retainage equals \$452,535.65

We agree with the level of work completed to date and the costs presented therein. Therefore, we recommend that the Town 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\#4\TD1-G-20 Pay App 4 CL.doc

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

APPLICATION AND CERTIFICATION FOR PAYMENT

TO OWNER Town of Danversbury PROJECT DELIVERY METHOD Long Term Improvements

FROM CONTRACTOR ARCHITECT Delaware Engineering
55 South Main Street
Chester, NY 13820

CONTRACT FOR

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract Continuation Sheet, AIA Document (793), is attached

SEE ATTACHED SWORN STATEMENT FROM CONTRACTOR TO OWNER

1. ORIGINAL CONTRACT SUM	\$	999,000.00
2. Net change by Change Orders	\$	56,000.00
3. CONTRACT SUM TO DATE (Line 1 + 2)	\$	1,055,000.00
4. TOTAL COMPLETED & STORED TO DATE (Column G on (793))	\$	634,173.00
5. RETAINAGE:		
a. $\frac{1}{2}$ of Completed Work (Column D + E on (793))	\$	31,708.65
b. $\frac{1}{2}$ of Stored Material (Column F on (793))	\$	0.00
Total Retainage (Lines 5a + 5b or Total in Column I of (793))	\$	31,708.65
6. TOTAL EARNED LESS RETAINAGE (Line 4 Less Line 5 Total)	\$	602,464.35
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate)	\$	310,982.50
8. CURRENT PAYMENT DUE	\$	291,481.85
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6)	\$	452,535.65

CHANGES ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$56,000.00	
Total approved this Month		
TOTALS	56,000.00	0.00
NET CHANGES by Change Order	56,000.00	

ADDITIONAL FOR NET CHANGES (SEE NOTE RECOMMENDED CONTINUING ON 793)

AIA DOCUMENT (793)

DATE ONE OF TWO PAGES

Discontinued to

4

APPLICATION NO

OWNER

ARCHITECT

CONTRACTOR

PROJECT NO

CONTRACT DATE

17821

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due

CONTRACTOR

By Danilo Dabao Date 8/19/2021

State of New York County of Fulton Date 2021

Subscribed and sworn to before me this 19 day of August

Notary Public My Commission expires 8/24/2022 JO A PALMATEER

ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED \$ 310,982.50

I attach explanation of amount certified, from the amount applied. Initial of architect in this Application and on the Continuation Sheet that are changed in conformance with the amount certified.

ARCHITECT

By Danilo Dabao Date 8/19/2021

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

(I) ARCHITECT'S CERTIFICATE FOR PAYMENT AND RETAINAGE STATEMENT

JO A PALMATEER
Notary Public, State of New York
Qualified in Fulton County
Reg. No. 01PA6078830
Commission Expires 8/24/2022

CONTINUATION SHEET

444 DULLES HWY 1 6703

Page of

2 4

ALA Document 0902 APPLICATION AND CERTIFICATION FOR PAYMENT, continuing

APPLICATION NO

Contractor's signed certification is attached

PERIOD TO

In tabulation below, amounts are added to the nearest dollar

PERIOD TO

1 of 3 column 1 on Contract where variable remittance for line items may apply

ARCHITECT'S PROJECT NO

ITEM NO	DESCRIPTION OF WORK	C	D	E		F	G	H	I	J	K
				CONTRACT VALUE	TRANSFERRER'S APPLICATION ID - P1	MARK CONTRACT ID	THIS PERIOD	MAXIMUM PRESENTLY SCHEDULED PERIOD (MONTHS)	TOTAL COMPLETED AND SCHEDULED PERIOD (MONTHS)	% C.U.	BALANCE PAYABLE AT END
1	Mobilization/Demobilization	\$45,000.00	\$18,000.00				\$4,500.00		\$22,500.00	50%	\$1,125.00
2	New EQ Tank and Building	\$100,000.00	\$175,000.00				\$100,000.00		\$275,000.00	92%	\$13,750.00
3	New Mechanical Pulp Screen	\$190,000.00	\$0.00				\$0.00		\$0.00	5%	\$180,500.00
4	New EQ Tank Pumps and Aeration System	\$190,000.00	\$7,500.00				\$7,500.00		\$82,500.00	55%	\$41,250.00
5	Site Work and Yard Paving	\$65,000.00	\$50,000.00				\$3,000.00		\$55,000.00	85%	\$10,000.00
6	SBR Tank Grating and Railing	\$30,000.00	\$1,500.00				\$0.00		\$1,500.00	5%	\$28,500.00
7	NPW System in Filtration Building	\$67,000.00	\$3,450.00				\$0.00		\$3,450.00	5%	\$63,550.00
8	New UV System	\$130,000.00	\$6,400.00				\$16,000.00		\$124,500.00	96%	\$5,500.00
9	Muddy Chemical Feed Shed	\$2,000.00	\$0.00				\$2,000.00		\$2,000.00	100%	\$0.00
10	Allowance 1 - Unforeseen Conditions	\$20,000.00	\$0.00				\$2,323.00		\$2,323.00	12%	\$17,677.00
11	Allowance 1 - Rock Excavation (8-100L Yd)	\$50,000.00	\$30,000.00				\$0.00		\$50,000.00	100%	\$0.00
12	Allowance 2 - Rock Excavation (101-500L Yd)	\$0.00	\$0.00				\$0.00		\$0.00	0%	\$0.00
13			\$0.00				\$0.00		\$0.00	0%	\$0.00
14			\$0.00				\$0.00		\$0.00	0%	\$0.00
15			\$0.00				\$0.00		\$0.00	0%	\$0.00
16			\$0.00				\$0.00		\$0.00	0%	\$0.00
17			\$0.00				\$0.00		\$0.00	0%	\$0.00
18			\$0.00				\$0.00		\$0.00	0%	\$0.00
19			\$0.00				\$0.00		\$0.00	0%	\$0.00
20			\$0.00				\$0.00		\$0.00	0%	\$0.00
21			\$0.00				\$0.00		\$0.00	0%	\$0.00
22			\$0.00				\$0.00		\$0.00	0%	\$0.00
23			\$0.00				\$0.00		\$0.00	0%	\$0.00
24			\$0.00				\$0.00		\$0.00	0%	\$0.00
GRAND TOTALS		\$1,055,000.00	\$337,350.00				\$306,823.00	\$0.00	\$631,173.00	60.1%	\$120,827.00

WE EXCLUDE FROM CONTRACTOR'S PROJECT FOR COST: 100 DULLES HWY 1 6702
THE AMERICAN INSTITUTE OF ARCHITECTS, 1735 K STREET, N.W. WASHINGTON, D.C. 20006-5020

US Department of Labor

Wage and Hour Division

PAYROLL

For Contractor's Optional Use: See Instructions at www.dol.gov/whd/forms/wh347instr.htm



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OMB No. 1235-0008
Expires 02/28/18

Rev Dec. 08

Name of Contractor MCJ CONSTRUCTION, LLC		ADDRESS: 777 BUNKER HILL ROAD MAYFIELD, NY 12117		PROJECT OR CONTRACTOR NO. PRC NO. #202009005																					
FEIN 14-1835610	For Week Ending 7/4/2021	PROJECT AND LOCATION: Town of Duanesburg, Delanson, NY 12053 1376 Cole Road, Delanson, NY 12053																							
Name and Individual Identifying Number of Worker	No. of With- holdings	ST	of	Classification	ST	of	Classification	Day and Date							Rate of Pay			Gross Amount Earned			Deductions			Net Wages Paid for week	
								M 6/28	T 6/29	W 6/30	TH 7/1	F 7/2	S 7/3	S 7/4	Total Hours	Rate Pay	FICA	Fed W/H tax	NYS tax	PFL SDI	Other	Total Deductions	Net Wages Paid for week		
Garber, Christian 13 Tamarack Trl Saratoga Springs, NY 12866	S/O	OT	0	Engineer	OT	0	77.94								0	77.94			172.36	53.37	5.22		305.06	863.58	
Garber, Michael 17 Milton Heights Blvd Ballston Spa, NY 12020	S/O	OT	0	Labor	OT	0	77.94								0	77.94						0.00	0.00		
Purman, Ryan D 112 Little Rock Lane Brooklyn, NY 12025	S/O	OT	0	Labor	OT	0	77.94	0.5							0.5	77.94		400.35	124.08	13.16	246.06	971.57	1,488.70		
Owens, Jonathan 225 Midline Rd Amsterdam, NY 12010	M/O	OT	0	Labor	OT	0	77.94	0.5							0.5	77.94		271.61	141.58	13.17	614.40	1,846.17			
Sargals, Jeffrey E 29 S. Shore Rd Northville, NY 12134	S/O	OT	0	Manager	OT	0	62.50								0	62.50		466.79	145.77	13.38		817.19	1,682.81		
		ST	0		ST	0	62.50								0	62.50						0.00	0.00		
		ST	0		ST	0	62.50								0	62.50						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. 3.3, 5.6(a), the Copeland Act (40 U.S.C. 3145) contractors and subcontractors performing work on Federally financed or assisted construction contracts to "furnish 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. 5.6(a)(3)(i) require contractors to submit weekly a copy of all payrolls to the Federal agency contracting to or financing the construction period, 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 review this 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 85 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 55502, 200 Constitution Ave N.W., Washington, D.C. 20210

Date 7/9/2021
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 of Subcontractor)

Town of Duanesburg, Delanson WI; that during the payroll period commencing on the
(Building or Work)

28th day of June 2021, and ending the 4th day of July 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 of 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. 108, 72 Stat. 967; 76 Stat. 357; 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

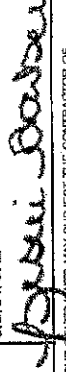
XX in addition to the basic hourly wage rates paid to each laborer or mechanic listed in
the above referenced payroll, payments of fringe benefits as listed in the contract
have been or will be made to appropriate programs for the benefit of such
employees, except as noted in section 4 (c) below employees, 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 Leslie Garber/Member	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 231 OF TITLE 31 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



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

Name of Contractor MCJ CONSTRUCTION, LLC		For Week Ending 7/18/2021		ADDRESS: 777 BUNKER HILL ROAD MAYFIELD, NY 12117		PROJECT AND LOCATION: Town of Duaneburg, Delanson WWTP 1376 Cole Road, Delanson, NY 12053		PROJECT OR CONTRACTOR NO. PRC NO. #2020009005		OMB No. 1235-0008 Expires 02/28/18												
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				Net Wages Paid for week				
				M 7/12	T 7/13	W 7/14	TH 7/15	F 7/16	S 7/17	S 7/18				FICA	Fed W/H tax	NYS tax	PFL SDI		Other	Total Deductions		
Garber, Christian 13 Tamarack Trl Saratoga Springs, NY 12866	S/O	Engineer	OT										0	77.94	0.00						0.00	0.00
Garber, Michael 17 Milton Heights Blvd Ballston Spa, NY 12020	S/O	Labor	OT										0	77.94	0.00						0.00	0.00
Putman, Ryan D 112 Little Rock Lane Broadalbin, NY 12025	S/O	Labor	OT	1.5									1.5	77.94	2,538.51	194.19	366.20	113.42	13.57	457.63	1,145.01	1,393.50
Owens, Jonathon 229 Midline Rd Amsterdam, NY 12010	M/O	Labor	OT	1.5									1.5	77.94	2,114.73	161.77	228.63	120.62	11.34	522.36	1,592.37	
Sargalis, Jeffrey E 29 S. Shore Rd Northville, NY 12134	S/O	Manager	OT										0	62.50	2,312.50	176.91	431.76	134.84	12.38	755.91	1,556.59	
			ST	5	8	8	8	8	8				37	62.50								0.00
			ST										0		0.00						0.00	0.00
			ST										0									0.00
			ST										0									0.00

While completion of Form WH-347 is optional, it is mandatory for covered contractors and subcontractors performing work on a Federal contract or subcontract to submit weekly a copy of all payrolls to the Federal agency contracting to or financing the construction period, 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 if employees have received legally required wages and fringe benefits.

We estimate that it will take an average of 55 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 S3502, 200 Constitution Ave. N.W., Washington, D.C. 20210.

Public Burden Statement

Date 7/23/2021

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 of Subcontractor)

Town of Duaneburg, Delanson WI; that during the payroll period commencing on the
(Building or Work)

12th day of July 2021, and ending the 18th day of July 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 of 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. 108, 72 Stat. 967; 76 Stat. 357; 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

(e) 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 Leslie Garber/Member	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 201 OF TITLE 31 OF THE UNITED STATES CODE.	

Certified Payroll Report

Contractor			JDR MASONRY LLC 11 BITTERSWEET LANE CLIFTON PARK, NY 12065			Project		MCJ Construction, LLC 777 Bunker Hill Road Mayfield, NY 12117			Project/Contract # Payroll Number For Week Ending			1 7/17/2021									
Employee Name	ID	Work Classification	Hours Worked by Day							Total Gross Pay	Total Security	Social	Medi- care	Federal	State	Total							
			Pay Type	Sun	Mon	Tue	Wed	Thu	Fri								Sat						
Andre G DesJardins	8815	Mason	RT	11	8.00	8.00	8.00	4.00					28.00	28.00	36.69	1,083.32	57.16	15.70	94.00	51.64	136.34	364.84	718.48
Brandon G DesJardins	2450	mason	RT		8.00	8.00	8.00	8.00					40.00	40.00	36.69	1,547.80	95.95	22.45	150.00	79.91	194.31	542.82	1,004.78
David M Ciraulo	4941	Laborer	RT		4.00	8.00	8.00	8.00	4.50				32.50	32.50	32.79	1,065.68	68.07	15.46	136.00	51.21	728.26	997.00	68.68
Michael S Bordaoux	3754	Mason	RT			8.00	7.50	8.00					23.50	23.50	36.69	909.22	92.35	21.60	93.00	70.52	-5.26	272.21	1,217.36
Randy Visscher	3395	Mason	RT			8.00	8.00	8.00	8.00				32.00	32.00	36.69	1,238.08	76.77	17.95	113.00	61.06	155.73	424.52	813.56
Stacy L Bordaoux	8403	Mason	RT			8.00	8.00	8.00					24.00	24.00	36.69	926.55	76.76	17.96	103.00	59.88	156.73	413.34	824.74

I, Donna Richardson, Owner, do hereby state:

THE WILLFUL FALSIFICATION OF ANY OF THE ABOVE STATEMENTS MAY SUBJECT THE CONTRACTOR OR SUBCONTRACTOR TO CIVIL OR CRIMINAL PROSECUTION. SEE SECTION 1001 OF TITLE 18 AND SECTION 231 OF TITLE 18, U.S. CODE.



US Department of Labor

PAYROLL

Wage and Hour Division

For Contractor's Optional Use: See Instructions at 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

ADDRESS: 777 BUNKER HILL ROAD
MAYFIELD, NY 12117

OMB No. 1235-0008
Expires 02/28/18

Name of Contractor MCJ CONSTRUCTION, LLC				ADDRESS: 777 BUNKER HILL ROAD MAYFIELD, NY 12117										PROJECT OR CONTRACTOR NO. PRC NO. #202009005									
FEIN 14-1835610		For Week Ending 8/15/2021		PROJECT AND LOCATION: Town of Duaneburg, Delanson WWTP 1376 Cole Road, Delanson, NY 12053																			
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	FICA	Fed WH tax	Deductions		Total Deductions	Net Wages Paid for week				
				M	T	W	TH	F	S	S						PFL	SDI						
Garber, Christian	S/O	Engineer	OT	B/S	8/10	8/11	8/12	8/13	8/14	8/15	0	77.94	0.00						0.00	0.00			
13 Tamarack Trl Saratoga Springs, NY 12866			Hol								0	80.54											
			ST								0	80.54								0.00			
Garber, Michael			OT									77.94											
17 Milton Heights Blvd Ballston Spa, NY 12020	S/O	Labor	Hol								0	0	0.00						0.00	0.00			
			ST								0	80.54											
Pulman, Ryan D			OT								0	77.94											
112 Little Rock Lane Broadballing, NY 12025	S/O	Labor	HOL								0	80.54											
			ST	8	8						16	54.54	872.64	96.75	81.30		33.86	5.06	87.26	274.23	598.41		
Owens, Jonathan			OT									77.94											
229 Malline Rd Amsterdam, NY 12010	M/O	Labor	Hol								0	60.54											
			ST		8	8	8	8	8		32	60.54	1,937.28	148.20	166.90		102.83	10.50	428.43	1,508.35			
Sargalls, Jeffrey E		Manager	OT								0	85.00											
29 S. Shore Rd Northville, NY 12134	S/O		HOL								0	65.00	2,600.00	195.80	490.79		153.65	0.60	943.94	1,756.06			
			ST	8	8	8	8	8	8		40	85.00											
			St								0		0.00						0.00	0.00			
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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 28 C.F.R. 3.3, 5.5(a), the Copland Act (40 U.S.C. 31-45) contractors and subcontractors performing work on Federally financed or assisted construction contracts to "furnish 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. 5.6(c)(3)(ii) require contractors to submit weekly a copy of all payroll 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 mandated wages and fringe benefits.

Public Burden Statement

We estimate that it will take an average of 55 minutes to complete the 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 S3652, 200 Constitution Ave N.W., Washington, D.C. 20210

Date 8/20/2021

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 of Subcontractor)

Town of Duaneburg, Delanson WI; that during the payroll period commencing on the

9th day of August 2021, and ending the 16th day of August 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 of 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. 108, 72 Stat. 967; 76 Stat. 357; 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.

(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 WHOLE, 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 231 OF TITLE 31 OF THE UNITED STATES CODE.	

Software Engineering, D.P.S.

TOWN OF DUANESBURG TOWN BOARD

RESOLUTION # OF 2021

RESOLUTION REGARDING CENTRALIZED ARRAIGNMENTS

WHEREAS, Schenectady County is submitting a plan for counsel at initial appearance coverage for arraignments in local courts; and

WHEREAS, the plan provides for a central arraignment part conducted twice a day at the Schenectady County jail rather than at the town or village location of the arrest; and

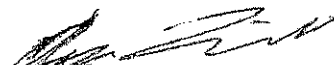
WHEREAS, this plan requires the cooperation of the various local town and village justices; and


WHEREAS, this plan should assure consistency in representation as well as in the afterhours schedules of the various town and village justices; and

WHEREAS, this program will promote efficiencies among the town and village justices as well as county operations providing for mutual cooperation of the County's municipalities; now therefore be it

RESOLVED, that the Town of Duanesburg hereby indicates its support for the County's plan for counsel at initial appearance coverage for arraignments in local courts.

By (unanimous/majority) vote of the Town Board of the Town of Duanesburg at its regular meeting on August 26, 2021.


Roger Tidball, Supervisor


Jennifer Howe, Town Clerk

Present: ALL
Absent:

Council 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	<u>Yea</u>	Nay	Abstain

I submit the following statement to the board;

During the Covid crisis last year Schenectady County adopted a centralized arraignment process for all courts in the county in order to abide by Covid restrictions. This proved to be a very successful process and the county has decided to establish a central arraignment court located at the county jail. This project requires the cooperation of the various local town and village justices. I support this new process but the county needs the approval of Chief Administrative Judge Marks. The county feels that a show of support from all the local town and village boards will be helpful in getting this approval. This resolution will show that support. I appreciate the boards consideration of this resolution and encourage you to support it.

Regards,

Judge Wren

Jennifer Howe

From: Susan Biggs <azurevista@hotmail.com>
Sent: Thursday, August 26, 2021 1:01 PM
To: Jennifer Howe
Cc: Bill Wenzel
Subject: Privilege of the Floor August 26 Town Board Meeting
Attachments: 117 Darby Hill Road Fire IMG_0536.jpg; 117 Darby Hill Road Fire IMG_0545.jpg; 117 Darby Hill Road Fire IMG_0546.jpg; 117 Darby Hill Road Fire IMG_0550.jpg

August 26, 2021

Dear Supervisor Tidball and the Town Board,

Please read my comments concerning the public hearing of draft solar facilities law, Local Law 1 of 2021. Please include this letter in the official record of tonight's planning board meeting minutes as posted on the town website.

Susan Biggs
13388 Duanesburg Road, Delanson NY 12053

Please see the attached four images in color taken in August 2021 to document the current conditions of 117 Darby Hill Road. The home burned down 18 months ago, the owners abandoned the parcel and left the clean-up costs to be paid by our tax dollars. The debris is blocking the sidewalk and the weeds are more than three feet tall. It is likely that the hazardous and toxic property conditions have diminished the surrounding neighbor's property values. The site is an eyesore to all, a health hazard to the neighbors and a drain on the taxpayers.

What is the timeline for the cleanup of the 117 Darby Hill Road fire debris?
What has the town paid in legal fees, lead testing, asbestos testing and for the projected demolition?
When will the parcel go to auction and what revenue do you anticipate from the sale?

This property should serve as a cautionary tale to the town and taxpayers as to why Oak Hill Solar must be carefully, thoughtfully and comprehensively reviewed. Our town is not affluent or rich. We cannot afford to clean up one orphaned burned down building. If Oak Hill Solar's combined \$422,000 decommissioning fund is not available or insufficient, can our town afford to pay for an abandoned 65 acre solar array plus four 53' containers of lithium-ion batteries? How is the decommissioning fund supplied? Will the money be there if the town needs it? If there is a catastrophic battery explosion harming first responders, passerby or neighbors can the town absorb any possible legal costs?

I am sorry that it seems you have been bamboozled by Eden Renewables and I am sorry that the hired town engineer did not fully report the errors, omissions and misrepresentations found throughout their application in 2019.

Now is the time for action.

The Planning Board's vote on the Oak Hill Amendment to add lithium-ion batteries will set precedent.

Please consider the hazards that accompany lithium batteries. Explosions, fires and toxic fumes may require evacuation of residents for miles surrounding the Project site. Do you want lithium batteries in your backyard? How will battery storage impact future development of abutting parcels?

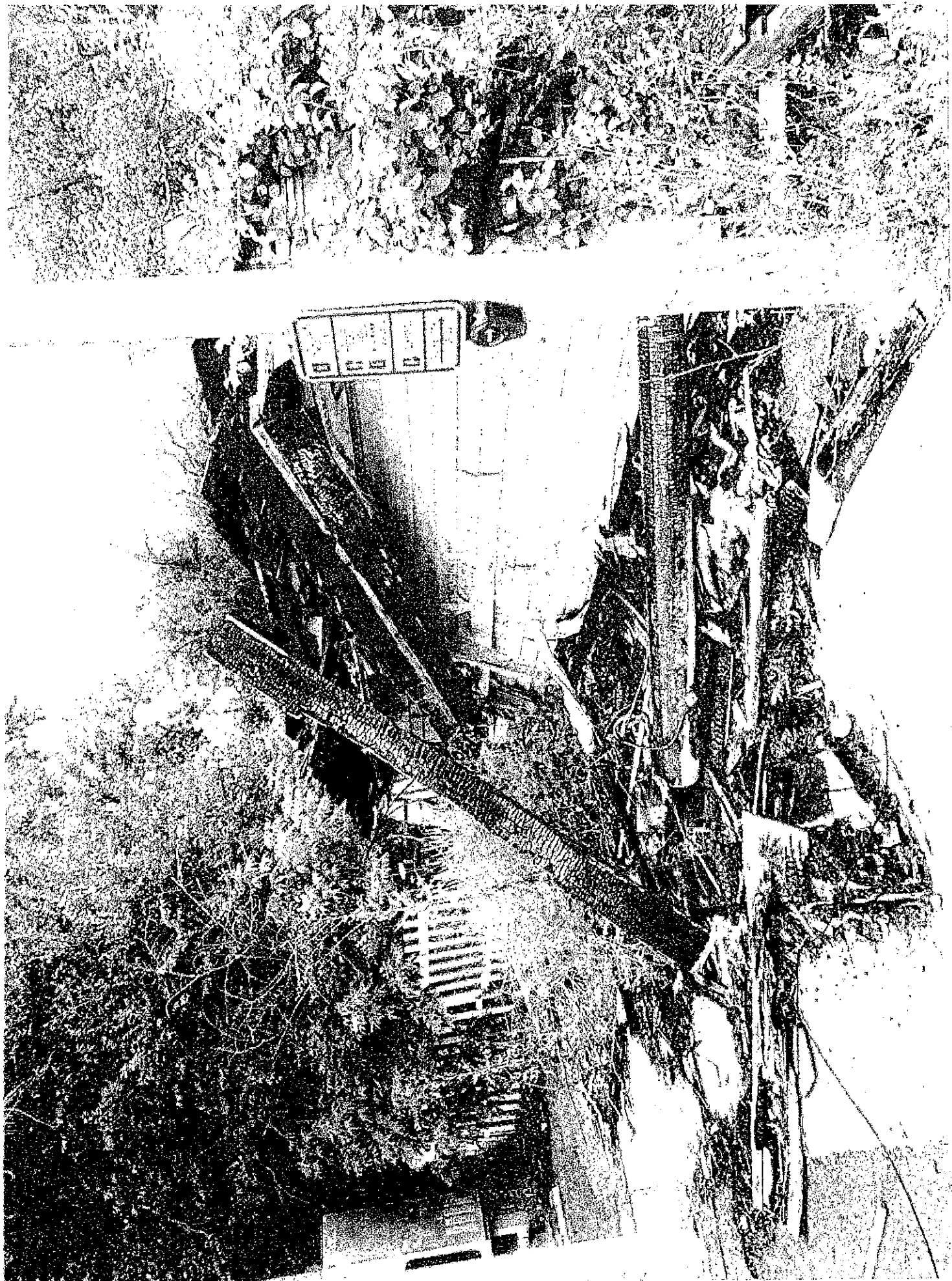
I do not believe this is what the citizens of Duanesburg want. I urge all citizens to submit comments and concerns to the town clerk, jhowe@duanesburg.net, for distribution to the town and planning boards. I request that the Town Board deny the Oak Hill Solar Amendment and save our community from future tax liabilities.

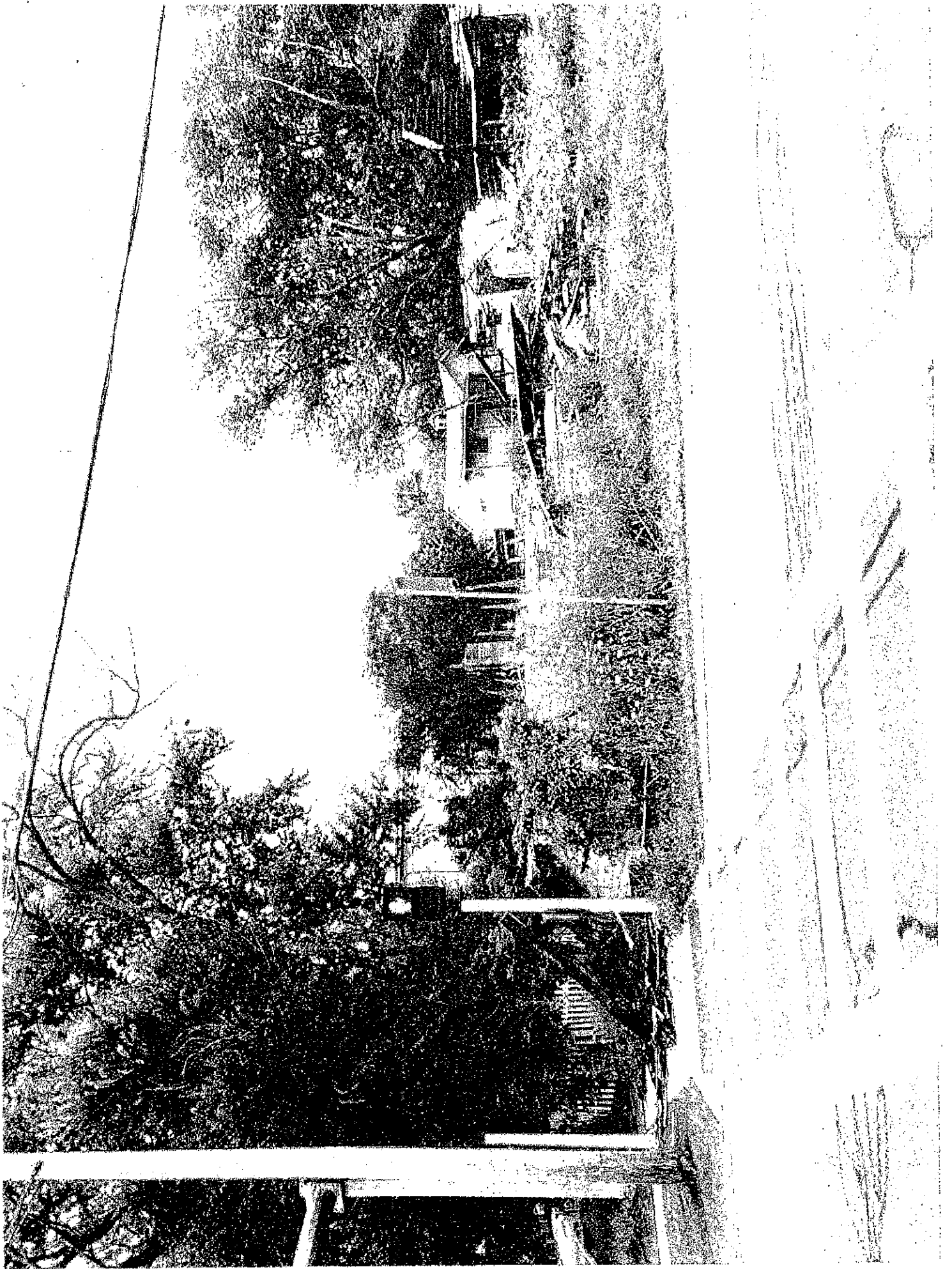
I request that Planning and Zoning Board meetings, including the September 9, 2021 Planning Board Workshop are broadcast on zoom and that the application documents be posted on the town website. The more eyes on a project the better the project will be for the entire community.

Thank you for your service to our town.

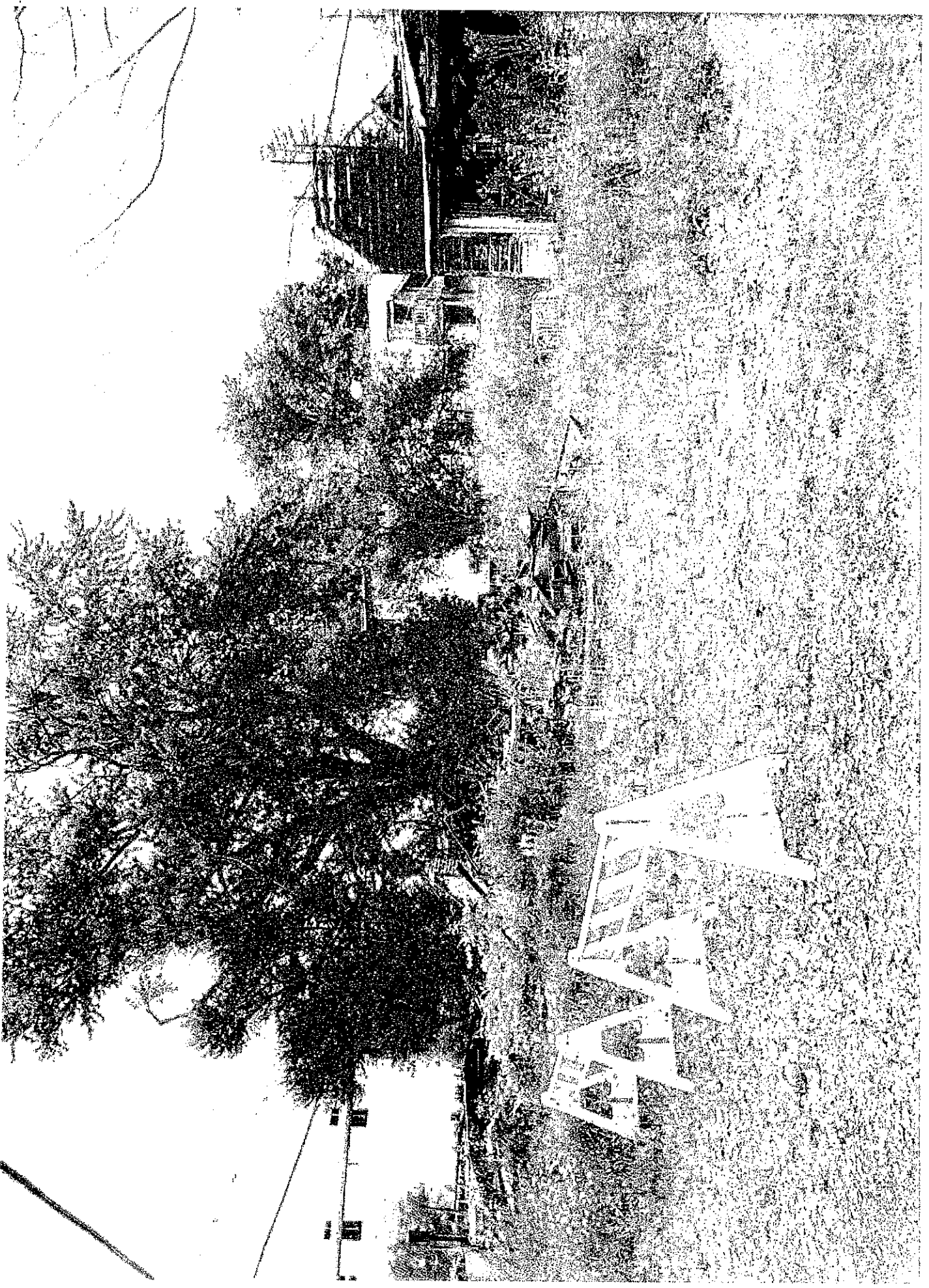
Respectfully,
Susan Biggs
azurevista@hotmail.com

Sent from Outlook









PO Box 160
Quaker Street, NY 12141

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

Transmitted via email: jhowe@duanesburg.net, mdeffer@duanesburg.net

August 26, 2021

Re: Privilege of the Floor Town Board Oak Hill Solar 1, LLC and Oak Hill Solar 2, LLC

Dear Supervisor Tidball and the Town Board,

Please include this letter in the official record of tonight's planning board meeting minutes as posted on the town website.

I request that all planning and zoning board meetings and workshops are held in person and also on zoom. I request that Oak Hill Solar application and Amendment application be posted on the town website or in a drop box. This will close loopholes on potential sources of impropriety and provide the taxpayers with transparency and accountability into the town's actions.

At the August 15, 2021 Planning Board Public Hearing for the Amendment to the Oak Hill Solar Special Use Permit the Applicant read the distance of the Murray's home to the nearest battery storage container. I asked how far the Biggs home was from the nearest battery storage container. Neither Amp, Eden or GreenCells provided an answer to my question. In fact Amp's representative asked me where is the Biggs' home? GreenCells stated that it's not on the drawings.

Eden Renewables omitted the nearest residence to Oak Hill Solar beginning May 2018 or before. March 2019 Eden's engineer incorrectly documented that the nearest residence was 1,600 feet away. Three years later this misleading information continues to deprive Mrs. Biggs, whose residence is less than 650 feet from the array fence, of the consideration she deserves.

What are the dangers of being 500 feet, 1000 feet, 1,500 feet and 2,000 feet from the lithium-ion battery storage containers?

If there is an explosion and/or fire what would be the evacuation perimeter needed to protect the residents from toxic gases and fumes?

How would residents be notified of a possible evacuation? How quickly can that happen?

Mrs. Biggs safety from toxic lithium-ion batteries, the protection of her lands from increased toxic stormwater runoff and the protection of her property value from this industrial Project is not considered by Eden, Amp or GreenCells.

The Town is unable to protect the taxpayers if the Applicant hasn't, or won't, submit accurate factual documents in a manner that can be thoughtfully reviewed and examined. Three years into the application process and Oak Hill Solar still does not identify the nearest residence. What else is the Applicant omitting?

Please see the attached rendering first provided by Eden to the planning board in 2018. The pink text provides corrections to the original documents misrepresentations.

Due to Oak Hill's persistent and pervasive errors, omissions and misrepresentations I request that Amp Solar's request to extend Oak Hill Solar Special Use Permit be denied.

Thank you for your time and consideration.

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

Cc: Jeffery Schmitt, Planning Board Chair and the Planning Board

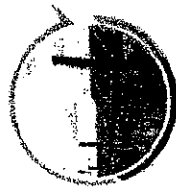
LEGEND: ERRORS AND OMISSIONS



EDEN RENEWABLES

EDUCATIONAL BENEFITS

We organise trips to the solar farm so children from local schools can learn about science, technology and energy generation.



SECURITY

Traditional rural fencing and discreet CCTV cameras will be used around the perimeter of the site to maintain security. Fence does not meet NYSDA recommendation of 7 foot chain link



WILDFLOWER MEADOWS

The land around and beneath the solar panels will be sown with native wildflowers and grasses to support habitats for bees and other pollinators.

Site Plan seeding detail calls for 100% grass



EXISTING TREES

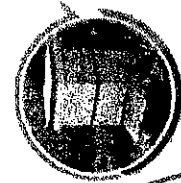
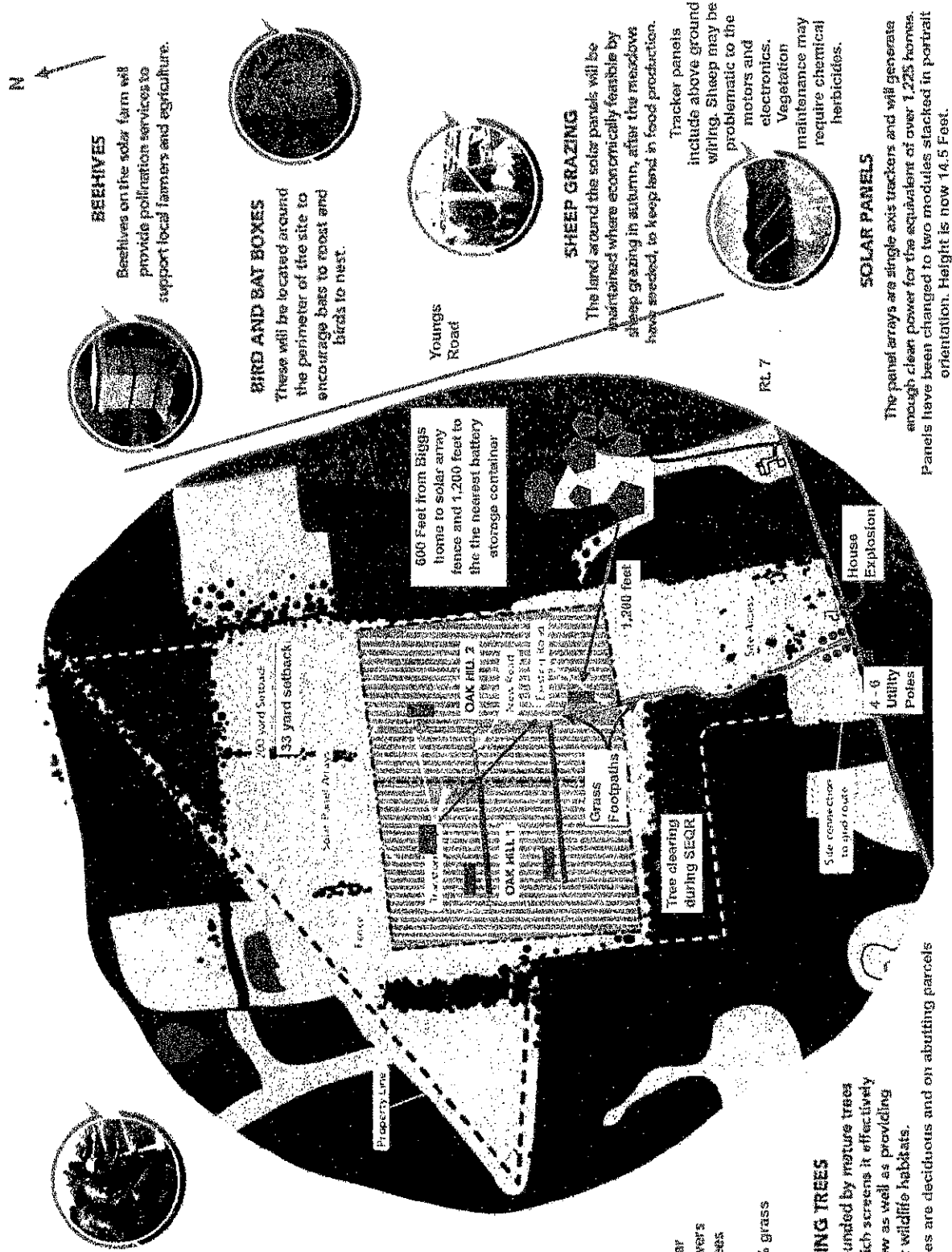
The site is surrounded by mature trees and forestry, which screens it effectively from public view as well as providing important wildlife habitats.

Majority of existing trees are deciduous and on adjoining parcels

Lithium-Ion Battery Storage

13590 Duaneburg Road, Delanson, NY 12053

OAK HILL SOLAR FARMS



BEEHIVES

Beehives on the solar farm will provide pollination services to support local farmers and agriculture.



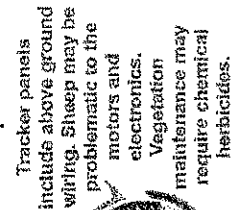
BIRD AND BAT BOXES

These will be located around the perimeter of the site to encourage bats to roost and birds to nest.



SHEEP GRAZING

The land around the solar panels will be maintained where economically feasible by sheep grazing in autumn, after the meadows have seeded, to keep land in food production.



SOLAR PANELS

The panel arrays are single axis trackers and will generate enough clean power for the equivalent of over 1,225 homes. Panels have been changed to two modules stacked in portrait orientation. Height is now 14.5 Feet.

Tree clearing during SEQR

Grass Footpaths

1,200 feet

600 Feet from Biggs home to solar array fence and 1,200 feet to the nearest battery storage container

200 yard setback

33 yard setback

Solar Panel Array

Fence

Property Line

Youngs Road

Rt. 7

N

House Explosion

4-6 Utility Poles

Site connection to grid route

1,200 feet

600 Feet from Biggs home to solar array fence and 1,200 feet to the nearest battery storage container

200 yard setback

33 yard setback

Solar Panel Array

Fence

Property Line

Youngs Road

Rt. 7

N

House Explosion

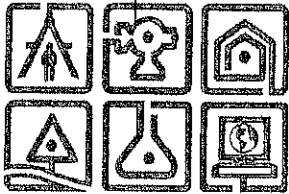
4-6 Utility Poles

Site connection to grid route

DRAFT

August 26, 2021

PRELIMINARY DESIGN NARRATIVE



Town of Duanesburg
Addition & Renovations
Existing Town Hall Facility

5853 Western Turnpike
Duanesburg, New York

Prepared for:

Town Board
TOWN OF DUANESBURG
5853 Western Turnpike
Duanesburg, NY 12056

Prepared by:

C.T. MALE ASSOCIATES
50 Century Hill Drive
Latham, New York 12110
(518) 786-7400
FAX (518) 786-7299

C.T. Male Associates Project No: 21.1374

TOWN OF DUANESBURG
ADDITION & RENOVATIONS - EXISTING TOWN HALL

ADDITIONAL INFORMATION

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1.0 SITE ENGINEERING

1.1 Existing Conditions

- A. Existing conditions are limited to the original property site plan developed as part of the original town hall construction work, dated February 1, 1967.
- B. Existing public utilities available are limited to electrical and telecom/data.
- C. Existing water is provided via a shared well with the Town Highway department. The town has indicated the well is likely not adequate for continued use.
- D. Existing sanitary lines lead to a recently upgraded septic field to the south of the town hall. Upgrades were performed by the Public Works Department. No information on size and level of improvements have been provided at this time.

1.2 Description of New Work

- A. Limited excavation at new addition and renovations to the existing first floor entrance ramp/stair assembly.
 - a. Existing construction documents have no significant geotechnical information. Pending Review by structural/geotechnical engineer.
- B. Parking by Town.
- C. Limited re-grading to be performed within 5 feet of new work.
- D. Stormwater Management to be determined.-
- E. Hardscape limited to exterior entrance landings and stretch of sidewalks to existing parking area.
- F. Well Water (domestic) - Need to discuss new well and what scope CTM to include.
- G. Sanitary (domestic) - Tie in to existing septic with new sanitary system limited in nature. Existing septic system to remain undisturbed. Pending review of existing documents.
- H. Site Electrical - discussed under the Electrical Narrative.
- I. SWPPP - not required (less than 1.0 acre).

2.0 STRUCTURAL SYSTEMS

2.1 Foundations

- A. Narrative is based on common design practices and assumed adequacy of existing site/soil bearing capacity.

- B. 12" thick cast-in-place reinforced concrete foundation walls on 2'-0" wide continuous concrete footings at all four sides. Foundation walls and footings to align with depth of existing foundation.
 - a. Preliminary design approach to include piers spaced along face of existing foundation to carry proposed addition roof loads rather than rely on existing walls to carry new loads. TBD based on structural review.
- C. 4-5" thick reinforced concrete slab on grade with #4 rebar at 12" O.C. spacing.
- D. Cast in place, reinforced concrete stair, ramp and landing at existing first floor entrance to support accessibility compliance to upper floor.
 - a. New concrete piers and foundation at existing roof canopy columns. Columns to be cut back to a height above existing grade to protect wood from winter conditions.
 - b.
- E. Additional frost-protected apron pads at main entrance and exterior door landings.
- F. Additional equipment pads at proposed mechanical equipment.
- G. New and/or relocation of existing light posts including new concrete bases. TBD whether by Town or part of contract.
 - a. Subject to new parking extents, light posts to be provided with impact resistant bases, or bollards.

2.2 Wall and Roof Structures

- A. Walls to be similar to existing cavity wall assembly utilizing 6"-8" CMU block walls to carry roof loads.
 - a. Masonry reinforcement as required based on loading and best practices.
 - b. Steel lintels at proposed door and window headers.
- B. Roof framing to be 2x6 or 2x8 framing spaces as required to carry proposed roof loads.
 - a. Semi-decorative post/beam assembly at entrance canopy.
- C. Interior Walls constructed of reinforced 6" CMU masonry block.

3.0 PLUMBING

3.1 Existing Conditions:

- A. Hot water is provided by a low-boy, tank-type, electric water heater located in the lower-level mechanical room.

- B. The existing hot water heater is 4500-watts at 240-volts, single-phase.
- C. The existing water service appears to be a 3/4 -inch feed from an onsite well.
 - a. The water supply is small for the existing use.
- D. The location of the well could not be identified but is suspected to be at the adjacent highway garage.
- E. Sanitary is directed from the building to a septic tank located approximately 25-feet to the south of the existing building.
- F. Waste, drain, and vent piping is a combination of copper and iron pipe.

3.2 Preliminary Plumbing Fixtures and Equipment:

- A. Upgraded water service should be considered to support the proposed building. The proposed building should include at least a 1-inch service.
- B. New plumbing fixtures shall be high-efficiency low-flow type.
- C. Flush systems shall be tank type to accommodate small water service volumes.
- D. Drain, waste, and vent piping shall be renovated to accommodate proposed floorplan.
- E. All DWV piping shall drain by gravity to the existing septic system.
- F. The existing, electric, tank-type water-heater shall be reused.
- G. Cold and Hot water distribution shall be revised to accommodate the proposed floorplan.

3.3 Automatic Fire Suppression System

- A. Not Required.

4.0 MECHANICAL

4.1 Existing Conditions:

- A. Heating by hydronic baseboard system around perimeter of existing building footprint.
- B. Hydronic heating system is zone into four heating zones (thermostats).
- C. Heating hot water is produced by one, oil-fired, hot-water boiler. Existing capacity of 143MBH (Net IBR).
- D. Heating boiler is 20 years old (circa 2001), is in good condition, has about 5-10 years of remaining useful life.

- E. Heating system distribution piping is in good condition.
- F. Heat distribution is by copper pipe with fin tube baseboard heating elements.
- G. HVAC control is by programmable, electro-mechanical thermostats.
- H. Cooling is by portable window air conditioning units.
- I. Ventilation is by operable windows.

4.2 Proposed Work Scope:

- A. Provide ground mounted packaged heat-pump adjacent to the building.
 - a. The packaged unit will supply cooling, ventilation, and swing season heating.
 - b. Packaged unit will be sized to service the cooling load for the existing building footprint along with the proposed addition. Expected capacity of 10 nominal tons of cooling.
 - c. The packaged unit will provide fresh mechanical ventilation to the occupied zones.
 - d. Mechanical ventilation will be provided at a rate exceeding code requirements to enhance Indoor Air Quality in the occupied spaces.
 - e. The packaged unit will be sized to accommodate high-performance air filtration of MERV-13 or better to enhance IAQ or recirculated air.
 - f. The packaged unit will include electric resistance heat sufficient to "temper" the ventilation air under peak heating load conditions.
 - g. The packaged unit will include economizer option, humidity control option, and energy-recovery option. Energy recovery will allow increased ventilation for better indoor air quality.
- B. Peak and supplemental heating shall be by hydronic fin-tube.
 - a. Fin-tube elements and piping in the existing footprint will be replaced to accommodate the revised floor plan.
 - b. Fin-tube elements and piping will be extended into the proposed addition.
- C. A second (new) oil-fired heating boiler will be added to manage the additional heating load of the proposed addition. Expected Net IBR of 120-MBH.
 - a. The existing boiler will remain in service. Or be replaced at the end of service life.
 - b. The new boiler will be sized for 2/3 of the total building peak heat load and operate lead-lag with the existing boiler.
 - c. Hydronic heating will operate as second stage heating.

- D. Zone temperature control shall be by programmable, electro-mechanical, heat-pump thermostats.
- E. The system will be designed for at least six thermal zones. Three upper-level and three lower level.
- F. A wall or ceiling type split system air conditioning unit will be provided to offset people load in the court-room. This unit will be cooling only.
- G. The existing 275-gallon heating oil storage tank shall be reused and relocated to accommodate the proposed floorplan.

4.3 General HVAC Concept Considerations

- A. The proposed systems are included to upgrade the indoor air quality while maintaining good overall building energy performance. Based on the current environment it is prudent to improve ventilation, filtration, and to control humidity. The proposed system aims to maximize the HVAC system to provide enhanced indoor air quality. To that end:
 - a. Ventilation (fresh air) shall be better than code with a goal of 1.8 air changes per hour.
 - b. Filtration shall be designed to achieve a MERV-13 or better level of performance using a combination of filters and cleaners for all air recirculated by the HVAC system.
 - c. Space air distribution sufficient to provide good air mixing within the occupied zone.

5.0 ELECTRICAL

5.1 Existing Electrical Service

- A. The existing 240/120-volt, 200-amp, single phase electrical service is fed to the Town Hall's east wall from a National Grid street pole.
- B. The building's meter is located at the rear (south side of building) near the Court Room's single rear entrance. This meter then feeds into the Service Disconnect located on the inside wall at the rear of the Court Room and is located adjacent to the building's telecommunications equipment.
- C. The Service Disconnect feeds the main building electrical panel (newly designated PP-2 in this report) located in the second level main hallway and a small sub-panel directly above the Service Disconnect that supplies power to building exit signs and exterior lighting.

5.2 Proposed Power Distribution

- A. Electrical design to be in accordance with National Electric Code (NEC - NFPA70 (2017)), NYSBC (2020) and 2020 ECCNYS.
- B. New Addition to be equipped with computer receptacles and convenience receptacles.
- C. Disconnects provided throughout as required for specialty outlets, HVAC and other dedicated circuits.
- D. The building's electrical meter will be replaced in kind and moved to the new addition's exterior east side wall.
- E. A new NEMA 3R Fused Service Rated Disconnect will be installed directly adjacent to the new Service Meter.
- F. The new Service Disconnect will feed a new 240/120-volt, 100-amp, 24 circuit panel with a 100-amp main circuit breaker (MCB) to be designated PP-1 and located in the new electrical closet located on the east side of the Entry Vestibule.
 - a. The loads currently being fed by an existing small sub-panel above the existing Service Disconnect are to be moved to PP-1.
 - b. PP-1 will also be used for any new mechanical equipment loads, including but not limited to the new HVAC equipment.
- G. The existing 100-amp electrical panel, to be designated PP-2, which is currently fed from the existing Service Disconnect will be fed from the new Service Disconnect.

5.3 Lighting Systems

- A. Existing interior lighting is to be replaced in kind with 2x4 recessed, and 1x4 surface mounted, high efficiency LED equivalent fixtures.
- B. New fixtures are to be connected to new occupancy sensors to comply with the NY Energy Conservation Constriction Code (NYSECCC).
 - a. Cost savings alternate can be achieved by having the fluorescent fixtures remain in place with only the (assumed) T8 bulbs being replaced by LED T8 equivalent bulbs.
- C. Additional high efficiency LED exterior lighting fixtures along the rear wall will be added to provide additional parking lot lighting. This lighting will be fed from panel PP-1.
 - a. This lighting will be connected to a new photo sensor installed on the south wall of the building and connected to the existing exterior lighting.

5.4 Life Safety, IT/Data and Security System

C.T. MALE ASSOCIATES

- A. Communications and telecom circuits that are currently mounted to the south wall of the Court Room are to be relocated to the new electrical closet on the east wall of the Entry Vestibule. Changes and additional capacity to be coordinated with the local service provider to the Towns systems.

C.T. MALE ASSOCIATES

APPENDIX A - ORDER OF MAGNITUDE OPINION OF PROBABLE COST

TOWN OF DUANESBURG

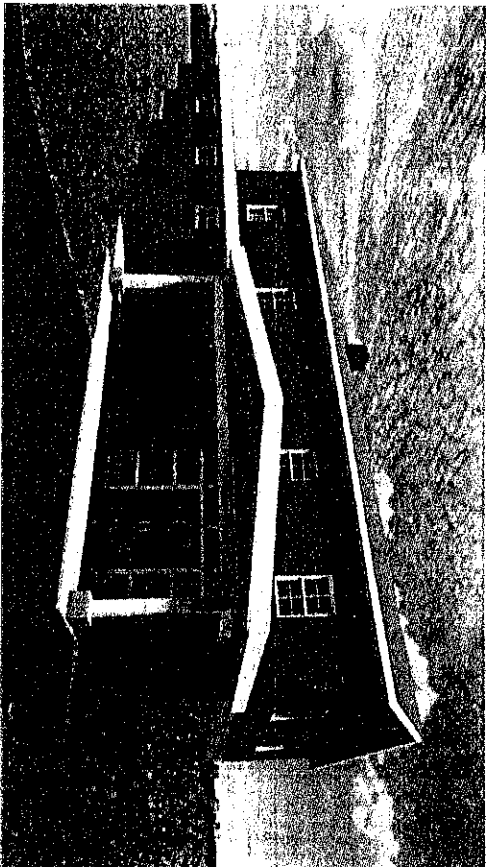
TOWN HALL - ADDITION AND RENOVATIONS

FOR

TOWN OF DUANESBURG

DRAFT SUBMISSION

AUGUST 26, 2021

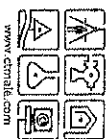


DRAWING LIST

NO.	DESCRIPTION	SHEET
1	GENERAL	1
2	EXISTING CONDITIONS	2
3	ARCHITECTURE	3
4	MECHANICAL, ELECTRICAL, AND PLUMBING (MEP)	4
5	LANDSCAPE ARCHITECTURE	5
6	STRUCTURAL	6
7	ENVIRONMENTAL	7
8	TRANSPORTATION	8
9	UTILITIES	9
10	CONSTRUCTION	10

C.T. MALE ASSOCIATES

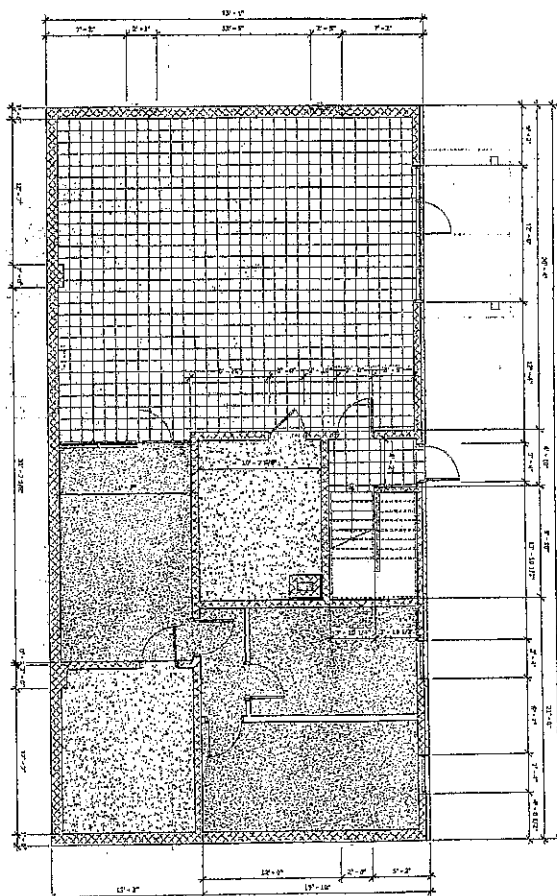
Engineering, Surveying, Architecture, Landscape Architecture & Geology, D.P.C.
50 CENTURY HILL DRIVE, LATAM, NY 12110 PH 518.786.7400
COBLESKILL, NY • GLENS FALLS, NY • PODUNK, NY
JOHNSTOWN, NY • RED HOOK, NY • SYRACUSE, NY



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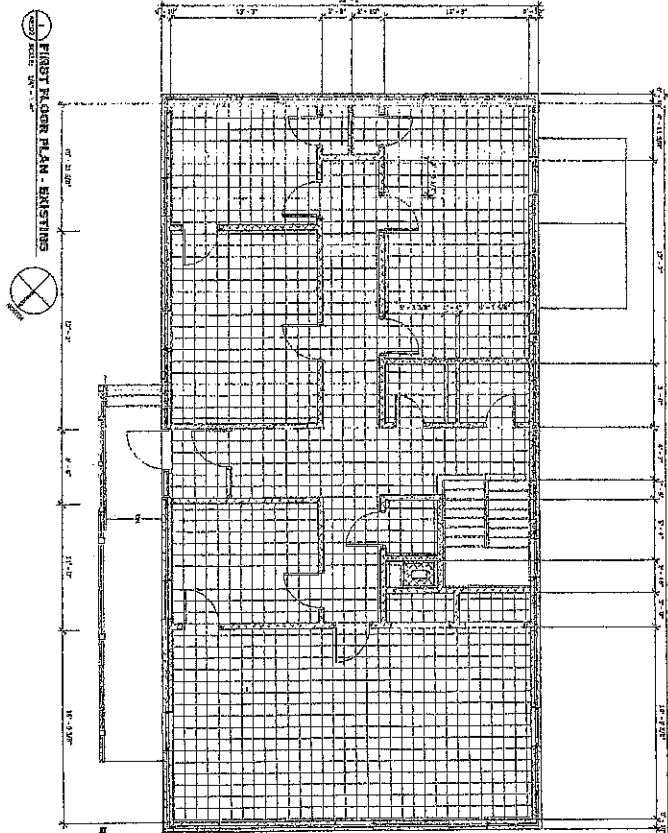
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SHEET 13 OF 13

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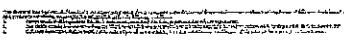
BASEMENT EXISTING PLAN

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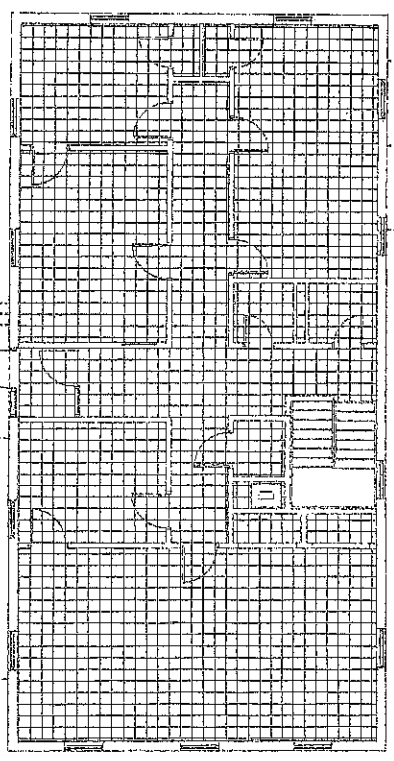
DRAFT SUBMISSION

PROJECT INFORMATION	
PROJECT NAME	YAWK HALL - ADDITION AND RENOVATIONS
OWNER	S.T. WALK ASSOCIATES
ARCHITECT	ARCHITECTS ASSOCIATES
DATE	10/10/2012
PROJECT LOCATION	
ADDRESS	1000 N. 10TH ST. SUITE 100, DENVER, CO 80202
PROJECT NUMBER	AE102
PROJECT TYPE	RENOVATION AND ADDITION
PROJECT STATUS	DRAFT SUBMISSION



21

SALE OF THE YEAR

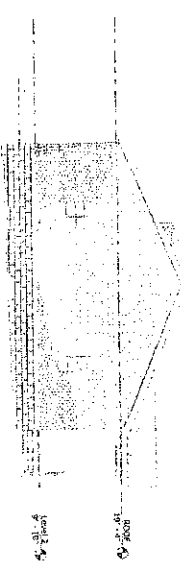
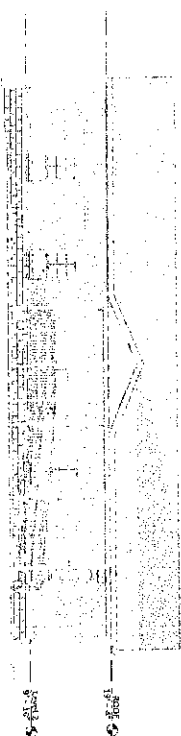
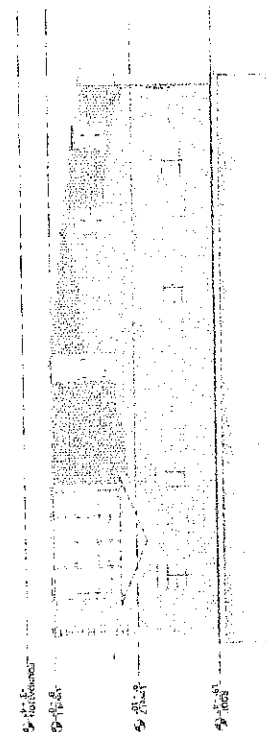
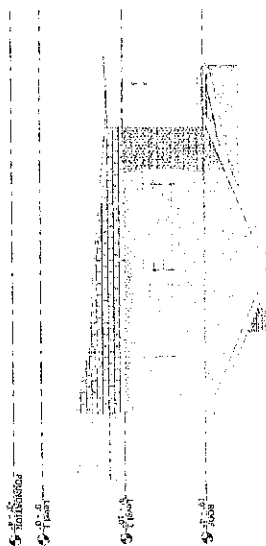


2. SHOOTER CALLS THE ENEMY AND
ENEMY AT THE SHOOTER AND
ATTACKS HIM

THE UNIVERSITY OF CHICAGO

[illegible]

FILE NUMBER	FILE DATE	INVESTIGATING AGENCY
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③ REPTILES AND AMPHIBIANS
XIS - 15

5-10-91

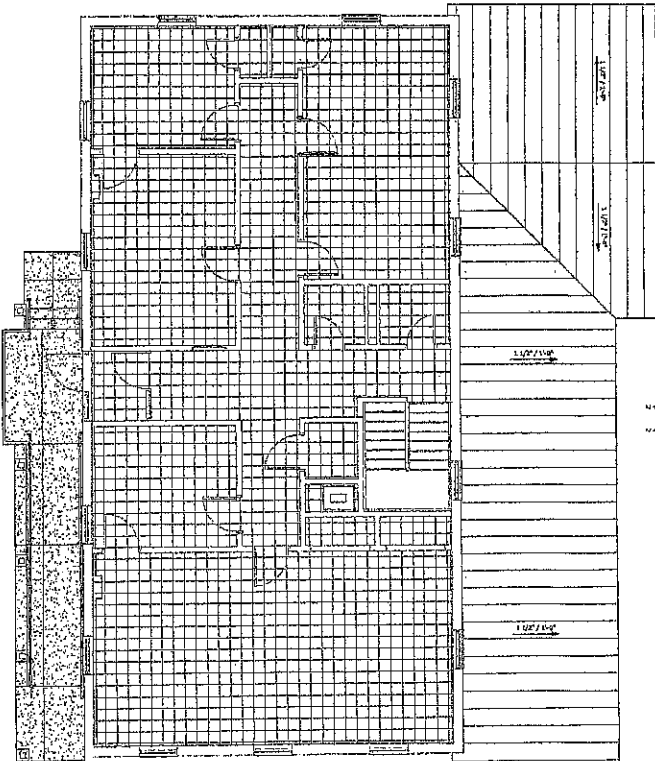
DRAFT SUBMISSION

DEMOLITION ELEVATIONS

[illegible]

	1980-1992	1993-2000	2001-2009
<p>integrated in services N.A. 2001, 2009/3</p>			

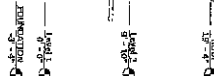
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1. FIRST FLOOR PLAN - NEW

DRAFT SUBMISSION

PROJECT INFORMATION PROJECT NAME: TOWN HALL - ADDITION AND RENOVATIONS PROJECT LOCATION: 100 N. 1ST ST., SUITE 100, MINNEAPOLIS, MN 55401 PROJECT NUMBER: A-102	
CLIENT: C.T. MALE ASSOCIATES ARCHITECT: C.T. MALE ASSOCIATES SCALE: 1/8" = 1'-0" DATE: 10/1/01	SHEET: 1 OF 1 DRAWING: FIRST FLOOR PLAN



② SOUTH AFRICA - NEW
AFRICAN - 1970

② ELEVATION - NEW
SITE - 107

DRAFT SUBMISSION

[illegible]

Account#	Account Description	Fee Description	Qty	Local Share	
	Building Permit Renewal	Building Permit Renewal	2	85.00	
	Marriage License Fee	Marriage License Fee	4	70.00	
	Misc. Fees	Certified Copies - Death	38	380.00	
		Certified Copies - Marriage	1	10.00	
	septic repair	septic repair	1	50.00	
		Sub-Total:		\$595.00	
A1255	Conservation	Conservation	16	101.88	
		Sub-Total:		\$101.88	
A2544	AFTER 30 DAYS	AFTER 30 DAYS	4	20.00	
	Dog Licensing	Exempt Dogs	1	0.00	
		Female, Spayed	37	518.00	
		Male, Neutered	35	490.00	
		Male, Unneutered	6	132.00	
		Sub-Total:		\$1,160.00	
B2555	Building Permits	Building Permits	9	1,190.00	
	Special Use Permit	Special Use Permit	1	100.00	
		Sub-Total:		\$1,290.00	
Total Local Shares Remitted:				\$3,146.88	
Amount paid to:	NYS Ag. & Markets for spay/neuter program			90.00	
Amount paid to:	NYS Environmental Conservation			1,837.12	
Amount paid to:	State Health Dept. For Marriage Licenses			90.00	
Total State, County & Local Revenues:		\$5,164.00	Total Non-Local Revenues:		\$2,017.12

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 August 2021.

Revenues

Fund	Amount
General Fund	\$ 38,686.00
Highway Fund	\$ 14,524.13
Fire Protection	\$ 0.00
Parks & Recreation	\$ 0.00
Parklands	\$ 0.00
Service Award	\$ 0.00
Sewer District #1	\$ 0.00
Sewer District #2	\$ 0.00
Sewer District #3	\$ 0.00
Total	<u>\$ 53,207.13</u>

Disbursements

General Fund	\$ 445,651.40
Highway Fund	\$ 51,528.49
Fire Protection	\$ 0.00
Park & Recreation	\$ 0.00
Parklands	\$ 0.00
Sewer District #1	\$ 11,713.56
Sewer District #2	\$ 10,649.52
Sewer District #3	\$ 2,755.69
Total	<u>\$ 522,298.66</u>

Dated September 9, 2021

Supervisors Office – Town of Duanesburg

A--General Fund - 01

**Town of Duanesburg
Operating Statement**
As of August 31, 2021

	Month Ending 08/31/2021		Year To Date 08/31/2021		Summary
	Actual		Budget	Remaining	
Expenses					
1010.100 - Town Board-Personal Svcs	2,341.52	18,714.22	28,100.00	9,385.78	33.4 %
1010.200 - Town Board-Equipment	0.00	69.99	0.00	(69.99)	0.0 %
1010.400 - Town Board-Contractual	0.00	145.31	750.00	604.69	80.6 %
1110.100 - Justices-Personal Svcs	2,614.61	21,544.38	32,633.00	11,088.62	34.0 %
1110.101 - Justices-Court Clerk	2,322.00	12,213.38	17,500.00	5,286.62	30.2 %
1110.103 - Justices-Court Security	420.00	2,187.50	4,500.00	2,312.50	51.4 %
1110.200 - Justices-Equipment	0.00	0.00	500.00	500.00	100.0 %
1110.400 - Justices-Contractual	46.99	1,297.43	2,000.00	702.57	35.1 %
1220.100 - Supervisor-Personal Svcs	1,626.16	15,072.28	21,140.00	6,067.72	28.7 %
1220.101 - Supervisor-Personal Svcs-Clerk	2,800.00	23,800.00	36,400.00	12,600.00	34.6 %
1220.102 - Supervisor-Personal Svcs-Deputy Supv	234.38	1,875.04	2,813.00	937.96	33.3 %
1220.200 - Supervisor-Equipment	0.00	0.00	1,000.00	1,000.00	100.0 %
1220.400 - Supervisor-Contractual	0.00	0.00	500.00	500.00	100.0 %
1340.100 - Budget-Personal Svcs	0.00	288.86	500.00	211.14	42.2 %
1355.100 - Assessor-Personal Svcs	1,346.16	11,442.28	17,500.00	6,057.72	34.6 %
1355.101 - Assessor-Personal Svcs-Clerk	1,260.00	8,568.00	16,380.00	7,812.00	47.7 %
1355.103 - Assessor-Personal Svcs-Support	(10,190.00)	0.00	0.00	0.00	0.0 %
1355.106 - Assessor-Grievance Board Personal Svcs	0.00	559.13	500.00	(59.13)	(11.8) %
1355.200 - Assessor-Equipment	0.00	0.00	1,000.00	1,000.00	100.0 %
1355.400 - Assessor-Contractual	32.49	735.98	2,000.00	1,264.02	63.2 %
1355.401 - Assessor-Assessment Support Contract	10,190.00	10,190.00	17,500.00	7,310.00	41.8 %
1355.406 - Assessor-Grievance Board Contractual	0.00	0.00	200.00	200.00	100.0 %
1380.400 - Fiscal-Fiscal Agent Fees	2,500.00	17,500.00	35,000.00	17,500.00	50.0 %
1410.100 - Town Clerk-Personal Svcs	3,500.84	29,757.22	45,511.00	15,753.78	34.6 %
1410.101 - Town Clerk-Personal Svcs-Clerk	2,674.92	22,736.86	34,774.00	12,037.14	34.6 %
1410.200 - Town Clerk-Equipment	0.00	0.00	500.00	500.00	100.0 %
1410.400 - Town Clerk-Contractual	0.00	646.21	4,500.00	3,853.79	85.6 %
1420.400 - Attorney-Contractual	3,096.51	38,577.97	20,000.00	(18,577.97)	(92.9) %
1440.203 - Long Term Project Expense	371,909.00	249,456.81	0.00	(249,456.81)	0.0 %
1440.400 - Engineer-Contractual	0.00	9,298.75	0.00	(9,298.75)	0.0 %
1460.100 - Records Management-Personal Svcs	154.06	2,074.18	3,000.00	925.82	30.9 %
1460.400 - Records Management-Contractual	456.84	2,467.03	3,300.00	832.97	25.2 %
1620.100 - Buildings-Personal Svcs	1,914.00	12,073.64	12,500.00	426.36	3.4 %
1620.200 - Buildings-Equipment	0.00	0.00	500.00	500.00	100.0 %
1620.400 - Buildings-Contractual	2,276.06	26,620.72	30,000.00	3,379.28	11.3 %
1640.400 - Central Garage-Contractual	592.90	10,342.76	17,500.00	7,157.24	40.9 %
1660.400 - Central Storeroom-Contractual	103.77	1,149.52	2,000.00	850.48	42.5 %
1670.400 - Central Printing-Central Print/Mail	0.00	5,127.65	8,500.00	3,372.35	39.7 %
1680.200 - Data Processing-Equipment	0.00	0.00	1,500.00	1,500.00	100.0 %
1680.400 - Data Processing-Contractual	987.50	16,884.99	16,000.00	(884.99)	(5.5) %
1910.400 - Unallocated Insurance	(130.93)	74,935.44	63,034.00	(11,901.44)	(18.9) %
1920.400 - Municipal Dues	0.00	0.00	1,100.00	1,100.00	100.0 %
1990.400 - Contingency	0.00	0.00	10,000.00	10,000.00	100.0 %

Town of Duanesburg
Vouchers per Fund

Fund		Amount
General Fund		\$ 75,427.03
Highway Fund		\$ 6,835.80
Sewer District # 1		\$ 1,795.69
Sewer District # 2		\$ 162,069.31
Sewer District # 3		\$ 933.11
	Total	\$ 247,060.94

(September 7, 2021)

LEGAL NOTICE
NOTICE OF PUBLIC HEARING
TOWN BOARD
TOWN OF DUANESBURG

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**, September 23, **2021 at 7:00 p.m.** for the purpose of hearing all persons interested in the adoption of:

Local Law No. 2 of 2021 entitled “2021 Temporary Moratorium Law on Major Solar Energy Systems including Battery Energy Storage Systems.” The proposed law would establish a temporary moratorium on the review of Major Solar Energy Systems and Battery Energy Storage Systems to give the Town Board sufficient time to evaluate the Town’s existing law and to make changes to that law, or adopt a new law regulating such systems, if warranted.

BY ORDER OF THE TOWN BOARD
TOWN OF DUANESBURG

Town of Duanesburg

Local Law No. 2 of the year 2021

A local law enacting a temporary moratorium on Major Solar Energy Systems Authorized under Local Law 1 of the year 2016 and on Battery Energy Storage Systems

Be it enacted by the Town Board of the Town of Duanesburg as follows:

SECTION I.
SHORT TITLE

This local law shall be cited as Local Law # 2 of 2021 of the Town of Duanesburg and is entitled the “2021 Temporary Moratorium Law on Major Solar Energy Systems and Battery Energy Storage Systems.”

SECTION II.
LEGISLATIVE FINDINGS

The Town Board seeks to carefully review the Town Comprehensive Plan Update, the Town Zoning Ordinance and Local Laws, particularly Local Law #1 of 2016 which allows the establishment of Major Solar Energy Systems in the Town of Duanesburg. The Town has approved several of these Major Solar Energy Systems and believes that the Town of Duanesburg Zoning Code and Local Law #1 of 2016 should be evaluated in light of the Planning Board and Zoning Board experience in reviewing these projects and to protect and promote the public health, welfare and safety within the Town of Duanesburg. This moratorium also expressly applies to Battery Energy Storage Systems which may be proposed as part of a Major Solar Energy System or as a stand-alone facility. This moratorium is necessary in order to temporarily prohibit the establishment of additional Major Solar Energy Systems or Battery Energy Storage Systems in the Town to preserve the status quo while affording the Town Board sufficient time to evaluate and to amend the Town Zoning Ordinance and Local Law #1 of 2016, or to adopt new laws relating to Major Solar Energy Systems and Battery Energy Storage Systems.

SECTION III.
AUTHORITY

This moratorium is enacted by the Town Board of the Town of Duanesburg pursuant to its authority to adopt local laws under Article IX of the New York State Constitution and Municipal Home Rule Law Section 10.

SECTION IV.
MORATORIUM

- (A) For a period of six (6) months from the effective date of this Local Law, no applications shall be accepted or considered by the Planning Board of the Town of Duaneburg for Major Solar Energy Systems as that term is defined in Local Law No. 1 of 2016 or for Battery Energy Storage Systems, defined as one or more devices, assembled together, capable of storing energy in order to supply electrical energy at a future time, not to include a stand-alone 12-volt car battery or an electric motor vehicle. A battery energy storage system is classified as a Tier 1 or Tier 2 Battery Energy Storage System as follows: A. Tier 1 Battery Energy Storage Systems have an aggregate energy capacity less than or equal to 600kWh and, if in a room or enclosed area, consist of only a single energy storage system technology. B. Tier 2 Battery Energy Storage Systems have an aggregate energy capacity greater than 600kWh or are comprised of more than one storage battery technology in a room or enclosed area. Such Tier 1 or Tier 2 Battery Energy Storage Systems, whether as part of such Major Solar Energy System or stand-alone.
- (B) This moratorium may be extended by one (1) additional period of up to six (6) months by resolution of the Town Board upon a finding of the necessity for such extension.

SECTION V.
EXEMPTIONS TO MORATORIUM

The foregoing restriction shall not apply to the Major Solar Energy Systems approved by the Town Planning Board: (A) Onyx on Alexander Road, which has been constructed and which is under operation; and (B) the two Oak Hill Solar Projects proposed by Eden Renewables which have been approved by the Town Planning Board, for which amended approvals are currently being sought relative to the Major Solar Energy Systems and Battery Energy Storage Systems and which have not commenced construction. This moratorium does not apply to these listed projects or to any further Town Board, Planning Board, Zoning Board of Appeals or administrative action on these projects.

SECTION VI.
VARIANCES.

The Town Board shall have the authority, after a public hearing, to vary or modify the application of any provision of this Local Law upon its determination that strict application of this Local Law would impose practical difficulties or extraordinary hardships upon an applicant and that the variance granted would not adversely affect the health, safety or welfare of the citizens of the Town or significantly conflict with the general purpose and intent of this Local Law. Any request for a variance shall be in writing and filed with the Town Clerk and shall include a fee of Two Hundred Fifty Dollars (\$250.00) for the processing of such application. All such applications shall promptly be referred to the Town Board, which shall conduct a Public Hearing on the application on not less than five (5) days public notice and shall make its decision within thirty (30) days after the close of the Public Hearing.

SECTION VII.
SEVERABILITY

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this Local Law shall not affect the validity of any other part of this Local Law which can be given effect without such invalid part or parts.

SECTION VIII.
REPEAL OF OTHER LAWS

All local laws in conflict with provisions of this Local Law are hereby superseded and suspended for the duration of this moratorium and for any additional period that this Local Law is extended. This Local Law also supersedes, amends and takes precedence over any inconsistent provisions of New York State Town Law, the Town's Municipal Home Rule powers, pursuant to Municipal Home Rule Law Sections 10 and 22. The Town Law provisions intended to be superseded include all of the Article 16 of the Town Law, Sections 261-285 inclusive and any other provision of law that the Town may supersede pursuant to the Municipal Home Rule Law and the Constitution of the State of New York. The courts are directed to take notice of this legislative intent and to apply such intent in the event the Town has failed to specific any provisions of law that may require supersession. The Town Board hereby declares that it would have enacted this local law and superseded such inconsistent provision had it been apparent.

SECTION IX.
EFFECTIVE DATE

This Local Law shall take effect immediately, as provided by law, upon filing with the New York State Secretary of State.

(September 7, 2021)

RESOLUTION ADOPTING LOCAL LAW NO. 2 of 2021

RESOLUTION NO. 1132021

September 9, 2021

WHEREAS, the Town of Duanesburg has adopted a local law, local law No. 1 of 2016 regulating solar facilities, including Major Solar Facilities;

WHEREAS, the Town Board has received recommendations for modifications to the regulation of Major Solar Facilities in the Town from the Town Planning Board, the Zoning Board of Appeals and members of the public and is in the process of amending Local Law No. 1 of 2016;

WHEREAS, the Town Board previously imposed a temporary moratorium on the review of Major Solar Facilities which lapsed, however, the modification to the regulation of Major Solar Facilities in the Town has not progressed due to the pandemic and limitations on the ability of the public to participate in person on the proposed changes to Local Law No. 1 of 2016;

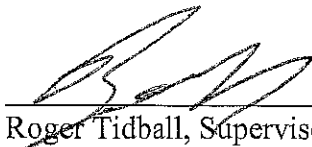
WHEREAS, the Town Board is hereby introducing a proposed local law (the "Proposed Local Law") to re-establish a temporary moratorium on the review of Major Solar Facilities and expanding the moratorium to apply to Battery Energy Storage Systems to give the Town Board sufficient time to continue to evaluate the existing law on Major Solar Facilities and to make changes to that law if warranted, as well as to evaluate the need for changes to zoning to address Battery Energy Storage Systems;

WHEREAS, the purpose of the moratorium is to maintain the status quo while such legislation is being considered and adopted and the adoption of such a moratorium is a Type 2 action pursuant to the NYS Environmental Quality Review Act; and

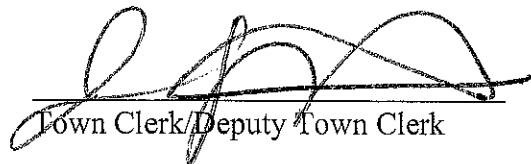
NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby introduces the attached Proposed Local Law re-establishing a temporary moratorium on the review of Major Solar Facilities including establishing a temporary moratorium on the review of Batter Energy Storage Systems while the Town Board considers changes to its zoning and other local laws;

BE IT FURTHER RESOLVED, that a duly noticed public hearing be held on September 23, 2021, at 7 p.m. at the regular meeting of the Town Board of the Town of Duanesburg at the Town Offices at 5853 Western Turnpike, Duanesburg New York 12056; and

BE IT FURTHER RESOLVED, that the Proposed Local Law be referred to Schenectady County Planning as required by the NYS General Municipal Law.



Roger Tidball, Supervisor



Town Clerk/Deputy Town Clerk

(September 7, 2021)

Present: ALL

Absent:

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	<u>Yea</u>	Nay	Abstain

From: Susan Biggs <azurevista@hotmail.com>
Date: September 9, 2021 at 2:42:12 PM EDT
To: Jennifer Howe <JHowe@duanesburg.net>
Subject: Privilege of the Floor September 9, 2021 Town Board Meeting

Dear Town Clerk, Please confirm receipt of this email to azurevista@hotmail.com and provided it to the town board for tonight's meeting. Thank you for your assistance. Mrs. Biggs

PO Box 160
Quaker Street, NY 12141

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

Transmitted via email: Town Clerk jhowe@duanesburg.net

September 9, 2021

Re: Privilege of the Floor comments Town Board Meeting September 9, 2021

Dear Supervisor Tidball and the Town Board,

Please read this email correspondence into the official record of the Town Board meeting Privilege of the Floor and include it in the meeting minutes as posted on the town website.

I would like to thank the town for providing zoom and phone accessibility for the September 9, 2021 Planning Board Workshop. This is a safe method for all residents to participate and learn from the workshop during the COVID resurgence.

Thank you for posting the August 26, 2021 DRAFT town board minutes within two weeks in accordance with New York State Open Meeting law.

At the August 19, 2021 Planning Board meeting Amp Solar informed the planning board they would like to extend the September 19, 2019 Oak Hill Special Use Permit. I request that the town board carefully review this request. Eden Renewables May 2018 application contained numerous errors and omissions which appears to misrepresent the Project and mislead the town and residents. By December 2019 the Project transferred ownership from Eden to Amp Solar. The contractor's, GreenCells, July 2021 request for an Amendment clearly documents the significant change of scale and scope of the Project. I request that any extension of Eden Renewable's 2019 Special Use permit be denied and that the current owner submit a new application. Permits should not be transferable between developers.

I support the town board's actions to adopt a moratorium on solar and a moratorium on battery storage. Thank you.

Respectfully,
Susan Biggs
azurevista@hotmail.com

9 September 2021

Dear Supervisor Tidball and Planning Board Chair Schmitt,

Please read my comments into the record of the 9 September 2021 Town Board meeting.

Please distribute this email to members of the Planning Board for their review for the Workshop scheduled for 9 September 2021.

I am requesting the adoption of a moratorium on solar array development and a moratorium on battery storage to allow the town time to secure any technical interpretive assistance needed to allow informed review, ensure that all laws and regulations are strictly adhered to with the goal of protecting the town and its residents.

Thank you for initiating the process of hiring third party engineers to review Oak Hill Solar 1 and 2 LLC's project documentation including initial application and amendments. I attended the 19 August 2021 Public Hearing for this project and reviewed the notes for the meeting held the previous month. I do not believe that battery storage was discussed. The September 2019 Resolution does not include mention of a battery storage system (BESS). The SEQR Negative Declaration does not include BESS. A third-party review, for both engineering and to ensure adherence to all laws and regulations, is an excellent and wise decision and will help protect the towns assets, residents' safety and property values.

It appears that Eden misled the planning board and misrepresented their project to the town, neighbors and residents. I will be presenting a detailed summary of my concerns at the meeting of the Planning Board to be held 16 September 2021. In 2019 Eden quickly sold the project to AMP Solar Group followed by multiple modifications and to the original flawed proposal. Following the engineering report of omissions and deficiencies highlighted at the last Planning Board Meeting I would respectfully encourage the revoking of the Special Use Permit. It is my understanding that this Permit expires this month.

I believe that projects of this nature are being proposed throughout rural upstate NY and approved in error without adequate specialist evaluation and interpretation. Volunteer Boards in many areas do not have the knowledge base to ensure adherence to all applicable legal and environmental laws. The public and our beautiful rural landscape and clean environment need to be protected. This is the responsibility of the Planning and Town Boards.

Please provide Zoom coverage for all Planning Board Meetings and Workshops to allow full transparency and protect citizens during COVID. Please post the supporting application documents and meeting recordings on the town website. The Planning Board's decision concerning BESS at Oak Hill Solar impacts the entire town as well as the surrounding towns emergency responders. All resident should be provided full and free online access to the Planning Board's meetings, recordings and documents so that we may assist the town to preserve our environment, uphold our Comprehensive Plan and set a precedent that all Duanesburg residents can support.

Thank you for your consideration in this matter and for your time a service to our town,

Respectfully,

Pamela H. Rowling

pamelarowling@yahoo.com

(203)-444-2535

Owner of 71.4 acre parcel abutting Oak Hill Solar Project, Parcel Number 74.003.-19

From: lynne bruning <lynnebruning@gmail.com>
Date: September 9, 2021 at 3:39:32 PM EDT
To: Jennifer Howe <JHowe@duanesburg.net>
Subject: Priclege of the Floor comment September 9, 2021

Dear Town Clerk, Please confirm receipt of this email to lynnebruning@gmail.com and provide it to the town board for tonight's meeting. Thank you for your assistance.lynne bruning

PO Box 160
Quaker Street, NY 12141

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

Transmitted via email: Town Clerk jhowe@duanesburg.net

September 9, 2021

Re: Privilege of the Floor comments Town Board Meeting September 9, 2021

Dear Supervisor Tidball and the Town Board,

Please read this email correspondence into the official record of the Town Board meeting Privilege of the Floor and include it in the meeting minutes as posted on the town website.

I would like to thank the town for providing zoom and phone accessibility for the September 9, 2021 Planning Board Workshop.

I request that the developers of Oak Hill Solar 1, LLC and Oak Hill Solar 2, LLC provide a project page which provides a link to the application documents in color PDFs that can be downloaded. This will allow the citizens and town to access and understand the entire application. It will also assist in tracking change orders and updated documents.

Based upon the Freedom of Information requests that the town has provided me there are more than 2,000 pages of documents. This volume of paper

should be organized in an orderly and cost effective manner on the internet so that the application is freely and fully accessible to all taxpayers.

Additionally, the town clerks should not have to fulfill multiple Freedom of Information requests and the residents should not have to pay 0.25 cents per page to understand this Project.

Thank you for your time and consideration.

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