

**TOWN OF SAND LAKE TOWN BOARD MEETING
NOVEMBER 10, 2010**

The monthly meeting of the Sand Lake Town Board was held on November 10, 2010 at 7:30 P.M. at the Sand Lake Town Hall. After the Pledge of Allegiance, the following answered roll call:

PRESENT: Councilman Splain
Councilwoman Kronau
Councilman Glasser
Councilman Turner
Supervisor Rounds
Town Attorney Donna Cole-Paul

RECORDING SECRETARY: Barbara A. Biittig, Town Clerk

OTHERS PRESENT: Flora Fasoldt, Nancy Dunn, Jim Dunn, William Kelly, Tom Stiles, Mike Smyth, Christy Carton, Judith Long, John Mac McEvilly, Tom Hatcher, Art Herman Jr., Buster Hunt, Diane Hunt, Fred Erickson, Charlie Kavanaugh, Ed Patanian, Joe Phillips, Mary Ellen Trumbull, Clyde Heffner, Bill Glasser, Barbara Martinage, Linda Hastings, Ron Berti, Irv Lobdell, Pat Stevens, Brenda Leder, Cindy Sewell, Maggie Sewell Aresco, Thomas Danaher, Jr., Ross French, William Beck, Irv Sewell, Eugene Rescott, Mark Cioffi, William Reinhardt, Steve Robelotto and others.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

Judith Goodyer – Town Assessor – Update on Aid for Cyclical Assessment.

Ron Berti – Update on Glass Lake Access – Supplied maps and presentation showing that the Town of Sand Lake owns the access. He presented the Town Clerk with a petition of 486 signatures to “Keep Glass Lake Access Open” (At Spillway on Glass Lake Road).

APPROVAL OF MINUTES:

Supervisor Rounds made the motion to approve the minutes of: October 13, November 1, and November 4, 2010. This was seconded by Councilman Turner.

MOTION CARRIED = UNANIMOUS

MONTHLY REPORTS

TOWN CLERK- Barbara A. Biittig

- Total fees paid to the Supervisor for the month of October 2010 - \$4,986.26
- Money Given to Rensselaer County for Dog Licenses - \$103.40
- Money Given to NYS Ag. & Markets for spay/neuter program - \$27.00
- Money Given to NYS Environmental Conservation - \$4,220.09
- Paid to NYS Health Department for Marriage Licenses - \$45.00

We are still preparing for changes to Dog Licensing for 2011. I have ordered and received the new tags. The Town Attorney is preparing the

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new town law. These changes go into effect January 1, 2011. Watch channel 17 for updates.

Department of Health notified us that a Rabies Clinic at the Town Highway Dept. will be held on Tuesday, April 5th, 2011 from 5 to 7 PM.

Doe Permits reopened on Nov. 1 on a first come first serve basis. There were no local areas on the list.

Don't forget to Watch Channel 17 for on going information .

SUPERVISOR'S REPORT – On file in the Town Clerk's Office.

COMMITTEE REPORTS:

ENGINEEERS REPORT – Mark Kestner – On file in the Town Clerk's Office.

PLANNING BOARD – Art Herman - On file in the Town Clerk's Office.

BUILDING/ZONING – On File in the Town Clerk's Office.

YOUTH – On File in the Town Clerk's Office

BOARD MEMBERS REPORTS:

PUBLIC WORKS – Burton Rounds - On file in the Town Clerk's Office.

HIGHWAY – Burton Rounds - On file in the Town Clerk's Office.

VETERANS – Burton Rounds- On file in the Town Clerk's Office.

PARKS AND RECREATION –None at this time.

CABLE – None at this time.

PHYSICAL FACILITIES – None at this time.

CULTURE AND ARTS - Christine Kronau - On file in the Town Clerk's Office.

PLANNING OVERSIGHT/LINKAGE STUDY – Christine Kronau – On file in the Town Clerk's Office.

SENIORS/SENIOR VAN – Christine Kronau – On file in the Town Clerk's Office.

ANIMAL CONTROL – John Glasser - On file in the Town Clerk's Office.

STREET LIGHTS – John Glasser - On file in the Town Clerk's Office.

BEACH – John Glasser - On file in the Town Clerk's Office.

LIBRARY – Ray Turner - On file in the Town Clerk's Office.

AMBULANCE/PUBLIC SAFETY – Ray Turner - On file in the Town Clerk's Office.

ZONING UPDATE – Ray Turner - On file in the Town Clerk's Office.

.Supervisor Rounds opened the Public Hearing:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE, that the Town Board of the Town of Sand Lake, New York will hold a public hearing at the regular scheduled meeting on Wednesday, November 10, 2010

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at 7:30 PM at Town Hall, Sand Lake, New York for Public Comment regarding a Rate Increase for the Town Of Sand Lake Procurement Policy; adopted February 12, 1992.

By Order of the Sand Lake Town Board
Barbara A. Biittig, Town Clerk
October 15, 2010

Supervisor Round motioned to close the Public Hearing at 8:30 PM. This was seconded by Councilman Glasser.

MOTION CARRIED = UNANIMOUS

Supervisor Rounds motioned to open the Public Hearing:

**NOTICE OF HEARING
PRELIMINARY BUDGET
TOWN OF SAND LAKE
RENSSELAER COUNTY, NEW YORK**

NOTICE IS HEREBY GIVEN that the Preliminary Budget for the Town of Sand Lake for the fiscal year beginning January 1, 2011 has been established and is on file in the Office of the Town Clerk at Town Municipal Offices, 8428 NY 66, Sand Lake, New York where it is available for inspection at regular business hours.

FURTHER NOTICE IS GIVEN that the Town Board of the Town of Sand Lake will hold a public hearing thereon at the Town Hall, 8428 NY 66 Sand Lake, New York on November 4, 2010 at 7:30 P.M., and such item or items therein contained.

Dated: October 27, 2010
Barbara A. Biittig
Town Clerk

Supervisor Rounds motioned to close the Public Hearing at 8:40 PM. This was seconded by Councilwoman Kronau.

MOTION CARRIED = UNANIMOUS

APPROVAL OF AGENDA

Councilman Glasser motioned to amend the agenda with change to Resolution #1. This was seconded by Supervisor Rounds.

MOTION CARRIED = UNANIMOUS

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COMMENTS FROM RESIDENTS:

Fred Schreyer – Follow up on Ron Berti. He is concerned about the rocks and the removal. He would like the highway to remove the rocks before the weather gets bad. He would like the town to contact DEC regarding this removal.

Ron Berti - DEC is demanding that they remove the rocks. This has not been done yet. He is concerned about any fireman having to deal with these rocks to get to the fire hydrant.

Tom Hatcher – Thanked the Town Board and all the committee’s for their hard work that went into the Master Plan.

Steve Robelotto- Addressed article printed in the Advertiser regarding the van. Van purchased with a member item not a grant. On a member item the Senator decides what we get.

Fred Erickson – Spoke regarding the Comprehension plan and the Zoning update

RESOLUTION#198 - 10

Approval of Site Plan Review for Westfall Village

Councilman Turner moved and Councilwoman Kronau seconded the following resolution:

WHEREAS, an application was made by Edward J. Patanian as owner/builder of the Westfall Village to the Town Board for commencement of building projects within the PDD pursuant to Article XXX section 250-164 of the Code for the Town of Sand Lake, and

WHEREAS, pursuant to Article XXX section 250-166 of the Town Code for the Town of Sand Lake, all applications for said PDD must be made to the Town Board upon approval through procedures as set forth in Article XVII, for site plan review as set forth in section 250-69, and

WHEREAS, in accordance with said procedure as set forth in the Town Code, said application was transferred to the Sand Lake Planning Board for site plan review as stated within said section of the law, and

WHEREAS, the Sand Lake Planning Board had performed its due diligence in reviewing said application and reported its findings to the Town Board, and

WHEREAS, the Planning Board, upon approval of the Town Board, held a public hearing on the application on Edward J. Patanian whereupon no public comments were received on the project, and

WHEREAS, upon the Planning Board’s review a positive recommendation was given to the project, now be it

RESOLVED, that the applicant shall in accordance with Article XVII section 250-69 be granted approval by the Town Board upon receipt of approval by the planning board of its positive recommendation and be issued building permits to commence construction on the

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project of the 24 town homes and one pool house in accordance with the plans as submitted and approved by the Planning Board through its site plan review; and be it further

RESOLVED, the Applicant may be granted building permits for said project, only with the understanding that Co's will be withheld by the Town, until infrastructure sufficient to service same is installed and accepted by the Town Highway Dept. and County and State Health Departments. The Applicant understand that there are risks to constructing said buildings before

said infrastructure is complete and accepted, and accepts said risk, and agrees to hold the Town of Sand Lake harmless for any claims arising from same.

ADOPTED = AYES 5 NAYS 0

**RESOLUTION#199 - 10
Appointment of Edward Patanian for Town Hall Construction Oversight**

Councilman Glasser moved and Supervisor Rounds seconded the following resolution:

WHEREAS, the Town Board wished to appoint Edward J. Patanian for the purpose of overseeing the construction and repairs to the Sand Lake Town Hall in an effort to save time and money on the repairs, now therefore

BE IT RESOLVED, that Edward J. Patanian is hereby appointed as Director of Construction Oversight for the Town Hall Project at a cost of \$75.00 per hour.

ADOPTED = AYES 5 NAYS 0

**RESOLUTION#200 - 10
Renewal of Jaeger & Flynn Contract for COBRA Services**

Councilwoman Kronau moved and Councilman Turner seconded the following resolution:

WHEREAS, the Town of Sand Lake has had a contract with Jaeger & Flynn to provide the Town with the COBRA coverage for former employees of the Town and wishes to renew its services with them; now therefore

BE IT RESOLVED, that the Supervisor is hereby authorized to execute said contract with Jaeger and Flynn to continue providing COBRA coverage.

ADOPTED = AYES 5 NAYS 0

**RESOLUTION#201 - 10
Approval for Supervisor to Execute Change Orders for Western Burden Lake Sewer Project**

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Councilman Turner moved and Supervisor Rounds seconded the following resolution:

WHEREAS, in an effort to expedite the construction of the Western Burden Lake Sewer project and to minimize the need to wait for Town Board meeting times to request and execute change orders for the project when the project changes; now therefore

BE IT RESOVED, that the Supervisor is hereby authorized to execute change orders which are \$5000 or under on the Western Burden Lake Sewer Project upon the condition that all necessary change orders shall be provided and approved by the office of the Town Attorney and to the Clerk of the Works, George Wright or his alternate Michael Wager prior to execution for review.

ADOPTED = AYES 5 NAYS 0

**RESOLUTION#202 - 10
Budget Amendment for Capital Project**

Councilwoman Kronau moved and Councilman Turner seconded the following resolution:

WHEREAS, the Town of Sand Lake has established a capital project for the construction of the Eastern and Western Burden Lake sewer; and

WHEREAS, a budget was established that provided for all costs to be financed through Environmental Facilities Corporation; and

WHEREAS, there are some costs that were not anticipated and therefore not in the original budget with Environmental Facilities Corporation; and

WHEREAS, these costs may be financed upon amendment of the budget with Environmental Facilities Corporation; and

WHEREAS, in the event that Environmental Facilities Corporation does not approve the amendments to the budget they will have to be financed through alternative means; now therefore

BE IT RESOLVED, in the event that Environmental Facilities Corporation does not finance these costs, the costs are to be funded through a transfer from the Sewer District I Fund; and

BE IT FURTHER RESOLVED that the following budget amendment to the project will provide funding for the unfinanced costs.

Increase	H016W 980 5031.9999 – Transfers In	\$150,000
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Increase	HO16W 522	8120.4110 – Construction	\$120,000
	HO16W 522	8120.4130 – Engineering	\$ 30,000
Increase	SS 522 522	9950.9999 Transfers Out	\$150,000
Increase	SS 599	Appropriated Fund Balance	\$150,000

ADOPTED = AYES 5 NAYS 0

RESOLUTION#203 - 10

Approval of Repairs to Caulkin’s Farm Pump Station

Supervisor Rounds moved and Councilman Turner seconded the following resolution:

WHEREAS, the Town Board has been informed by Kestner Engineering that repairs are immediately necessary to the Caulkin’s Farm Pump station, and

WHEREAS, the Town Board has been or will be provided a cost for said repairs from Kestner Engineering on the project; now therefore

BE IT RESOLVED, that the Supervisor is hereby authorized to execute agreement and contracts for the immediate repairs which are necessary to the Caulkin’s Farm Pump Station upon review and approval of those agreements being provided to the Town Attorney for approval.

ADOPTED = AYES 5 NAYS 0

RESOLUTION#204 - 10

Approval of Request for Private Way – Labrador Way

Councilman Turner moved and Councilwoman Kronau seconded the following resolution:

WHEREAS, the Town Board has been presented with a request by Carol and Chad Ackner to accept and designate a private way for Labrador Way, and

WHEREAS, the request for the name of said private way shall be “Labrador Way”, and

WHEREAS, the town code for the Town of Sand Lake, §225-09 states that names for said streets and roads within the town are subject to approval by the planning board; and

WHEREAS, the town code for the Town of Sand Lake, §225-29 requires that road specifications for said roads within the town, whether private or public in nature, must meet the minimum specifications for said subdivisions; now therefore

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BE IT RESOLVED, the request for the private way of “Labrador Way” shall be referred to the planning board for approval of the same; and further

BE IT RESOLVED, upon receipt of approval of the planning board and once compliance with §225-29 has been met, the Town Clerk is hereby authorized to place on notice required agencies within the Town of Sand Lake and to further take steps to place said private way upon the Rensselaer County 911 listing for the Town of Sand Lake; and further

BE IT RESOLVED, that the owner of said private way is hereby authorized to place a sign designating said “Labrador Way” upon receipt of approval by the planning board and receipt of notice from the Town Clerk that said private way has been placed on the Town Maps for the Town of Sand Lake, shall erect, without cost to the Town of Sand Lake and within the specifications as provided by the Town Highway Department as to the proper placement and signage, a sign designating said “Labrador Way”.

ADOPTED = AYES 5 NAYS 0

RESOLUTION#205- 10

Award Bid for Purchase of Four-Way Plow for Public Works Department

Supervisor Rounds moved and Councilman Glass seconded the following resolution:

WHEREAS, the Town of Sand Lake advertised for proposals for purchase of four-way plow for the Public Works Department; and

WHEREAS, proposals have been received and reviewed by the Commissioner of Public Works; now therefore

BE IT RESOLVED, that upon the recommendation of the Commissioner of Public Works the proposal of Zwack Inc. Route 22, Stephentown, New York for the Total Sum of \$9,625.00 is hereby accepted.

ADOPTED = AYES 5 NAYS 0

RESOLUTION#206 - 10

Award Bid for Purchase of Stainless Steel Sander for Public Works Department

Councilwoman Kronau motioned and Councilman Turner seconded the following resolution:

WHEREAS, the Town of Sand Lake advertised for proposals for purchase of a 13 Foot Stainless Steel Sander for the Public Works and;

WHEREAS, proposals have been received and reviewed by the Commissioner of Public Works; now therefore

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BE IT RESOLVED, that upon the recommendation of the Commissioner of Public Works the proposal of Loughberry Mfg. Corporation, 249 Excelsior Ave., Saratoga Springs, for the sum of \$10, 794.00 is hereby accepted.

ADOPTED = AYES 5 NAYS 0

**RESOLUTION#207 - 10
SEQRA Review and Approval for Sand Lake Zoning Code Update**

Councilman Turner moved and Councilman Splain seconded the following resolution:

WHEREAS, on June 14, 2006 the Sand Lake Town Board adopted a Comprehensive Plan and Generic Environmental Impact Statement (GEIS) which set forth recommendations for changes to the Chapter 250, Zoning, and

WHEREAS, the Zoning Committee has prepared a draft of Chapter 250, Zoning, in accordance with the adopted Comprehensive Plan and Findings Statement of the GEIS, and

WHEREAS, the New York State Environmental Quality Review Act states that no further SEQR compliance is required if a subsequent proposed action will be carried out in conformance with the conditions and thresholds established for such actions in the generic EIS, and

WHEREAS, the draft Chapter 250, Zoning, has been prepared in accordance with the conditions and thresholds of the Comprehensive Plan and GEIS, now therefore

BE IT RESOLVED, that the Town Board finds that the proposed Chapter 250 requires no further review under the New York State Environmental Quality Review Act.

**RESOLUTION#208 - 10
Approval of Zoning Update**

Supervisor Round moved and Councilman Turner seconded the following resolution:

WHEREAS, in accordance with the recommendations of the Town of Sand Lake Comprehensive Plan, the Town Board is deleting and repealing Chapter 210, Site Plan Review, in its entirety and creating a new Chapter 250, Zoning, of the Code of the Town of Sand Lake; and

WHEREAS, in accordance with §264 of New York State Town Law, public hearings were conducted on December 9, 2009, April 14, 2010, May 12, 2010, August 17 2010, and September 16, 2010, for the purpose of obtaining comments from the public on the proposed Chapter 250, and

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WHEREAS, in accordance with §239-m of the New York State General Municipal Law, the Town of Sand Lake received comment from the Rensselaer County Planning Board stating that the Bureau of Economic Development and Planning has determined that the proposal does not have a major impact on County plans and that local consideration shall prevail, now therefore be it

RESOLVED, that Local Law No. 1 of 2010 is hereby adopted as follows:
LOCAL LAW NO. 1 OF 2010 A LOCAL LAW deleting and repealing Chapter 210, Site Plan Review, in its entirety and creating a new Chapter 250, Zoning, of the Code of the Town of Sand Lake.

ADOPTED = AYES 5 NAYS 0

**RESOLUTION#TABLED
Adoption of 2011 Town Budget**

Councilman Turner motioned and Councilman Splain seconded to table this resolution:

WHEREAS, the Town Board established its Preliminary Budget on November 9, 2010 and a Public Hearing was held on November 10, 2010 on said; now therefore

BE IT RESOLVED, that the 2011 Preliminary Budget is hereby adopted as the 2011 Annual Budget.

MOTION CARRIED = UNANIMOUS

**RESOLUTION#TABLED
Adoption of 2011 Employee Compensation and Wage Schedule**

Councilman Turner motioned and Councilman Splain seconded to table this resolution:

BE IT RESOLVED, that the attached 2011 Employee Compensation Schedule and 2011 Wage Schedule for Highway and Sewer Personnel is adopted.

MOTION CARRIED = UNANIMOUS

Councilman Glasser noted that he was just one board member and that a request by Justin Schultz for a 20% pay raise was not acceptable to him, when we are asking the Highway and the Ambulance to cut their budgets. He thanked Scott Paul for his guidance on issues found when preparing this years Budget. Councilman Glasser stated that he did find that this year's process was very confusing with all the changes and numbers of different Preliminary Budgets presented to the Board by Supervisor Rounds and Councilwoman Kronau.

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November 23, 6:00 PM for Special Town Board Meeting on the Preliminary Budget was agreed upon.

**RESOLUTION#209 - 10
Budget Amendments and Transfers**

Councilman Turner motioned and Councilman Glasser seconded the following resolution:

Budget Transfer

FROM	TO	AMOUNT	Reason
A 1460.4 Record Mngmt Contr.	A 1410.4 Town Clerk Contr.	\$ 300.00	Legal Notices
A 1990.4 Contingency Cont.	A 1355.4 Assessor Contr.	\$1000.00	Cover Costs
A 1990.4 Engineering and Contingency Cont.	A 8030.4 Research	\$5000.00	Cover
A 7150.2 Beach Equipment	A 7150.4 Beach Contr.	\$ 63.00	Cover Costs
SS 8110.4 Sewer Admin Cont.	SS 9060.8 Hosp & Med Ins.	\$ 1484.00	Cover Costs

Budget Amendment

Increase appropriation A 1330.2 Tax Collector Equipment in the amount of \$1003.00 to be funded by appropriating the Board Designated Technology Reserve A 883 in the amount of \$1003.00. Computer purchase

Increase appropriation A 1315.2 Comptroller Equipment in the amount of \$1034.00 to be funded by appropriating the Board Designated Technology Reserve A 883 in the amount of \$1034.00 Computer purchase

Increase appropriation H009 1620.2 Roof Repair Project in the amount of \$14,200.00 as per October Resolution #187-10 – Approval of Change Order of Town Hall Roof Project to be funded by appropriating A 885 General Fund Building Reserve in the amount of \$14,200.00

ADOPTED = AYES 5 NAYS 0

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COMMENTS FROM RESIDENTS:

ADJOURNMENT:

Supervisor Round made the motion to adjourn the meeting at 9:55 P.M.
This was seconded by Councilman Glasser.

MOTION CARRIED = UNANIMOUS

A complete accounting of all discussions on agenda is available for review on
audio tape in the Town Clerk's Office.

Respectfully submitted,

Barbara A. Biittig
Town Clerk

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