

TOWN OF SAND LAKE TOWN BOARD MEETING
February 10, 2010

SAND LAKE TOWN BOARD MEETING
FEBRUARY 10, 2010

The monthly meeting of the Sand Lake Town Board was held on January 13, 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

RECORDING SECRETARY: Barbara A. Biittig, Town Clerk

OTHERS PRESENT: Barbara Martinage, Bill Glasser, Russell Bennett, Art Herman, Joe Phillips, Flora Fasoldt, Mark Cioffi, Bill Reinhardt, Joanne Cole, John Wright, Christopher Gallant and others.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

BOARD UNANIMOUSLY AGREED – To modify agenda – Proclamation for Sid Gallant. The Proclamation was present by Councilman Splain to Sid Gallant’s grandson Christopher Gallant and longtime friend John Wright.

RESOLUTION # 53-10
Proclamation for Sid Gallant

Supervisor Rounds moved and Councilman Glasser seconded the following resolution:

WHEREAS, the Town of Sand Lake wishes to recognize the work and contributions of Sidney S. Gallant who passed away on July 13, 2009 for his service to the Town of Sand Lake, the Averill Park Fire Company and the West Sand Lake Fire Company, and

WHEREAS, in doing so, the Town Board for the Town of Sand Lake wishes to pass the following Proclamation on behalf of Sid Gallant to outline his accomplishments and contributions to our community, now therefore

BE IT RESOLVED, that the following Proclamation on behalf of Sidney (Sid) S. Gallant is hereby passed and issued by the powers vested in the Town Board by the Laws of the State of New York, and be it further

RESOLVED, that the members of the Town Board for the Town of Sand Lake are authorized to execute the attached Proclamation reserving the date of July 13, 2010 as “Sidney (Sid) S. Gallant Day”.

ADOPTED = AYES 5 NAYS 0 (Presented by Councilman Glasser)

PLANNING OVERSIGHT COMMITTEE – FRED ERICKSON – On file in Town Clerk’s Office.

- A guide for the Town Board for the next 10 years.
- A grant for \$55,000 was received for Linkage Study.
- Previous Town Board Budgeted \$13,000 for remaining amount needed.
- There is a need to update Town Web site.
- The vision is to “Maintain the Towns Distinctive Rural Character”

APPROVAL OF MINUTES:

Councilman Glasser made the motion to approve the minutes of January 1, 2010 and January 13, 2010. This was seconded by Supervisor Rounds.

TOWN OF SAND LAKE TOWN BOARD MEETING
February 10, 2010

MOTION CARRIED = UNANIMOUS

MONTHLY REPORTS

TOWN CLERK – Barbara A. Biittig

- Total fees paid to the Supervisor for the month of January 2010 - \$3,488.08.
- Copies on file in the Town Clerk's Office.
- Informed residents of Holiday Hours.
- Informed residents Uncle Marty's Restaurant renewing liquor license.

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

- Attendance at Rounds Round Table on January 28, 2010 was low do to bad weather conditions.
- Issues regarding Burden Lake, a community garden and the community van were discussed.
- The next Round Table is scheduled for February 25, 2010 at 5 P.M. to 7 P.M. in the Board Room.

COMMITTEE REPORTS:

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

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

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

YOUTH – Barbara Glasser – 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 – Paul Splain - On file in the Town Clerk's Office.

CABLE – Paul Splain – On file in the Town Clerk's Office.

PHYSICAL FACILITIES – Paul Splain - On file in the Town Clerk's Office.

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

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

YOUTH – 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 – No report.

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.

COMMENTS FROM RESIDENTS:

None at this time.

BUSINESS:

RESOLUTION # 54-10

Approval of Holser Sewer Agreement

Councilwoman Kronau moved and Supervisor Rounds seconded the following resolution:

BE IT RESOLVED, that the Town of Sand Lake Supervisor is hereby authorized to sign the attached Sewer Agreement with Daniel Holser for the purpose of allowing Daniel Holser the ability to construct a sewer line in accordance with the requirements of the Town of Sand Lake along the Town's right of way on Holser Road.

TOWN OF SAND LAKE TOWN BOARD MEETING
February 10, 2010

ADOPTED = AYES 5 NAYS 0

RESOLUTION # 55-10

Authorization for Kestner Engineers to apply for Stimulus Monies

Councilman Glasser moved and Councilman Turner seconded the following resolution:

WHEREAS, stimulus monies have become available for various projects under President Obama's administration, and

WHEREAS, the Town of Sand Lake is eligible to apply for said monies which require that the Supervisor of the Town be empowered with the authority to do so, and

WHEREAS, the Town of Sand Lake desires to extend the sewer line for the Reichards Lake Area in Sewer District #1, to add 3700 feet of pipe on the Algonquin and Turnabout Road Areas, and

WHEREAS, the monies from said package can be used for said project which will benefit the Town of Sand Lake and its residents, now therefore

BE IT RESOLVED, the Town Supervisor is authorized to submit and execute all needed applications related to this process.

ADOPTED = AYES 5 NAYS 0

RESOLUTION #56-10

Authorization to Advertise to Bid Western Burden Lake Sewer Construction

Councilwoman Kronau moved and Supervisor Rounds seconded the following resolution:

WHEREAS, the Town Board wishes upon advice and of the Town Engineer wishes to advertise for bids on the Western Burden Lake Sewer Construction, and

WHEREAS, Mark L. Kestner, P. E., Consulting Engineer, PLLC, engineers for the project have provided the Town of Sand Lake with the Request for Bid on said project which will contain the specifications and details of the RFP, and

WHEREAS, said Bids will be submitted to the Comptroller for the Town of Sand Lake with a copy of the same to Mark L. Kestner, P.E., as consulting engineers, now therefore

BE IT RESOLVED, that the Town Clerk is hereby authorized to submit a Request for Bid in the Official Town Newspaper as well as the Advertiser containing all necessary information as above stated.

ADOPTED = AYES 5 NAYS 0

RESOLUTION #57-10

Engineering Agreement for Western Burden Lake Construction

Councilman Glasser moved and Councilman Turner seconded the following resolution:

WHEREAS, the Town Board wishes to contract with Mark L. Kestner, P. E., PLLC, as Consulting Engineer for the construction project on the Western Burden lake Sewer Construction, and

WHEREAS, Mark L. Kestner, P. E., Consulting Engineer, PLLC, have submitted an agreement for review to the Town of Sand Lake, and

TOWN OF SAND LAKE TOWN BOARD MEETING
February 10, 2010

WHEREAS, the Supervisor and Town Board have received a copy and have had an opportunity to review said contract and now upon advice of the Town Attorney, now therefore

BE IT RESOLVED, that the Supervisor shall execute said contract on behalf of the Town of Sand Lake for the purpose of contracting with Mark L. Kestner, P.E., Consulting Engineer, PLLC for the purpose of Western Burden Lake Sanitary Sewer construction of a low pressure sanitary sewer serving the western shore of Burden lake within the Town of Sand Lake.

ADOPTED = AYES 5 NAYS 0

RESOLUTION # 58-10
Historical Society to continue sale of items

Councilman Glasser moved and Councilman Turner seconded the following resolution:

BE IT RESOLVED, that upon request of the Town of Sand Lake Historical Society the Town of Sand Lake will continue to sell, at the Town Clerk's Office during normal business hours, the following items indefinitely or until further direction of the Town Board:

1. The Book: *Sand Lake and Sand Lake Revisited*;
2. Dated Christmas Ornaments; and
3. Scenes of Sand Lake Note Cards.

ADOPTED = AYES 5 NAYS 0

RESOLUTION # 59-10
Approval of Drug and Alcohol Screening Contract with NE Testing

Councilman Glasser moved and Supervisor Rounds seconded the following resolution:

BE IT RESOLVED, that the Supervisor is authorized to enter into the attached agreement for the purpose of drug and alcohol testing of Town Employees with Northeast Testing, Inc.

ADOPTED = AYES 5 NAYS 0

RESOLUTION # 60-10
Award Bid for Town Insurance

Supervisor Rounds moved and Councilman Glasser seconded the following resolution:

WHEREAS, the Town of Sand Lake submitted a request for Bid for Insurance for the Town, and

WHEREAS, the Town did receive two bids (quotes) for insurance coverage which have been reviewed by the Comptroller for the Town of Sand Lake with the Town Board, now therefore

BE IT RESOLVED, that the Town of Sand Lake Supervisor is hereby authorized to contract with Selective Insurance Company through the Agent for the Town, Marshall and Sterling, for Liability Insurance at a cost of \$57,973.88.

ADOPTED = AYES 5 NAYS 0

RESOLUTION #61-10
Liability Insurance for Town Officials

Councilman Turner moved and Councilman Glasser seconded the following resolution:

TOWN OF SAND LAKE TOWN BOARD MEETING
February 10, 2010

WHEREAS, Burton Rounds, of the Town of Sand Lake, Rensselaer County, New York, has been elected to the office of Supervisor of the Town of Sand Lake;

WHEREAS, Barbara A. Biittig, of the Town of Sand Lake, Rensselaer County, has been elected to the office of Town Clerk, of the Town of Sand Lake;

WHEREAS, Charlotte C. Foster, of the Town of Sand Lake, Rensselaer County, has been appointed to the office of Receiver of Taxes of the Town of Sand Lake;

WHEREAS, Melissa Elacqua, of the Town of Sand Lake, Rensselaer County, has been appointed Comptroller for the Town of Sand Lake:

NOW THEREFORE, we as respective officers above, do hereby undertake with the Town of Sand Lake that we will faithfully perform and discharge the duties of our office, and will promptly account for and pay over all monies or property received as a Town Officer, in accordance with law; and

This undertaking of the Town Supervisor is further conditioned upon that he will well and truly keep, pay over and account for all monies and property, including any special district funds, belonging to and coming into his hands as such Supervisor; and

The undertaking of the Town Receiver of Taxes is further conditioned that she will well and truly keep, pay over and account for all monies and property coming into her hands as such Receiver of Taxes and Assessments; and

The Town does and shall maintain insurance coverage presently with Marshall and Sterling in the sum of \$20,000 for each employee plus an additional \$500,000 for the Receiver of Taxes, \$500,000 for the Town Supervisor, \$100,000 for the Town Clerk and \$500,000 for the Town Comptroller to indemnify against losses through the failure of the officers, clerks and employees covered there under faithfully to perform their duties or to account properly for all monies and property received by virtue of their positions or employment and through fraudulent or dishonest acts committed by the officers, clerks, and employees covered hereunder.

ADOPTED = AYES 5 NAYS 0

RESOLUTION # -10(Tabled for 30 days)

Modification of Pay Status for Commissioner of Public Works/Superintendent of Highways

Councilman Glasser moved and Councilman Splain seconded the following resolution. Councilwoman Kronau questioned number of overtime hours that Larry Browe has worked in last 5 years and she would like to get more documentation regarding this change.

Councilwoman Kronau moved and Supervisor Rounds seconded to table the resolution for 30 days.

Votes to table were: AYES 2 ABSTENTIA 2 NAYS 1(Councilman Glasser and Councilman Splain voted to Abstain) (Supervisor Rounds voted Nay)

WHEREAS, the Town of Sand Lake has requested that the Commissioner of Public Works/Superintendent of Highways pay status be modified from an hourly employee to a salaried employee, and

WHEREAS, the request was made due to the fact that said Commissioner of Public Works/Superintendent of Highways is not part of the bargaining unit under the collective bargaining agreement and therefore is not entitled to the same hourly overtime accruals as the bargaining unit members, now therefore

BE IT RESOLVED, that the salary of Larry Browe, as Commissioner of Public Works/Superintendent of Highways for the Town of Sand Lake, be hereby modified from an hourly rate of \$26.16, to a salary of \$65,000 per year as stated in the 2010 Budget for the Town of Sand Lake.

RESOLUTION # 62-10

TOWN OF SAND LAKE TOWN BOARD MEETING
February 10, 2010

Amend Designation of July 4th Holiday

Councilman Glasser moved and Councilman Turner seconded the following resolution:

BE RESOLVED, that the July 4th Holiday for the Town of Sand Lake shall be on July 5, 2010 and therefore the Town Offices shall be closed on July 5, 2010.

ADOPTED = AYES 5 NAYS 0

RESOLUTION # 63-10

Amend Job Duties for Town Attorney and Deputy Town Attorney

Supervisor Rounds moved and Councilman Glasser seconded the following resolution:

BE RESOLVED, that the Duties for the Town Attorney and the Deputy Town Attorney shall be as follows:

- A. Town Attorney shall be responsible for duties as they apply to the Town Board, Sewers and Night Court;
- B. Deputy Town Attorney shall be responsible for duties as they apply to the Planning Board, Zoning Board and Code Enforcement.

ADOPTED = AYES 5 NAYS

RESOLUTION # 64-10

Amend resolution 27-10 for Financial Reports

Councilman Glasser moved and Councilwoman Kronau seconded the following resolution:

BE RESOLVED, that the Town Board of the Town of Sand Lake hereby wishes to amend Resolution 27-10 to read as follows:

BE IT RESOLVED, that in lieu of the filing and publishing requirements set forth in Town Law 29 (10), the Supervisor shall submit to the Town Clerk within 90 days after the close of the fiscal year, a copy of his report to the State Comptroller, and that the Town Clerk shall publish a summary of such report within ten (10) days in the official newspaper of the Town as permitted by Town Law 29(10a).

In the event the filing of the annual report is extended by the State Comptroller, the Supervisor's time for filing a copy of the report with the Town Clerk is likewise extended.

ADOPTED = AYES 5 NAYS 0

RESOLUTION # 65-10

Acknowledgement for Steve Robelotto

Councilman Glasser moved and Councilman Turner seconded the following resolution:

WHEREAS, Steve Robelotto served the community of Sand Lake with professionalism, integrity and commitment during his term as Supervisor for the Town of Sand Lake from January 1, 2002 to December 31, 2009;

WHEREAS, his dedication to the concerns of his constituency has distinguished him as an outstanding leader and friend to the community; and

WHEREAS, As Supervisor for the Town of Sand Lake, Steve Robelotto's highlights of his work include work with the Towns Sewer Department, Sand Lake Senior Group, Rite Aid Project, Solar Light project, New Comprehensive Plan for Town of Sand Lake, Zoning Update

TOWN OF SAND LAKE TOWN BOARD MEETING
February 10, 2010

Committee, Updated Playground for residents at Butler Park, Tobacco Free Parks and Beaches and Senior Van Project; and

WHEREAS the Town Board wishes to bring to light his achievements and dedication to the Town of Sand Lake, particularly as they have benefited and enhanced our community; now therefore

BE IT RESOLVED, that the Town Board for the Town of Sand Lake hereby officially recognizes Steve Robelotto for his years of service and dedication to the residents of the Town of Sand Lake and wishes him well in his future endeavors.

ADOPTED = AYES 3 NAYS 2 (Councilwoman Kronau and Supervisor Rounds voted NAY)

RESOLUTION # 66-10
Acknowledgement for Kathy (Kathleen) Allard

Councilman Glasser moved and Supervisor Rounds seconded the following resolution:

WHEREAS, Kathy Allard served the community of Sand Lake with professionalism, integrity and commitment during her term as Councilwoman for the Town of Sand Lake from January 1, 2005 to December 31, 2009;

WHEREAS, her dedication to the concerns of her constituency has distinguished her as an outstanding leader and friend to the community; and

WHEREAS, As Councilwoman for the Town of Sand Lake, Kathy Allard's responsibilities and highlights of her role included her work with the following committees: Beaches, Insurance, Assessment Improvement Project, Cable TV, Library, Youth, Participation on Zoning Re-Write Committee, and Ambulance. She was also a very firm advocate for the Arts of Sand Lake; and

WHEREAS, the Town Board wishes to bring to light her achievements and dedication to the Town of Sand Lake, particularly as they have benefited and enhanced our community; now therefore

BE IT RESOLVED, that the Town Board for the Town of Sand Lake hereby officially recognizes Kathy (Kathleen) Allard for her years of service and dedication to the residents of the Town of Sand Lake and wishes her well in her future endeavors.

ADOPTED = AYES 5 NAYS 0

RESOLUTION # 67-10
Request for Bid for Sewer Equipment per the Eastern Burden Lake Sewer Project

Councilman Glasser moved and Councilman Turner seconded the following resolution:

WHEREAS, the Sewer Department for the Town of Sand Lake wishes to purchase equipment for the purpose of the maintenance and repair of the Sewers; and

WHEREAS, pursuant to the procurement policy for the Town of Sand Lake, a Request for Bid is required; now therefore

BE IT RESOLVED, the Town Clerk for the Town of Sand Lake is hereby authorized to place a request for bid in the official newspaper for the Town of Sand Lake and the Sand Lake Advertiser for proposals for equipment pursuant to specifications and requirements as stated by Mark L. Kestner, PE, consulting engineers, PLLC; and be it further

TOWN OF SAND LAKE TOWN BOARD MEETING
February 10, 2010

RESOLVED, that said bids shall be submitted to the Comptroller for the Town of Sand Lake with copy to the Sewer Department and Kestner Engineers to be presented to the Town Board for the March 2010 workshop.

ADOPTED = AYES 5 NAYS 0

RESOLUTION # 68-10

Charles Land Apartment PDD referral to Planning Board

Councilman Splain moved and Councilman Turner seconded the following resolution:

WHEREAS, the Charles Land Apartment PDD requires site plan review and is currently in that phase of the construction; and

WHEREAS, the Town Board wishes to refer said Site Plan Review to the Planning Board for the Town of Sand Lake due to their expertise and knowledge on the same; now therefore

BE IT RESOLVED, that the site plan review of the Charles Land Apartment PDD shall be referred to the Planning Board for the Town of Sand Lake to be reviewed and then submitted to the Town Board for the Town of Sand Lake for final approval of the same.

ADOPTED = AYES 4 ABSTENTIA 1 (Councilman Glasser Abstaining)

RESOLUTION #69-10

February Transfers, Amendments and Fund Transfers

Councilwoman Kronau moved and Supervisor Rounds seconded the following resolution:

BE IT RESOLVED, that the following budget transfer be made in the 2010 Budget:

BUDGET TRANSFERS

| FROM | TO | AMOUNT |
|-----------|-----------|------------|
| A 1010.4 | A 1420.4 | \$ 500.00 |
| A 1990.4 | A 8010.1 | \$ 892.00 |
| A 3620.1 | A 9050.8 | \$ 4706.00 |
| A 9060.8 | A 1410.1 | \$ 2500.00 |
| A 9060.8 | A 1220.1 | \$ 1000.00 |
| A 9060.8 | A 3620.1 | \$ 1500.00 |
| DA 9060.8 | DA 5110.1 | \$ 3000.00 |

BUDGET AMENDMENTS

Increase appropriation A1420.4 Town Attorney Cont. in the amount of \$500.00 to be funded by appropriating the Town Board Cont. in the amount of \$500.00.

Increase appropriation A8010.1 Zoning Board Personnel in the amount of \$892.00 to be funded by appropriating the Contingency in the amount of \$892.00.

Increase appropriation A9050.8 Unemployment in the amount of \$4706.00 to be funded by appropriating the Safety Inspection Pers. in the amount of \$4706.00.

Increase appropriation A1410.1 Town Clerk Pers. in the amount of \$2500.00 to be funded by appropriating the Health Ins. in the amount of \$2500.00.

Increase appropriation A1220.1 Supervisor Pers. in the amount of \$1000.00 to be funded by appropriating the Health Ins. in the amount of \$1000.00.

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

Increase appropriation A3620.1 Safety Inspection Pers. in the amount of \$1500.00 to be funded by appropriating the Health Ins. in the amount of \$1500.00.

Increase appropriation DA5110.1 General Repairs Pers. in the amount of \$3000.00 to be funded by appropriating the Health Ins. in the amount of \$3000.00.

FUND TRANSFERS

None at this time.

ADOPTED = AYES 5 NAYS 0

COMMENTS FROM RESIDENTS:

Daniel Holser – Questions regarding Resolution # 54-10

Donna Cole Paul – Paid tribute to Frank Allen for his years of dedication to the Town.

Barbara Martinage – Had questions regarding the resolution Modification of Pay Status for Commissioner of Public Works/Superintendent of Highways

ADJOURNMENT

Supervisor Rounds made the motion to adjourn the meeting at 9:05 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**