

TOWN OF SAND LAKE TOWN BOARD MEETING
APRIL 14, 2010

The monthly meeting of the Sand Lake Town Board was held on April 14, 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
Supervisor Rounds
Town Attorney Donna Cole-Paul

ABSENT: Councilman Turner

RECORDING SECRETARY: Barbara A. Biittig, Town Clerk

OTHERS PRESENT: Barbara Martinage, Russell Bennett, Mark Cioffi, John McEvelly, William Glasser, Robert Mitchell, Larry Rosenmann, Kathy Allard, Beth Cioffi, Brian Hunt, Ed Patanian, Fred Erickson, Virginia Erickson, Michael Richardson, Monica Ryan, Diane Fazioli, Barbara Lawrence, Amy Ferguson, Diane Peverly, Flora Fasoldt, Andrew Gilchrist, Elizabeth Foley and others.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

PUBLIC HEARING: Proposed New Zoning Code Update

Supervisor Rounds opened the Public Hearing at 7:30 P.M.

Clerk Read: PLEASE TAKE NOTICE, that the Town Board of the Town of Sand Lake, New York, will hold a public hearing on Wednesday, April 14, 2010, at 7:30 P.M. at the Sand Lake Town Hall, 8428 Miller Hill Rd, Sand Lake, NY. The purpose is to hear public comment on the revised Draft Sand Lake Zoning Code. Based on comments from the December 9 public hearing, several substantive changes have been made to the draft. A copy of the proposed amendment may be obtained from the Town Clerk.

COMMENTS:

- Bob Mitchell, 126 Glass Lake Road, Averill Park, New York 12018
- Mike Richardson, 1 Autumn Lane, West Sand Lake, New York 12196
- Andrew Gilchrist, Representative for Troy Sand & Gravel/Bonded Concrete
- Brian Hunt (Buster), 108 Springer Road, West Sand Lake, New York 12196
- Elizabeth Foley, Springer Road, West Sand Lake, New York 12196

Supervisor Rounds stated that he would not be closing the Public Hearing but was leaving it open until the next Board Meeting on May 12 for further discussion.

MOTION CARRIED = UNANIMOUS

APPROVAL OF MINUTES: March 10, 2010 & March 18, 2010

Supervisor Rounds made the motion to approve the minutes of March 10, 2010 & March 18, 2010. This was seconded by Councilman Glasser.

MOTION CARRIED = 3 AYES, 1 ABSTENTIA, NAY 0 (Councilwoman Kronau abstained because she was absent for the meetings)

MONTHLY REPORTS

TOWN CLERK – Barbara A. Biittig

- Money paid to Supervisor \$5,763.15
- Money paid to County Treasurer for Dog Licenses \$85.25
- Money paid to New York State Ag & Markets for spay/neuter program \$33.00
- Money paid to State Health Dept. for Marriage Licenses \$67.50
- Money paid to the Dept of Environmental Conservation (Fishing /Hunting) \$354.32

On Saturday, March 27th the Town Clerk's Office held a Passport Fair. We joined the Department of State in celebrating Passport Day in the U.S. 2010. This was an acceptance and outreach event held each year. We were open extended hours from 9-3 that day. This was an extremely busy day for us. It was the largest money day ever resulting from

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services offered in the Town Clerks office. On this day we created revenue for the Town, over \$700. Town residents were extremely pleased with this new service and we expect to join in this event next year. This is a reminder that passport fees will be going up. We have not been notified yet as to when this will occur.

We have been notified that Young's Pharmacy and General Store is renewing their liquor license.

I attended a mandatory workshop on Decals in Saratoga on April 5th. This class is now required every three year.

We have been informed that anyone that is fishing in the Hudson River will need a Marine License at a cost of \$10 along with a regular fishing license.

On April 15th we will be attending a workshop on General Code re: the Laserfiche.

On March 30th we attended a Coalition Meeting for Community Awareness on the increasing epidemic of our youth's involvement with drugs and alcohol. The Town Clerk's office will be joining this group of community residents, parents and medical professionals that have come together to help inform everyone in our district of this very important issue. An information night will be held at the Averill Park High School on Wednesday, April 28th, 2010 at 7:00 pm. Babysitting and refreshments will be available.

We have been notified of the possibility of the governor's legislation plan to eliminate the Dept of Agriculture and Markets' role in dog licensing. This would create the burden of Dog Licensing on the localities to maintain over 900 different data management and license renewal systems. Requiring us to separately design, purchase and produce dog tags. His proposed system would result in higher costs. You can get information on this proposed change in the Town Clerk's office.

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

- The next Round Table will be Thursday, April 29, 2010, 5PM – 7PM.

COMMITTEE REPORTS:

ENGINEERS 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 – none this month

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 in the 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 – John Glasser - No report.

LIBRARY – Ray Turner - No report.

AMBULANCE/PUBLIC SAFETY – Ray Turner - No report

ZONING UPDATE – Ray Turner - No report.

RESOLUTION # 87-10

Renewal of Rensselaer County Sewer Agreement

Councilman Glasser moved and Councilman Splain seconded the following resolution:

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WHEREAS, the Town Board of the Town of Sand Lake is the governing body of Sand Lake Sewer District # 1 and Sand Lake Sewer District # 2, and

WHEREAS, the Town Board of Sand Lake adopted Local Law No. 1 of the year 1996, pertaining to semi-annual billing of sewer rents wherein the Board may by resolution contract with any person or entity for the provision of sewer rent billing services to the Sand Lake Sewer District # 1; and

WHEREAS, in 2007 the Town entered into a 4 year agreement with the County of Rensselaer to produce a joint sewer rent bill. Over the past 4 years the process has run smoothly and simplified sewer rent payments for Sand Lake Residents. The agreement has now run its term and, if the joint billing system is to continue, it must be renewed; now therefore,

BE IT RESOLVED, that the Supervisor is hereby authorized and directed to enter into a 4 year renewal agreement with the County of Rensselaer whereby the County will continue to provide sewer rent billing services to the Sand Lake Sewer District # 1, and will provide such services for Sand Lake Sewer District # 2, for the fees set forth therein commencing with the July, 2010 billing and ending with the July 2014 billing. Said agreement to be first approved by the Town Attorney, Donna Cole Paul, Esq., as Counsel to the Sand Lake Sewer District # 1 and # 2.

ADOPTED = AYES 4 NAYS 0

RESOLUTION # 88-10
Reappointment to the Board of Assessment Review

Councilman Glasser moved and Supervisor Rounds seconded the following resolution:

BE IT RESOLVED, that Sharon Benson is appointed to the Board of Assessment Review for a term ending 2015.

ADOPTED = AYES 4 NAYS 0

RESOLUTION # 89-10
Appliance Day for Town Residents on May 15th

Supervisor Rounds moved and Councilman Glasser seconded the following resolution:

WHEREAS, the Town of Sand Lake wishes to hold on May 15, 2010, an Appliance disposal day which is a service for Town Residents to bring appliances, electronics, and metal products including propane tanks at no cost with the exception of TV's \$50.00, Computer Monitors \$25.00, and Rearview Projectors \$75.00.

WHEREAS, due to the fact that the Town can no longer dispose of tires free of charge, the Town will be accepting tires at a cost of \$2.00 for car, \$5.00 for truck, and \$30.00 for heavy equipment per tire to dispose of the same; and

WHEREAS, the residents of the Town who wish to participate must obtain a permit by bringing in a proof of residency to the Town Clerk prior to May 10th; and

WHEREAS, the residents may bring brush to the D.P.W. on May 15th and take advantage of the crew being on site that day giving them the opportunity of a Saturday drop off; and

WHEREAS, residents should bring Appliances, Metal products and propane tanks to the D.P.W. Building located on Springer Road ; Tires, TV's and Computer Monitors should go to the Transfer Station located on Chamberlin Hill Road ; now, therefore,

BE IT RESOLVED, that May 15, 2010 from the hours of 7:00 am to 3:00 pm will be the date set and times for the Appliance, and Tire Day for the Town of Sand Lake, and

BE IT FURTHER RESOLVED, that the Town Clerk shall place an advertisement in the Advertiser for a period of three weeks prior to May 15th notifying residents of the Town of this service.

ADOPTED = AYES 4 NAYS 0

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RESOLUTION # 90-10

Approval of Assessor to Attend Conference at Cornell

Councilwoman Kronau moved and Supervisor Rounds seconded the following resolution:

WHEREAS, the Assessor for the Town of Sand Lake has requested to attend a seminar at Cornell entitled “RPSV4 Data Extraction – Reports and Valuation” to be held on July 12 – 15, 2010 as part of her required training for the position and has requested that the Town provide payment for tuition, meals and mileage for her attendance; now therefore

BE IT RESOLVED, that the Assessor attend Cornell Seminar on Appraising Application “RPSV4 Data Extraction- Reports and Valuation” to be held July 12-15, 2010 in Ithaca. The cost to attend is \$380.00 for tuition, \$95.95 per night, \$176.00 for meals, and \$180.00 for mileage.

ADOPTED = AYES 4 NAYS 0

RESOLUTION # 91-10

Approval for Planning Board and Zoning Board Members to attend Capital District Regional Planning Commission

Councilman Glasser moved and Supervisor Rounds seconded the following resolution:

WHEREAS, certain members of the Planning Board and Zoning Board have requested to attend the Capital District Regional Planning Commission on Local Government , Planning and Zoning workshop ; and

WHEREAS, the Town Board wishes to send these individuals to said training to assist them in their board positions; now therefore

BE IT RESOLVED, that the following individuals are hereby granted permission to attend said conference and be reimbursed for the cost of training, meals and mileage per person in the amount of \$ 240.00:

1. Patrice Sweet
2. Justin Schultz
3. Dominick Bates
4. Gary Charlton
5. Arthur E. Herman Jr.
6. Ralph LaMontagna
7. Robert Bentz

ADOPTED = AYES 4 NAYS 0

RESOLUTION # 91-10

Approval for Planning Board and Zoning Board Members to attend Capital District Regional Planning Commission

Councilwoman Kronau moved and Councilman Glasser seconded to amend Resolution #91-10 to read:

WHEREAS, certain members of the Planning Board and Zoning Board have requested to attend the Capital District Regional Planning Commission on Local Government , Planning and Zoning workshop ; and

WHEREAS, the Town Board wishes to send these individuals to said training to assist them in their board positions; now therefore

BE IT RESOLVED, that the following individuals are hereby granted permission to attend said conference and be reimbursed for the cost of training, meals for each person in the amount of \$30 plus reimbursement for mileage.

1. Patrice Sweet
2. Justin Schultz
3. Dominick Bates

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4. Gary Charlton
5. Arthur E. Herman Jr.
6. Ralph LaMontagna
7. Robert Bentz
8. Michael Groff

ADOPTED = AYES 4 NAYS 0

RESOLUTION #92-10
Allow Alcoholic Beverages at Butler Park Event

Supervisor Rounds moved and Councilman Splain seconded the following resolution:

WHEREAS, Sand Lake Kiwanis is hosting the Governor's Visit at Butler Park in Averill Park, on June 5, 2010

WHEREAS, the Club is requesting that the Town of Sand Lake allow alcoholic beverages on the premises during the event.

BE IT RESOLVED, that the Sand Lake Kiwanis be permitted to have alcoholic beverages at Butler Park for their event in accordance with provisions of §73-7 of Sand Lake Code and upon condition that appropriate insurance coverage is proved satisfactory to the Town Board and the Town Attorney.

ADOPTED = AYES 4 NAYS 0

RESOLUTION # 93-10
Allowance and Dispensing of Alcoholic Beverages at Butler Park-Sand Lake Kiwanis

Councilman Splain moved and Supervisor Rounds seconded the following resolution:

WHEREAS, the Sand Lake Chapter of Kiwanis desires to hold it's annual "Summer Fest" at Butler Park in July on the 2nd, 3rd, & 4th; and

WHEREAS, at said Festival the Kiwanis have requested that they be allowed to dispense alcoholic beverages at said event; and

WHEREAS, Uncle Marty's will be the entity at said event dispensing said alcoholic beverages pursuant to its liquor license with New York State Liquor Authority; now therefore

BE IT RESOLVED, that Uncle Marty's be permitted to dispense alcoholic beverages at Butler Park for the Kiwanis Summer Fest on July 2, 2010 through July 4, 2010 in accordance with provisions of §73-7 of Sand Lake Code and upon condition that appropriate permits are obtained from the State Liquor Authority and insurance coverage is proved satisfactory to the Town Board and the Town Attorney.

ADOPTED = AYES 4 NAYS 0

RESOLUTION # 94-10
Approval for Comptroller to attend Association of Towns Conference

Councilman Splain moved and Councilman Glasser seconded the following resolution:

WHEREAS, the Sand Lake Comptroller has requested to attend the Association of Towns Conference on May 12 – 14, 2010 in furtherance of her training and position as Comptroller for the Town of Sand Lake; and

WHEREAS, the Town Board desires to allow her to participate in said training and further wishes to provide payment for registration which is \$200 (which includes meals) and provide to her reimbursement for mileage, now therefore

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BE IT RESOLVED, that the Comptroller, Melissa Elacqua, is hereby authorized to attend the Association of Towns Training for Town Comptrollers at the Gideon Putnam on May 12 – 14, 2010 in Saratoga Springs.

ADOPTED = AYES 4 NAYS 0

RESOLUTION # 95-10
Contract with Steele Engineering for Roof Repair

Councilman Splain moved and Councilman Glasser seconded the following resolution:

WHEREAS, the Town Hall for the Town of Sand Lake is in need of repair to its roof; and

WHEREAS, the Town Board wishes to contract with a structural engineer to provide plans for the necessary repairs which need to be made to said roof; now therefore

BE IT RESOLVED, that the Town Supervisor is hereby authorized by the Town Board to contract with Steele Engineering to provide said engineering plans and designs in order to facilitate the required repairs to the roof for the Town Office Building.

ADOPTED = AYES 4 NAYS 0

RESOLUTION # 96-10
Approval of Bicentennial Committee Link to Town Web Site

Supervisor Rounds moved and Councilwoman Kronau seconded the following resolution:

WHEREAS, the Town of Sand Lake Bicentennial Committee wishes to have a link to their website placed on the Town of Sand Lake website and have requested the same at a workshop of the Town Board in March, 2010, now therefore

BE IT RESOLVED, that the Webmaster for the Town of Sand Lake is hereby authorized by the Town Board to place said link on the web page for the Town of Sand Lake.

ADOPTED = AYES 4 NAYS 0

RESOLUTION # 97-10
Renewal of Sand Lake Ambulance Agreement

Supervisor Rounds moved and Councilman Glasser seconded the following resolution:

WHEREAS, the Sand Lake Ambulance Company continues to provide dedicated service to the ill and infirmed within the Town of Sand Lake, and

WHEREAS, the Town wishes to continue to provide these needed services for town residents; and

WHEREAS, a proposed contract to continue these services has been presented to the Town Supervisor and has been reviewed by the Town Attorney;

NOW THEREFORE BE IT RESOLVED, that the Supervisor Burton Rounds, is hereby authorized to contract with the Sand Lake Ambulance Company on behalf of the Town to continue to provide these services once said contract has been reviewed by the Town Attorney and approved.

ADOPTED = AYES 4 NAYS 0

RESOLUTION #98-10
BAR Secretary Appointment

Councilwoman Kronau moved and Councilman Glasser seconded the following resolution:

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WHEREAS, the Board of Assessment review is in need of the appointment of a Secretary for the 2010 Session; and

WHEREAS, that Secretary is appointed by the Town Board on recommendation of the Board of Assessment review and paid the sum not to exceed \$335.00 per year to be paid subsequent to the two meetings held per year with 2/3rd of said amount being paid after the completion of the May 2010 meeting and the remaining 1/3rd to be paid after the October meeting; now therefore

BE IT FURTHER RESOLVED, that Shirley A. Neiss is appointed secretary to the Board of Assessment Review to act in that capacity for the May 2010 Session.

ADOPTED = AYES 4 NAYS 0

**RESOLUTION #98-10
BAR Secretary Appointment**

Councilwoman Kronau moved and Councilman Glasser seconded to amend Resolution #98-10 to read:

WHEREAS, the Board of Assessment review is in need of the appointment of a Secretary for the 2010 Session; and

WHEREAS, that Secretary is appointed by the Town Board on recommendation of the Board of Assessment review and paid the sum as stated in the 2010 Budget to be paid subsequent to the two meetings held per year with 2/3rd of said amount being paid after the completion of the May 2010 meeting and the remaining 1/3rd to be paid after the October meeting; now therefore

BE IT FURTHER RESOLVED, that Shirley A. Neiss is appointed secretary to the Board of Assessment Review to act in that capacity for the May 2010 Session.

ADOPTED = AYES 4 NAYS 0

**RESOLUTION #99-10
April Transfers, Amendments and Fund Transfers**

Supervisor Rounds moved and Councilman Glasser seconded the following resolution:

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

**Budget Transfer/Amendments
April 14, 2010**

Budget Transfer

FROM	TO	AMOUNT	Reason
A 3650.1 Demo Bldg. Personnel	A 5182.1 Street Lighting Personnel	\$ 2000.00	
A 3650.4 Demo Bldg. Contractual	A 5182.1 Street Lighting Personnel	\$ 2000.00	
SS2 8120.4 BAN Interest	SS2 8110.4 BAN Principal	\$ 603.00	

Budget Amendment

Increase appropriation A 1010.4 Town Board contractual in the amount of \$400.10 to be funded by appropriating the Planning Board Designated account A 882 in the amount of \$400.10.

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ADOPTED = AYES 4 NAYS 0

RESOLUTION #100-10

Award of Bid for Western Side of Burden Lake Sewer Project

Councilman Glaser moved and Supervisor Rounds seconded the following resolution:

WHEREAS, the Town of Sand Lake has advertised for submissions of bids for construction and materials for the Western Side of the Burden Lake Sewer project, and

WHEREAS, those Bids were received and reviewed by the Town Engineer, Kestner Engineer's and

WHEREAS, after the specifications and qualifications of the bidders have been reviewed as well as the costs provided for the project the Town wishes to award the bid, now therefore

BE IT RESOLVED, that Drilling Technologies, Inc, is the successful bidder for a cost of \$284,853.60 and the Town Supervisor is hereby authorized to contract with said company and prepare any and all documentation which is necessary to do so.

ADOPTED = AYES 4 NAYS 0

RESOLUTION # 101-10

Award of Bid for Maintenance Equipment for Sewers

Supervisor Rounds moved and Councilman Glasser seconded the following resolution:

WHEREAS, the Town Highway department has requested the purchase of sewer maintenance equipment which is necessary to repair the town's sewer system in the event of a malfunction, and

WHEREAS, the purchase of the equipment will benefit the Town residents and will make the Town Sewer department more efficient and effective in their repairs, and

WHEREAS, the Town published a request for bid for the equipment cost and those bids having been received by Kestner Engineering, the Town Engineer, and reviewed by the same, the Town now wishes to award that bid, and

WHEREAS, the award of this bid is contingent upon the company named herein successful demonstration of the equipment to the Town as approved by Supervisor Rounds and Deputy Commissioner of Sewers, Ray Hernick, now therefore

BE IT RESOLVED, that Rexford Albany Municipal Supply Co, Inc, (RAMSCO, Inc.) for a cost of \$13,097.80 is the successful bidder and the Town Supervisor is hereby authorized to contract with said company and prepare any and all documentation which is necessary to do so, after satisfaction of the demonstration as stated above.

ADOPTED = AYES 4 NAYS 0

RESOLUTION #101-10

Award of Bid for Maintenance Equipment for Sewers

Supervisor Rounds moved and Councilman Glasser seconded to amend Resolution #101-10 to read:

WHEREAS, the Town Sewer department has requested the purchase of sewer maintenance equipment which is necessary to repair the town's sewer system in the event of a malfunction, and

WHEREAS, the purchase of the equipment will benefit the Town residents and will make the Town Sewer department more efficient and effective in their repairs, and

WHEREAS, the Town published a request for bid for the equipment cost and those bids

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having been received by Kestner Engineering, the Town Engineer, and reviewed by the same, the Town now wishes to award that bid, and

WHEREAS, the award of this bid is contingent upon the company named herein successful demonstration of the equipment to the Town as approved by Supervisor Rounds and Deputy Commissioner of Sewers, Ray Hernick, now therefore

BE IT RESOLVED, that Rexford Albany Municipal Supply Co, Inc, (RAMSCO, Inc.) for a cost of \$13,097.80 is the successful bidder and the Town Supervisor is hereby authorized to contract with said company and prepare any and all documentation which is necessary to do so, after satisfaction of the demonstration as stated above.

ADOPTED = AYES 4 NAYS 0

COMMENTS FROM RESIDENTS

Russ Bennett commented that the documentary record would not be clear, that the board should vote on the resolution as is, then vote to amend.

Council women Kronau made a comment about following Procedural Rules and having the packets as in the rules in mailboxes on the Saturday before the meetings.

ADJOURNEMNT

Supervisor Rounds made the motion to adjourn the meeting at 9:20 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