

**TOWN OF SAND LAKE TOWN BOARD MEETING
MAY 11, 2011**

The monthly meeting of the Sand Lake Town Board was held on May 11, 2011 at 7:30 P.M. at the Sand Lake Town Hall. After the Pledge of Allegiance, the following answered roll call:

PRESENT: Councilwoman Kronau
Councilman Glasser
Councilman Splain
Councilman Turner
Deputy Supervisor John "Mac" McEvelly
Town Attorney Donna Cole-Paul

ABSENT: Supervisor Rounds

RECORDING SECRETARY: Barbara A. Biittig, Town Clerk

OTHERS PRESENT: Ronald Berti, Clyde Heffner, Justin Schultz, Daniel Holser, Fred Erickson, Linda Hasting, Tracy Shoemaker, Tom Hatcher, Bill Bech, Bill Rutherford, Michael Smyth, Gail Prediger, Barbara Martinage, Flora Fasoldt, Russ Bennett, Mark Cioffi, Barbara Neu Berti, Fred Schreyer and others.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

Councilman Turner made the motion to go into Executive Session to discuss on going Litigation. This was seconded by Councilwoman Kronau. Councilman Glasser questioned a breach of confidentiality regarding executive session. He said that he would be in favor if everyone on this board clearly under stands what Executive Session stands for. When it comes to this litigation, he received an email either by mistake or on purpose having to do with this litigation addressed to Russ Bennett, Flora Fasoldt, and Mark Cioffi which are not on the board. He said he did not understand why they would receive an email unless they are trying to make a political issue. He said he would stress that when the Board goes into Executive Session that is supposed to stay there.

MOTION CARRIED = UNANIMOUS

Deputy Supervisor McEvelly called the meeting back to order at 8:00 PM.

Add to agenda (8) Sign Retainer to Represent Litigation on the Van.

APPROVAL OF MINUTES:

Councilwoman Kronau made the motion to approve the minutes of April 13, 2011 and April 25, 2011. This was seconded by Councilman Turner.

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MONTHLY REPORTS: TOWN CLERK- Barbara A. Biittig

- Money paid to Supervisor \$19,024.16
- Money paid to New York State Ag & Markets for spay/neuter program \$81.00
- Money paid to State Health Dept. for Marriage Licenses \$ 67.50
- Money paid to the Dept of Environmental Conservation (Fishing /Hunting) \$1,440.00

I and several neighboring Town Clerks attended a luncheon with Roy McDonald and Frank Merola last week. The focus was Grants and the possibility that every town can and should be writing grants. Roy is trying to organize a grant writing committee to aid each town in writing these grants as a group. Realizing that all Towns are facing the same problems and that by joining together the end result could be beneficial to all. I also approached Frank Merola about the possibility of offering a Satellite Office for Motor Vehicle one day or night here at Sand Lake Town Hall. He seemed very interested and is taking this under consideration feeling that we do serve a large area. I will keep you posted on this.

I am pleased to report that the Passport Service that has been a part of the Sand Lake Town Clerk's office will continue. We had been informed that town clerk's would no longer be able to issue passports because we also do birth certificates. After many letters to many offices etc. and many meetings I was able to make changes to my office that the US Dept of State agreed to. Part of the restructure is that we can be visited at anytime and a yearly inspection by a representative from the State will happen. This was very important to me because first it is a great service for the residents but also because it does bring large revenue to the town.

The Town Clerk's office has Honor Roll Application's for the Veterans Memorial Park. Eligibility is for all Veterans of the Town of Sand Lake and surrounding communities. All active duty – National Guard- Reserve-Coast Guard and Merchant marine, men and woman are qualified. Combat service not required. Out of town Veterans with family in the town are also eligible. For additional information please contact George Wright 518-674-8041.

The Town Clerk's Office was usually closed in the past on Saturdays for the months of June, July and August. Due to residents having to purchase permits, bags and punch cards for the convenience facility in my office now, my office will be open these months on Saturdays from 9-12 noon for your convenience.
Any questions please call me at 518-674-2026 ext. 22.

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

COMMITTEE REPORTS:

Fred Erickson – Chairman of Planning Oversight Committee - Update

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

Presentation of the Annual Municipal Separate Storm Sewer System (MS4) Report

PLANNING BOARD – Justin Schultz – On File in the Town Clerk's Office

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

YOUTH – Barbara Glasser – None at this time

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BOARD MEMBERS REPORTS:

PUBLIC WORKS – Deputy McEvelly - On file in the Town Clerk's Office.

HIGHWAY – Deputy McEvelly - On file in the Town Clerk's Office.

VETERANS – Paul Splain- 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.

INTERNAL CONTROL – 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 – None at this time

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 – None at this time

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:

Fred Schreyer – Glass Lake Road – Regarding Application to DEC Resolution, the safety aspect and access for recreational purposes.

Flora Fasoldt – 5 Hemlock Circle - Regarding Councilman Glasser's comment on a Breach of Confidentiality regarding the van or lack of. She stated that the issue of the Community Van has been an issue and that these records are a matter of public record and that the documents are foil able. She stated that she has long followed issues of the Town.

Dan Holser – 35 Holser Road, Averill Park, NY 12018 – Regarding a concern on taxes on vacant lots in the town and taxes in general.

APPROVAL OF THE AGENDA –

Councilman Turner motioned to approve the agenda. This was seconded by Councilman Glasser.

MOTION CARRIED = UNANIMOUS

RESOLUTION #TABLED

Approval of Website Advisor Committee

Councilman Turner motioned to Table this resolution. This was seconded by Councilman Splain

WHEREAS, the Town of Sand Lake has adopted a Comprehensive Plan that calls for the establishment of Committees to assist the Town Board in conducting Town's business; and

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WHEREAS, the Planning Oversight Committee (POC) and the Town of Sand Lake has created a website through which the Town communicates to its citizens and other interested parties; and

WHEREAS, the Town utilizes the services of a single paid, part-time Webmaster to oversee and administer the Town's website; and

WHEREAS, the Planning Oversight Committee believes it is in the best interest of the citizens of the Town and public in general to have an excellent, user-friendly, highly informative and visually attractive Town website; now therefore

BE IT RESOLVED that the Town Board hereby establishes the Website Advisory Group, as a Sub Committee of the Planning Oversight Committee, to provide for a mechanism to inform and support the Town in the administration and upgrading of the website and to assist the Webmaster in the maintenance and continual upgrading of the website; be it further

RESOLVED that the Website Advisory Group should consist of a minimum of three volunteers appointed by the Town Board to meet a minimum of once a month with the Town Webmaster.

MOTION PASSED TO TABLE = AYES 3, NAYS 1 (Councilwoman Kronau voted No)

**RESOLUTION #33-11
BAR Secretary Appointment**

Councilman Glasser moved and Councilman Turner seconded the following resolution:

WHEREAS, the Board of Assessment review is in need of the appointment of a Secretary for the 2011 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 2011 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 2011 meeting and the remaining 1/3rd to be paid after the October meeting; now therefore

BE IT RESOLVED, that Shirley A. Neiss is hereby appointed secretary to the Board of Assessment Review to act in that capacity for the 2011 Sessions.

ADOPTED = AYES 4, NAYS 0

**RESOLUTION #34-11
Approval of Assessor to Attend Training**

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Councilman Turner moved and Councilman Splain seconded the following resolution:

BE IT RESOLVED, that the Assessor Judith A. Goodyer is hereby authorized to attend the Seminar on Appraising Application to be held July 18, 2011 through July 21, 2011 in Ithaca, New York; and

BE IT FURTHER RESOLVED, that the Town shall pay for lodging expenses and registration/tuition fees that are associated with said Seminar; and

BE IT FURTHER RESOLVED, that the Assessor shall be reimbursed for her travel and meal expenses directly by the State of New York's Office of Real Property.

ADOPTED = AYES 4, NAYS 0

**RESOLUTION #35-11
Surplus Highway Equipment – 1986 Truck**

Councilman Splain moved and Councilman Turner seconded the following resolution:

WHEREAS, pursuant to Section 142.5 of Highway Law, the Town Highway Superintendent hereby desires to classify the 1986 International Single Axle Dump Truck as surplus; now

THEREFORE BE IT RESOLVED, that said vehicle shall be declared surplus and put out to bid as is.

1986 International Single Axle Dump Truck #1HTZM16R3GHA59855

ADOPTED = AYES 4, NAYS 0

**RESOLUTION #36-11
Marshall & Sterling Insurance**

Councilwoman Kronau moved and Councilman Turner seconded the following resolution:

WHEREAS, the Town of Sand Lake in its annual review of insurance and the Statement of Values for the property of the town has discovered that properties have been under valued; and

WHEREAS, the Town of Sand Lake now wishes to amend those values and to receive the proper amount of coverage needed on those properties; now therefore

BE IT RESOLVED, that the Supervisor is hereby authorized to contract with Marshall and Sterling and provide the increase premium payment of \$935.00 to cover the additional necessary insurance that is required for the increased statement of values for town property.

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ADOPTED = AYES 4, NAYS 0

RESOLUTION #37-11

Approval to File Permit with DEC for Glass Lake

Councilman Turner moved and Councilman Glasser seconded the following resolution:

WHEREAS, the Town of Sand Lake wishes to perform necessary repairs to the Glass Lake Access way, in order to remove the debris and other materials which were placed there inappropriately; and

WHEREAS, in order to do so the Town requires a permit through the Department of Environmental Conservation, through Article 15; now therefore

BE IT RESOLVED, that the Town Supervisor, or his designee, for the Town of Sand Lake is hereby authorized by the Town Board to execute the Article 15 Application for DEC approval to commence the necessary work on the Access way area of Glass Lake.

ADOPTED = AYES 4, NAYS 0

RESOLUTION #38-11

Budget Transfers and Amendments

Councilman Glasser moved and Councilwoman Kronau seconded the following resolution:

Budget Transfer

FROM	TO	AMOUNT
A 1990.4 Contingency	A 8666.1 Clearance/Demo Garage	\$ 2951.00
A 1990.4 Contingency	A 9030.8 Social Security	\$ 310.00

Budget Amendment

Increase appropriation A 8666.1 Clearance/Demo Garage Personnel in the amount of \$1100.00 due to unanticipated revenue A 2650.9999
Sale of Scrap in the amount of \$1100.00.

ADOPTED = AYES 4, NAYS 0

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RESOLUTION #39-11

Sign Retainer to Represent Litigation on Van

Councilman Turner moved and Councilman Splain seconded the following resolution:

WHEREAS, the Town of Sand Lake was served with litigation involving the Americans with Disabilities Act in the Federal Courts; and

WHEREAS, the Town of Sand Lake wishes to retain an attorney who focuses their practice to the area of Americans with Disabilities Act; and

WHEREAS, the Town of Sand Lake is required to file a response to the complaint and is under time constraint to do so; and

WHEREAS, Elayne Gold, Esq. of Roemer, Wallens and Mineaux of Albany has been recommended to the Town Board by the Town Attorney as council for this matter; now therefore

BE IT RESOLVED, that the Town Board hereby authorizes the Town Supervisor, or his designee, to execute a retainer agreement with Elayne Gold, Esq. of Roemer, Wallens and Mineaux at a rate of \$150 per hour to submit and answer on behalf of the town.

ADOPTED = AYES 3, ABSTENTIA 1 (Councilwoman Kronau Abstained)

COMMENTS FROM RESIDENTS

Fred Erickson questioned when Resolution #1 (Tabled) would be discussed.

Deputy Supervisor McEvelly motioned to adjourn the meeting at 9:02 PM.

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