

1994

INDEX OF 1994 RESOLUTIONS

JANUARY 4, 1994 ORGANIZATIONAL MEETING RESOLUTION:

#1 - Kevin Brocks appointed Town Attorney

#2 - Adoption of Procedural Rules for the Town of Sand Lake

#3 - Adoption of the Time & Place of Regular Sand Lake Town Board Meetings

#4 - Designated Banking Institutions for depositories of all monies

#5 - Designation of Official Newspaper - Record Newspaper

#6 - Mileage-.23 cents per mile

#7 - Rate of overtime pay for emp'ees pd hourly 1 1/2 times regular pay rate

#8 - Appointment of Deputy Town Attorney for Planning, Zoning & Sewer - Frederick- J. Schreyer

#9 - Appointment of Sewer District Billing Clerk - Christine Kronau

#10 - Designation of Chairman of the Zoning Board of Appeals - Alice Tifft

#11 - Appointment of Youth Director - Constance Burkart

#12 - Appointment of Commissioner of Public Works- Harold Roder

#13 - Appointment of Deputy Commissioners of Building and Zoning - George Wright & Edward Martin

#14 - Position of Deputy Commissioner of Sewers eliminated & position of Foreman for the Sewer District established

#15 - Appointment to position of the Foreman for the Sewer District - TABLED

#16 - Position of Commissioner of Public Works: full time & salary set at \$32,000

#17 - Budget Transfer - \$19,640 from A8790.1 mining reclamation to A1490.1 public works administration

#18 - Continuation of current employees & officers unless otherwise directed

#19 - Setting of salaries for Town Officers & Employees

#20 - Insufficient funds- Fee set at \$15.00 for returned checks

#21 - Appointment of Town Freedom of Information Officer - Colleen Regan

#22 - Establishment of Workshop sessions

#23 - Appointment of Court Clerk - Catherine Middleton

#24 - Appointment of Dog Control Officer- Catherine Crawmer

#25 - Appointment of Registrar of Vital Statistics & Salary Change (\$1,000) - Colleen Regan

#26 - Appointment of Deputy Registrar of Vital Statistics - Sally Perry

#27 - Authorization of Town supervisor Wurtemberger to use a Facsimile signature

JANUARY 12TH 1994 BOARD MEETING RESOLUTION:

#28 - January 1994 citizen of the month - George Raneri

#29 - Memorial Resolution recognizing and commending Arthur Mardon in appreciation of his service to the Town of Sand Lake

#30 - Memorial Resolution recognizing Frederick "Fred" Erickson in appreciation of his service to the Town of Sand Lake

#31 - Appointment of Sand Lake Library Board of Trustees - Bethany N. Schroeder

#32 - Authorization of Supervisor to publicize and solicit interested persons in vacant town positions

#33 - Authorization of Calvary Chapel to continue renting the Town Hall @ \$100 per week

#34 - Town Officials & Emp'ees to attend annual Association of Towns. Regan appointed official Delegate. Cybulski appointed Alternate Delegate

#35 - Authorization of Smith & Mahoney to prepare contract documents for the final phase of Landfill closure

#36 - Authorization of Smith & Mahoney to prepare Grant Application

#37a-January fund warrant approved for \$45,424

#37b-Approval of Travel requests for George Wright & Ed Martin to attend an educational seminar

#37c-Budget Transfer from General A9050.8 \$6,000, Highway DA9050.8 \$13,000, Sewer SS9050.8 \$200, to Unemployment Insurance Reserve Fund 5031 \$19,200

FEBRUARY 9,1994 BOARD MEETING

RESOLUTION:

#37-February 1994 citizens of the month - Thomas Danaher, Joel Uline & Robert Fickies

#38 - Authorization of the submitting of an application for state funding for the landfill closure

#39 - Acknowledgment of the obligation to develop a (M/WBE - EEO)

#40 - Authorization for the Advertisement, receipt & Review of sealed bids for the landfill final cover system installation

#41 - Price change of green dismal bags 15 gallon bags to \$1.75/ 30 gallon bags to \$3.50

#42 - Registration of convenience Facility

#43a-February fund warrant approved for \$96,435.81

MARCH 9,1994 BOARD MEETING RESOLUTION:

#43 - March 1994 citizen of the month - M. Duane Wehnau

#44 - Solid Waste Disposal - Authorization of Supervisor to execute a contract with A. Servidone, Inc. for the sand Lake Landfill Final cover system Installation

#45 - Authorization of Smith & Mahoney to provide the services listed under Work Schedule 7 to complete landfill closure

#46 - Aid to Localities Project - short & long term engineering considerations for public water supplies in the Town of Sand Lake

#47 - Public Hearing scheduled for April 13, 1994 @ 7:30 for the purpose of considering a Local Law - Public, Display of Fireworks Law

#48 - Board Appointment - Bonnie Cook (term expiring Dec. 31, 1996)

#49 - Board Appointment - Ken Van Pragg (term expiring Dec. 31, 2000)

#50 - Appointment of Planning Board Chairman - Ken Van Pragg

#51 - Board of Assessment Review Appointment- Paul Schroeder (term expiring Dec. 31, 1994)

#52 - Board of Assessment Review Appointment - Paul Splain (term expiring Dec. 31, 1995)

#53 - Board of Assessment Review Appointment - Elwood Hacker (term expiring Dec. 31, 1995)

MARCH 9,1994 BOARD MEETING(continued) RESOLUTION:

#54 - Appointment of Board of Assessment Review Chairman - Elwood Hacker

#55 - List of revised private roads to the Town Map in compliance with the Emergency 911 Program

#56 - Revised town map of March 8, 1994 be adopted as the official town map

#57 - Budget Transfer - From H003 9901.9 (Landfill Reserve) to H006 R5031 (Interfund Transfer) \$50,000. From H006 R5031 (Interfund Transfer) to H006 8160.2 (Landfill Closure) \$50,000

#58 - Budget Transfer - From A1355.2 (Assessor's Equipment) to A1410.2 (Town Clerk's Equipment) \$1,300

#59 - Budget Transfer - From A1950.4 (Judgments & Claims) to A1910.1 (Unallocated Insurance ) \$2,500

#59a-March 1994 fund warrant approved for \$160,729.49

#60 - Authorization of Supervisor to retain an appraiser in connection with the present landfill site,

#61 - Authorization of Supervisor to retain outside counsel in connection with the NYSDEC Consent Order concerning sewer matters if deemed necessary

APRIL 13,1994 BOARD MEETING RESOLUTION:

#62 - April 1994 citizen of the month - Phil & Edna Pierce

#63 - Honoring National Library Week, April 17 -23, 1994

#64 - Designation of Polling Places

#65 - Creation of Citizens' Advisory Committee on Capitol Improvements, Consisting of: John Dahl, Meg Distell, John kacharian, John Mulligan, Ellie Pattison, Paul Schroeder & Ken Van Pragg

#66 - Sheriffs Substation - Schedule Public Information Meeting Hearing

#67 - Appointment to Zoning Board of Appeals - Richard J. Miller (term expiring Dec. 31,1998)

#68 - Designation of additional depository for moneys received - Onbank & Trust Company

APRIL 13,1994 BOARD MEETING(continued)

#69 - Establishment of Petty Cash Fund for Convenience Facility in the amount of \$50.00

#70 - Budget Transfer - From A1355.2 (Assessor Equipment) to A1410.4 (Town Clerk Contractual) \$1,500

#71 - April 1994 fund warrant approved for \$62,717.46

#72 - Authorization of Ken VanPragg & Justin Schultz to attend a Planning Board Conference

#73 - Resolution honoring Paul Rummel in appreciation of his service on the Planning Board and service to the community for over 18 years

#74 - Authorization of Supervisor to execute the consent order with D.E.C. regarding sewers

MAY 11, 1994 BOARD MEETING RESOLUTION:

#75 - May 1994 citizen of the month - Robert Dawes

#76 - Adoption of Local Law 41 - Public Display of fireworks

#77 - Provisions & Accommodations for the Rensselaer County Sheriff's Department Substation

78 - Sub-contracts for State Aided Water Supply Study - Supervisor authorized to execute contracts with BCM Consulting Inc., Dr. Robert LaFleur & Rensselaer Polytechnic Institute

#79 - Continued support of the State Archives and Records Administration (SARA) Grants

#80 - Brookside Senior Housing P.I.L.O.T. Agreement

#81 - Appointment of Summer Camp Director - Barbara Bittig

#82 - Appointment of Secretary to the Board of Assessment Review - Florence Slavin

#83 - Budget Transfer - From 1990.4 (Contingent) to A1910.1 (Unallocated Insurance) \$1,000.00

#84 - May 1994 fund warrant approved for \$44,977.34

#85 - Street light installation at Burden Lake Rd & Spring Ave.



MAY 17,1994 SPECIAL MEETING RESOLUTIONS:

#86 - "Short Environmental Assessment Form" concerning the Project "Landfill Closure - Site Acquisition"

#87 - Issuance of a negative declaration on the Landfill Project

#88 - Adoption of the Determinations and Findings dated May 17, 1994

#89 - Executive Session for a Real Property issue

JUNE 8,1994 BOARD MEETING RESOLUTION:

#90 - Citizen of the Month for June 1994 - Sidney S. Gallant

#91 - Commendation of Elton Dobert

#92 - Maintenance of Sidewalks - Route 43

#93 - Reduction of speed limit - Meeler Rd

#94 - Reduction of Speed limit: Barnes Rd. Burden Lake Rd., First Dike Rd., Second Dike Rd., Glass Lake Rd., Oak Hill Rd.

#95 - Town Beach Appointees

#96 - Hiring of Personnel for Summer Activities

#97 - Authorization of Secretary/Bookkeeper to transact banking business up to \$100,000.00

#98 - Assessor Continuing Education Report

#99 - Budget Transfers:

From H003 9901.9 (Landfill Reserve) To H006 R5031 (Interfund Transfer) \$150,000.00

From H006 R5031 (Interfund Transfer) To H006 8160.2 (Landfill Closure) \$150,000.00

#100 - June 1994 Fund Warrant approved for \$132,025.07

#101 - Replacement of mobile home in a A-I zoned district for Guy L. Beckwith, Sr.

#102 - Authorization of Supervisor to put on deposit with the Court such sum as the Court requires in connection with possession of Eminent Domain Proceeding concerning Landfill

JULY 13,1994 BOARD MEETING RESOLUTION;

#103 - Citizens for the Month of July 1994 - Mary & Ross French

#104 - Sewer Extension-Mt. View Drive - Withdrawn by sponsor

#105 - Sewer Easement - Addition to Home of Robert C. Eckart (Amended)

JULY 13,1994 BOARD MEETING (CONTINUED) RESOLUTION:

#106 - Sewer District Sewer Rents/Collector's Warrant

#107 - Proposed Masterplan - Public Hearing scheduled for August 2, 1994 at 7:30 P.M.

#108 - Sand Lake Youth Commission Appointees

#109 - Speed limit reductions on various roads: Algonquin Rd, Crystal Lake Rd., Old, Best Rd., Reichards Lake Rd.

#110 - Use of Town Park, - Sand Lake Democratic Committee picnic from 12:00 P.M. to 8:00 P.M.

#111 - Permit Renewal Application -Springer Road Bank (Retain George L Marshall Engineering Geologists, for a fee not exceed \$1,000)

#112 - July 1994 Budget transfers:

FROM	TO	AMOUNT
A8090.4(Envirnmental Control)	A1910.1(Unallocated Insurance)	\$2,300.00
A8790.1(Mining Reclamation- Personal Services)	A8790.4(Mining Reclamation- Contractural Expenses)	\$1,000.00
H003-9901.9(Landfill Reserve)	H006-R5031(Interfund Transfer)	\$400,000.00
H003-R5031(Interfund Transfer)	H006-8160.2(Landfill Closure)	\$4000,000.00
A8090.4(Environmental Control)	A1430.2(Personnel Equipment)	\$1,700.00

#113 - July 1994 Fund Warrant approved for \$515,055.65

#114 - Retainer for Additional Counsel regarding new York Telephone in the amount Of \$500.00

AUGUST 2,1994 SPECIAL BOARD MEETING RESOLUTION:

#115 - Appointment of Justice Clerk position - Peggy S. Burkart. 31 hrs per week at \$7.80 per hour.

AUGUST 10, 1994 BOARD MEETING RESOLUTION:

#116 - Sewer connection (from outside sewer district) - Peter Libertucci

#117-Unsafe Buildings - Faith Mills on Burden Lake Road

#118-Reduction of Speed Limit(s) - Gettle Road

AUGUST 10, 1994 BOARD MEETING (continued)

#119 - Harassment in the Workplace Policy-TABLED

#120 - Use of Town Park with dispensing of alcoholic beverages-Knights of Columbus & St. Henry's Parish

#121-Budget transfer(s):

FROM	TO	AMOUNT
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H003-9901.9(Landfill Reserve) H006-R5031(Interfund Transfer)\$300,000.00

H006-R5031(Interfund Transfer)H006-8160.2(Landfill Closure) \$300,000.00

A8090.4(Environmental Control) A1420.4(Attorney Contractual) \$26,000.00

#122 - August 1994 Fund Warrant approved for \$430,087.17

SEPTEMBER 14, 1994 BOARD MEETING RESOLUTION:

#123 - Authorization of Supervisor to enter an agreement with Daigle's - Installation of Sewer lateral along Mountain View Dr.

#124 - Public Hearing to consider an amendment to a local law pertaining to sewer connections

#125 - Unsafe Buildings - Donald Richards

#126 - Addition to Millers Market

#127 - Mobile Home Replacement - Bertram/Referral to Planning Board

#128 - Acquisition of Landfill Site

#129 - Travel Request - Building Dept.

#130 - Travel Request - Dept. of Public Works

#131 - Travel Request - Planning Board

#132 - Travel Request - Planning Board (Amended)

#133 - Budget Transfers:

FROM	TO	AMOUNT
A7310.1(Youth - Personal)	A7310.4 (Youth-Contractual)	\$1,000.00
H003-9901.9(Landfill Reserve)	H006-R5031(Interfund Transfer)	\$150,000.00
H006-R5031(Interfund Transfer)	H006-8160.2(Landfill Closure)	\$150,000.00

#134 - September 1994 Fund Warrant approved for \$116,630.98

#135 - Commemoration of Constitution Week

SEPTEMBER 14,1994 BOARD MEETING(continued) RESOLUTION:

#136 - Authorization to Publicize for purchase of a way One Ton Truck Cab & Chassis Dual Rear Tires

OCTOBER 12,1994 BOARD MEETING RESOLUTION:

#137 - Adoption of local Law 42 - Sewer connections from outside of District - Amendment of Local Law number 1 of the year 1980 entitled Local Law 2 of the year 1994 "Allowing properties outside of the Sand Sewer District Number 1 to connect to the sewer system under certain conditions"

#138 - Dedication of Timberland Drive

#139 - Dedication of Noah Drive

#140 - Dedication of Avon Ct. (extended)

#141 - 1995 Preliminary Budget - Set date(s) to establish/modify tentative budget

- Set date for public hearing

#142 - Smith & Mahoney Work Schedule 9

#143 - Smith & Mahoney Work Schedule 10

#144 - Authorization to Advertise for Insurance Bids

#145 - Three year insurance bidding process

#146 - Travel Request - Planning Board Members (RESOLUTION NOT SECONDED)

#147 - Budget Transfer(s) & Amendments(s) BE IT RESOLVED, that the following transfer(s) shall be made in the 1994 Budget:

FROM TO AMOUNT

DA5110.4 Gen. Repairs

(Cont.) H009-5110.2 Chamberlain Rd. Repair \$296.62

DA5112.2 Capital Outlay

(CHIPS) DA5110.4 Gen. Repairs(Contractual) \$50,000.00

A8790.1 Mining Recl.

(Pers.) A1450.1 Elections (Pers. Serv.) \$2,265.00

A8790.1 Mining Recl.

(Pers.) A1450.4 Elections (Contractual) \$125.00

A8790.1 Mining Recl.

(Pers.) A1320.4 Audit & Account Contractual) \$1,500.00

A7140.1 Playgrounds

(Pers.) A7140.4 Playgrounds (Contractual) \$250.00

BE IT RESOLVED, that the following amendment(s) shall be made in the 1994 Budget:

Create appropriation A1465.2 (SARA Grant) Equipment \$500.00

account



Increase Appropriation A1465.4 (SARA Grant) Contractual      \$2,500.00  
account

to be funded by appropriating additional fund balance which was available on 12/31/1993 from SARA monies as provided by Section 112 of Town Law.

#148 - Capital Fund

BE IT RESOLVED, that a Capital fund for Water Study be established and financed as follows:

Revenue	H011-3889	State Aid	\$50,000.00
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Appropriations	8310.2010	Consulants	\$41,270.00
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.2020	Secretarial/Clerk	\$1,700.00
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.2030	Equipment	\$2,430.00
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.2040	Other	\$50,000.00
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#149 - October 1994 Fund Warrant approved for \$184,125.29

#150 - Unsafe Building(s) Faith Mills - Located on Burdon Lake Rd. (Mr. Bolton)

#151 - Unsafe Site - Located on Kipple Rd. (Donald Richards)

NOVEMBER 9,1994 BOARD MEETING RESOLUTION:

#153 - Commendation of Elmer Smith

#154 - 1995 Town Budget - Set date for adoption - November 19, 1994

#155 - Collection of Sand Lake Sewer District Sewer Rents

#156 - Animal Shelter Services with Humane Society

#157 - Contract services to review utility bills - WITHDRAWN BY SPONSER

#158 - Agreement - Payment to Contracted Agencies - (Amended)

#159 - Parking in Town Hall Lot - Public Hearing December 14, 1994 at 7:30 P.M.

#160 - Green Island - Garbage Incinerator - TABLED

#161 - Budget Transfers:

FROM	TO	AMOUNT
H003-9901.9 (landfill Reserve)	H006-R50031(Interfund Transfer)	\$120,000.00
H006-R5031(Interfund Transfer)	H006-8160.2(Landfill Closure)	\$120,000.00

Water Study

H011-8310.2040(Other) H011-8310.2030(Equipment) \$106.80

#162 - November 1994 Fund Warrant approved for \$87,999.98

#163 - Application for mobile home placement - Maryanne & Donald Richards

#164 - Adoption of Solid Waste Facility Fees Schedule

#165 - Faith Mills - Building inspectors to inspect property and arrive at a compliance schedule to render building safe, if schedule not complied with notify Town Attorney.

#166 - New York Telephone litigation - Supervisor is authorized to retain outside counsel to assess the lawsuit limited to \$2,000

NOVEMBER 19, 1994 SPECIAL BOARD MEETING RESOLUTION:

#167 - Adoption of 1995 Budget

#167A - Adoption of the 1995 Employee Compensation Schedule

#168 - November 25, 1994 as a non work day

#169 - Bon Acre Certiorari Matter - Supervisor authorized to retain an appraiser for preliminary valuation not to exceed \$900.00

DECEMBER 14,1994 BOARD MEETING RESOLUTION:

#170-Town of Sand Lake's position on the Green Island Solid Wast Incinerator: TABLED

#171 - Local Law #3 for the year 1994, Parking in Town Hall Parking Lot prohibiting parking in Town Hall lot other than during regular business hours or such other times when public business is being conducted, except when otherwise authorized by resolution of the Town Board: UNANIMOUS

172-Bid awarded to Johnson Ford-Lincoln-Mercury-Nissan, Inc. of Pittsfield in the amount of \$44,639.00 for furnishing a one ton dual rear wheel truck and accessories: UNANIMOUS

#173 - Laberge Engineering and Consulting Group Ltd. be retained to provide Professional Engineering Services for design and construction observation of the proposed rehab/replacement of Garner Road Bridge in response to notices rec'd from the NYS Dept. of Transportation: UNANIMOUS

#174 - Harriet Grote appointed to the position of Attendant for Solid Waste Facility for 18 hr work week at \$7.50 hr: AYES 4, ABSTAIN 1(PRIMEAU)

#175 - Amendment to the adopted 1995 Employee Compensation Schedule to Budget Code,SS8110.1, Sewer Billing Clerk. Amended to read \$3,214 instead of \$2,314:UNANIMOUS

#176 - Adoption of the 1995 Salary Schedule for Full Time Highway and Sewer Personnel: UNANIMOUS

#177 - The Commissioner of Public Works directed to determine if Hillcrest Avenue (Paper Street) can be abandoned and file the necessary papers with the Town Attorney to present to the Town Board: UNANIMOUS

#178-Special Meeting scheduled for Thursday, December 29, 1994, at 7:30 P.M.: UNANIMOUS

#179-December 1994 Budget Transfers;

FROM	TO	AMOUNT
DA5120.4 Bridges(Contractual)	DA5110.4 General Repairs (Cont)	\$28,000.00
DA5130.2 Machinery (Equip)	DA5110.4 General Repairs (Cont)	\$19,000.00
DA5142.1 Snow Removal (Pers)	DA5110.1 General Repairs (Pers)	\$1,093.35
DA5142.4 Snow Removal (Cont)	DA5110.1 General Repairs (Pers)	\$2,300.00
A1490.1 Public Works (Pers)	A1490.4 Public Works (Cont)	\$500.00
A8090.4 Envir. Control (Cont)	A8160.1 Refuse & Garbage (Pers)	\$4,000.00
A8090.4 Envir. Control (Cont)	A8160.4 Refuse & Garbage (Cont)	\$16,000.00
A7140.2 Playgrd. & Rec.(Equip)	A7140.4Playgrd & Rec.(Cont)	\$300.00
A7140.2 Playgrd. & Rec.(Equip)	A7150.1 Spec. Rec. Fac. (Pers)	\$250.00
A7140.2 Playgrd & Rec. (Equip)	A7150.4 Spec. Rec. Fac. (Cont)	\$70.00
A7140.2 Playgrd & Rec. (Equip)	A7620.4 Adult Rec. (Cont)	\$20.00
A3620.4 Building Inspect(Cont)	A3310.4 Traffic Control (Cont)	\$525.00
A1450.1 Elections (Pers)	A1450.4 Elections (cont)	\$23.00
A1410.1 Town clerk (Pers)	A1410.4 Town Clerk (cont)	\$100.00
A9060.8 Hosp & Med Ins.	A9010.8 State Retirement	\$3,522.00
A9060.8 Hosp & Med Ins.	A9015.8 Fire & Police Retirement	\$946.00

#179 - December 1994 Budget Transfer (Continued)

BE IT RESOLVED, that the following amendment shall be made in the 1994 Budget:

Increase appropriations in account A 7620.4 Adult Recreation (Contractual) in the amount of \$325.00 to be funded by increasing estimated revenue (account A 3772) from NYS Parks and Recreation Grant.

BE IT RESOLVED, that the Capital Project H009 - Chamberlain Road Budget is amended to increase the appropriations account H009 - 5110.2 in the amount of \$ 1,143.21 to be funded by increasing estimated revenue by the following amounts:

\$846.59	H009 (2401) Interest
\$296.62	H009 (5031) Interfund Transfer
\$1,143.21	

UNANIMOUS,

#180 - Approval of December 1994 Fund Warrant as audited: UNANIMOUS

ORGANIZATIONAL MEETING

January 4, 1994

An organizational Meeting of the Sand Lake Town Board was held on January 4, 1994 at 7:30 p.m. at the Sand Lake Town Hall with the following members present:

PRESENT:       Supervisor     Fred Wurtemberger  
                  Councilman    Joseph Baum  
                  Councilman    Paul Primeau  
                  Councilman    Joseph Cybulski  
                  Councilman    John Glasser

OTHERS PRESENT:     Colleen M. Reagan, Town Clerk; christine Kronau, Receiver of Taxes; Kevin R. Brooks; Carol Cybulski; Connie Burkart; Arthur Mardon; Bernie Mardon; William Glasser, Jr.; John Stockman; Russel Bennett; Frank Allen, Zoning Board Secretary; Edward Martin, Deputy Commission of Building and Zoning; Justin Shultz, Planning Board Secretary; Edward Lilly; Robert Carpenter; Terry Turner; Angelo Patti, Republican Chairman; and Martin Reid.

Councilman Primeau noted for the record that no television cameras were present.

#### RESOLUTION 1.

Councilman Glasser moved and Supervisor Wurtemberger seconded the following resolution:

Be it Resolved, that Kevin R. Brooks is appointed Town Attorney.

The following votes were cast on roll call:

Resolution Passed:

Councilman Cybulski moved and Councilman Glasser seconded the following resolution:

Be it Resolved, that the following procedural Rules for the Town of Sand Lake Board meetings are hereby adopted:

Amendment moved by councilman Primeau and seconded by Councilman Baum:

1. That the Town Board wishes to encourage the interest and participation of Town residents in town meetings. Town residents wishing to speak on any item on the agenda shall be allowed up to five minutes to speak on such item. The Supervisor may call for such discussion before, during, or after the agenda item is raised but before voting. A period of up to 1/2 hour for discussion of matters not on the agenda shall precede the general business agenda. Town residents shall be permitted up to five minutes in order to speak on any such item. The Supervisor, in his discretion, may limit any such discussion which is not relevant to Town business or is repetitive or abusive or tends to unduly or unfairly prolong the meeting.

Amendment Passed Unanimously

2. Agenda items may be rearranged at the discretion of the Supervisor,

3. No conversations, noises, or disturbances of any kind will be tolerated during a meeting. Those creating a continuing disturbance will be ordered, by the Supervisor, to be removed,

4. All reports submitted to the Town Board shall be in writing. A summary of each report may be made orally within a five minute time frame.

5. All matters or items to be placed on the agenda for any Town Board meeting including requests for the preparation of resolutions and local laws, must be submitted to the Town Clerk on or before noon of the Wednesday preceding the regular Board meeting.



6. All requests for resolutions or local laws for a particular month's meeting shall be submitted by the Town Clerk to the Town Attorney by the close of business on the Wednesday preceding the meeting.

7. The Town Clerk shall prepare the agenda for the month's Town Board meeting and distribute copies to each Councilman's mail slot in the Town Hall by 10:00 a.m. on the Saturday preceding the meeting. The Town Clerk shall also call in the agenda to the official newspaper by 4:30 p.m. on the Friday preceding the meeting.

8. The Town Attorney shall prepare all proposed resolutions and local laws, and distribute copies to each councilman's mail slot in the Town Hall by 9:00 a.m. on the Monday preceding the regular month meeting.

9. Any matters, or item not properly on the agenda may be placed on the agenda or otherwise discussed or raised at a Town Board Meeting only by a vote of a majority of the Town Board.

Amendment moved by Councilman Primeau and seconded by Councilman Cybulski:

10. The privacy of all persons including employees and prospective employees is to be respected and personnel matters are to be discussed only in executive session at the discretion of the Board after consultation with the party concerned.

Amendment Passed Unanimously

The following votes were cast on roll call:

Resolution Passed unanimously - 5 AYES

RESOLUTION 3.

Supervisor Wurtemberger moved and Councilman Glasser seconded the following resolution:

Be it Resolved, that the time and place of the regular Sand Lake Town Board meeting shall be the second Wednesday of each month at the Town Hall, Route 43, Sand Lake, NY at 7:30 p.m.

The following votes were cast on roll call;

Resolution Passed Unanimously - 5 AYES

#### RESOLUTION 4

Supervisor Wurtemberger moved and Councilman Cybulski seconded the following resolution:

Be it Resolved, that pursuant to Section 64 of the Town Law, the following institutions be and they hereby are designated as depositories of all monies received:

Key Bank

Fleet Bank

Evergreen Bank

The following votes were cast on roll call:

Resolution passed unanimously - 5 ayes

#### RESOLUTION 5

Councilman Cybulski moved and Supervisor Wurtemberger seconded the following resolution:

Be it Resolved, that the Record Newspaper is the official newspaper of the Town.

The following votes were case on roll call:

Resolution Passed Unanimously - 5 Ayes

#### RESOLUTION 6

Councilman Glasser moved and Councilman Cybulski seconded the following resolution:

Be it resolved, that Town officials and Employees using their own vehicles for Town Business shall be allowed \$.23 cents per mile.

Amendment moved by councilman Primeau and seconded by Supervisor Wurtemberger to increase mileage from \$.23 to \$.25 per mile:

Amendment not Passed:

3 Nays; 2 Ayes - Primeau and Wurtemberger

The following votes were cast on roll call:

Resolution passed unanimously - 5 Ayes

#### RESOLUTION 7

councilman Glasser moved and Supervisor Wurtemberger seconded the following resolution:

Be it Resolved, that the rate for overtime pay for employees paid hourly is 1 1/2 times the regular pay rate.

The following votes were cast on roll call:

Resolution Passed Unanimously - 5 Ayes

#### RESOLUTION 8

Supervisor Wurtemberger moved and Councilman Cybulski seconded the following resolution:

Be it Resolved, that Frederick J. Schreyer is appointed Deputy Town Attorney for Planning, Zoning and Sewer.

The following votes were cast on roll call:

Resolution Passed Unanimously - 5 Ayes

#### RESOLUTION 9

Councilman Glasser moved and Councilman Primeau seconded the following resolution:

Be it Resolved, that Christine Kronau is appointed Sewer District Billing Clerk.

The following votes were cast on roll call:

Resolution Passed Unanimously - 5 Ayes

#### RESOLUTION 10

Councilman Cybulski moved and Councilman Glasser seconded the following resolutions:

Be it resolved, that Alice Tifft is designated Chairman of the Zoning Board of Appeals.

The following votes were cast on roll call:

3 Ayes: 2 Nays - Baum and Primeau

#### RESOLUTION 11

Councilman Glasser moved and Councilman Baum seconded the following resolution:

Be it Resolved, that Constance Burkart is appointed Youth Director.

The following votes were cast on roll call:

Resolution passed Unanimously - 5 Ayes

#### RESOLUTION 12

Supervisor Wurtemberger moved Councilman Glasser seconded the following resolution:

Be it Resolved, that Harold Roder is hereby appointed Commissioner of Public Works.

The following votes were cast on roll call:

Resolution Passed:

4 Ayes; 1 Nay - Baum

#### RESOLUTION 13

Councilman Glasser moved and councilman Cybulski seconded the following resolution:

Be it resolved, that George Wright and Edward Martin are hereby appointed Deputy Commissioners of Building and Zoning.

The following votes were cast on roll call:

Resolution passed Unanimously - 5 Ayes

#### RESOLUTION 14

Councilman Glasser moved and Councilman Cybulski seconded the following resolution:

Be it Resolved, that the position of Deputy commissioner of Sewers is hereby eliminated; and that the position of Foreman for the Sewer District is hereby established.

The following votes were cast on roll call:

Resolution Passed Unanimously - 5 Ayes

#### RESOLUTION 15

councilman Glasser moved to table and Councilman Cybulski seconded the following resolution for the purpose of conducting interviews:

Be it Resolved, that \_\_\_\_\_ is hereby appointed to the position of foreman for the Sewer District at the salary indicated for foreman in the 1994 Town of Sand Lake budget.

The following votes were cast on roll call:

Resolution to be tabled passed Unanimously - 5 Ayes

#### RESOLUTION 16

Councilman Primeau moved and Councilman Glasser seconded the following resolution:

Amendment moved by Councilman Primeau and seconded by councilman Glasser:

Be it Resolved, that the position of Commissioner of Public Works is a full time position and that the salary is \$32,000.

The following votes were cast on roll call:

Amendment Passed Unanimously

Resolution Passed:

3 Ayes; 2 Nays - Baum and Primeau

#### RESOLUTION 17

Supervisor Wurtemberger moved and councilman Cybulski seconded the following resolution:

Be it Resolved, that the sum of \$19, 640 is transferred from A8790.1 mining reclamation to A1490.1 public works administration.

The following votes were cast on roll call:

Resolution Passed:

4 Ayes; 1 Nay - Baum

#### RESOLUTION 18



Councilman cybulski moved and councilman Primeau seconded the following resolution:

Be it resolved, that all current employees and officers not specifically mentioned in the resolutions adopted at this meeting and who serve at the pleasure of the Town Board are hereby continued in office until such time as the Board shall otherwise direct, and that no appointment for a term is made hereby.

The following votes were cast on roll call:

Resolution Passed Unanimously - 5 Ayes

#### RESOLUTION 19

Supervisor Wurtemberger moved and Councilman Cybulski seconded the following resolution:

Be it Resolved, that the salaries of Town Officers and employees shall be as set forth in the 1994 Town Budget except as otherwise set forth in the following schedule or as otherwise specified by resolution.

None

The following votes were cast on roll call:

Resolution Passed;

4 Ayes; 1 Nay - Baum

#### RESOLUTION 20

Supervisor Wurtemberger moved and Councilman Glasser seconded the following resolution:

Be it Resolved, that a fee of \$15.00 shall be charged for each check tendered to the Town or any of its Boards or Officers and returned for insufficient funds.

The following votes were cast on roll call:

Resolution passed Unanimously - 5 Ayes

#### RESOLUTION 21

Councilman Cybulski moved and Supervisor Wurtemberger seconded the following resolution:

Be it Resolved, that Town Clerk Regan is appointed the Town Freedom of information officer.

The following votes were cast on roll call:

Resolution Passed Unanimously - 5 Ayes

#### RESOLUTION 22

Supervisor Wurtemberger moved and councilman Glasser seconded the following resolution:

Amendment moved by councilman Baum and seconded by Councilman Primeau:

Be it Resolved, that workshop sessions of the Town Board will be held on the second Tuesday before (eight days before) the regularly scheduled Town Board meetings at 7:30 p.m. at Town Hall, unless otherwise directed by the Supervisor and that the Board will take no official vote at a workshop session.

The following votes were cast on roll call:

Amendment Passed Unanimously

Resolution Passed:

4 Ayes; 1 Nay - Primeau

#### RESOLUTION 23

Councilman Cybulski moved and supervisor Wurtemberger seconded the following resolution:

Be it Resolved, that Catherine Middleton is appointed the Court Clerk of the Town of Sand lake and that the Town Clerk is directed to solicit the advice and consent of the Town Justices to this appointment.

The following votes were cast on roll call:

Resolution Passed Unanimously - 5 Ayes

#### RESOLUTION 24

Councilman Baum moved and Councilman Glasser seconded the following resolution:

Be it Resolved, that Catherine Crawmer is appointed Dog Control Officer.

The following votes were cast on roll call:

Resolution passed Unanimously - 5 Ayes

#### RESOLUTION 25

Councilman Cybulski moved and Councilman Glasser seconded the following resolution:

Be it resolved, that Town Clerk Regan is appointed Registrar of Vital Statistics at a salary of \$1,000.00.

The following votes were cast on roll call:

Resolution passed Unanimously - 5 Ayes

#### RESOLUTION 26

Councilman Cybulski moved and Councilman Glasser seconded the following resolution:

Be it Resolved, that Sally Perry is appointed Deputy Registrar of Vital Statistics.

The following votes were cast on roll call:

Resolution Passed:

4 Ayes; 1 Abstain - Primeau

RESOLUTION 27

Councilman Cybulski moved and Councilman Glasser seconded the following resolution;

Be it resolved, that Town Supervisor Wurtemberger may use a facsimile signature, such as is made by a rubber stamp, facsimile checksigner machine, or other device, to sign checks on behalf of the Town of Sand Lake.

The following votes were cast on roll call:

Resolution Passed Unanimously - 5 Ayes

The supervisor made the following Town Board committee assignments:

Councilman Baum      Animal Control

Senior Citizens

Street Lighting

Councilman Primeau      Disaster Preparedness

Economic Development

911 Emergency Response

Councilman Cybulski      Cable TV

Insurance

Library

Councilman Glasser      Highways

Recreational Facilities

Youth Program

Supervisor Wurtemberger      Capital Improvements

Grants

Public Works (Including Solid

Waste, excluding Highway.)

The Supervisor made the following appointments:

Secretary/Bookkeeper: Florence M. Slavin

Accountant: George Provost

Historian: Madolyn Carpenter

Deputy Historian: Eleanor Zaki

Deputy Supervisor: Sidney Gallant

Town clerk colleen Regan informed the Board that she was appointing Art Mardon and Sally Perry as Deputy Town clerks; the Town Clerk further advised the Board that the clerks will be paid per hour as indicated in the 1994 Town budget and the total combined hours each month will not exceed the 32.5 hours per week as shown in the 1994 Town Budget.

Receiver of Taxes, Christine Kronau, informed the Board that she was appointing Patricia Detmar as her Deputy.

Meeting opened to those present:

1. Justin Schultz questioned whether it was the intention of the Board to continue the practice of using the Advertiser for Public Notices and/or Legal Notice and permits.

Supervisor Wurtemberger stated it is the Boards intention.

2. William Glasser asked if the Board would consider hiring a full time engineer to fill the position of Public Works Commissioner in the future, given the scope of responsibilities the position covers.

Supervisor Wurtemberger indicated that this idea merits further study.

3. Connie Burkart asked when overtime for employees became effective.

Bob Carpenter commented that labor law requires overtime to be paid only after 40 hours actual time are worked.

Joel Hunt inquired as to how that would impact Highway employees.

Supervisor Wurtemberger indicated past practices would be continued and that possible committee study may be warranted in the future.

4. Councilman Primeau inquired as to the status of the membership on the Planning Board.

Supervisor Wurtemberger indicated that he has submitted his letter of resignation as Planning Board Chairman.

Councilman primeau inquired as to the status of the new Planning Board Chairman.

Supervisor Wurtemberger indicated Planning Board would continue to function with a self-appointed Interim Chairman until interviews to fill Board vacancies have been completed and a new Chairman had been appointed.

On motion of Supervisor Wurtemberger and seconded by councilman Glasser, the meeting was adjourned at 8:25 p.m.

Respectfully submitted,

Colleen M. Regan

Town Clerk

#### REGULAR MONTHLY MEETING

January 12 1994

The regular monthly meeting of the Town Board of the Town of Sand Lake was called to order by Supervisor Wurtemberger at 7:30 p.m. at the Town hall, Sand Lake, New York, After the Pledge of Allegiance, the following answered roll call.

PRESENT:      Supervisor      Fred Wurtemberger  
                  Councilman      Paul Primeau



Councilman Joseph Cybulski

Councilman John Glasser

Attorney Kevin Brocks

OTHER PRESENT; Colleen Regan, Town Clerk, Justin Schulz, Acting Planning Board Chairmen and Planning Board Secretary, Frank Allen, Zoning Board Secretary, Harold Roder, Public Works Commissioner, Mr & Mrs George Raneri, Carol Cybulski, Art & Bernie Mardon, Terry Turner, Martin Reid, Dennis Arena, Jay Shelgren, John Stockman, George Lanciault, Christine Kronau, Tax Receiver and others.

#### APPROVAL OF MINUTES

The minutes of the December 8th 1993 meetings were not approved due to the fact that Councilman Baum was not present at the December 29th meeting Councilman Primeau did not review them and Councilman Cybulski and Supervisor Wurtemberger were not elected officials at the time.

The following votes were cast on roll call

3 Abstain - Cybulski, Primeau, Wurtemberger, 1 Aye - Glasser, 1 Nay - Baum

Motion did not carry to approve the minutes therefore Supervisor Wurtemberger tabled the approval to the minutes until the next Board Meeting.

#### MONTHLY REPORTS

Town Clerk's report given by Colleen Regan

Supervisor Wurtemberger gave his monthly report. A copy is hereto attached

Justin Schulz, Acting Chairman gave the Planning Board report. A copy is on file in the Town Clerk's office.

Frank Allen gave the Zoning Board of Appeals report. A copy is on file.

Councilman Baum reported on Animal control, Senior Citizens and Street Lighting copies are on file in the Town Clerk's office.

Councilman Cybulski reported on Cable TV, Library and Insurance. A copy is on file in the Town Clerk's office.

Councilman Glasser reported on the Highway Department Recreational Facilities, and Youth program. A copy is on file in the Town Clerk's office.

Councilman Primeau reported on Disaster Preparedness, Economic Development and 911 Emergency Response system. Copies are on file in the Town Clerk's office.

Attorney Brocks informed the Board on his research into the question of transacting business at a workshop session. He also asked the Board to consider going into executive session to discuss pending litigation. Councilman Baum moved and Councilman Glasser seconded that the Board go into Executive Session at the conclusion of the regular agenda. All were in favor.

The meeting was opened to the floor. None present wished to address the Board.

**BUSINESS**

**CITIZEN OF THE MONTH RESOLUTION#28**

Supervisor Wurtemberger moved and Councilman Glasser seconded the following resolution:

WHEREAS, It is the sense of our society to recognize the contributions and achievements of individuals whose efforts have enriched Our lives, and those of generations past and those to follow and

WHEREAS, Attendant to Such concerns and fully in accord with our long-standing traditions, it is the intent of this Legislative Body to honor East Greenbush resident George Raneri for his outstanding service to our Community, which looks upon him as " one of our own " and

WHEREAS, Having celebrated his 25th Anniversary as Principal of Miller Hill-Sand Lake School, Mr. Raneri's contributions to users community as educator, volunteer, spiritual leader and advocate for humanity have enhanced the quality of life for many individuals and

WHEREAS, George Raneri's long list of involvement and service includes Advisor to the Executive Committee for the Miller Hill-Sand Lake PTA, Social Member of the Averill Park-Sand Lake Fire Company, Vice Chairman of the Hudson Valley Community College Board of Trustees, Former Chairman of Sponsored Youth for the Kiwanis Club of Sand Lake, Scouting Coordinator for Cub Pack 526 of the Governor Clinton Council, Charter Member of the Sand Lake Knights Of Columbus, Chairman of Key Club and Circle k for the Van Rensselaer County Headstart and

WHEREAS, George Raneri exemplifies those qualities of commitment, selflessness and generosity of spirit that we attribute to those individuals who stand above the rest; now, therefore, be it

RESOLVED, That we, the duly elected representatives of the people of Sand Lake, pause in our deliberations and, on behalf Of Our neighbors, publicly recognize and honor George Raneri as Sand Lake's CITIZEN OF THE MONTH for January 1994.

RESOLUTION PASSED UNANIMOUSLY - 5 AYES

MEMORIAL RESOLUTIONS RESOLUTION #29

Councilman Glasser moved and Councilman Cybulski seconded the following resolution:

WHEREAS, It is the sense of our society to recognize the contributions and accomplishments of those, among us who strive to achieve on behalf of their fellow man; and

WHEREAS, Arthur Mardon is one such individual, having served the community of Sand Lake as an educator, and most recently as a public servant, with integrity, courage and purpose; and

WHEREAS, Art Mardon has committed his career in public service to assisting residents and colleagues in various capacities he has served as Data Clerk to the Assessor, Deputy Town Clerk and most recently as Sand Lake Town Supervisor and Chief Fiscal Officer; and

General - \$18,022, Highway - \$13,415, Street Lighting - \$5,402, Landfill \$16,494, Sewer - \$2,091. Total Fund Warrant in the amount of \$45,424. Motion made by Supervisor Wurtemberger and seconded by Councilman Cybulski to approve the Fund Warrant.

The following votes were cast on roll call:

4 AYES; 1 NAY - Glasser

#### ADDITIONAL ITEMS ADDED TO AGENDA

Motion made by Supervisor Wurtemberger and seconded by Councilman Baum to approve travel requests submitted by George Wright and Ed Martin to attend an Educational Seminar sponsored by New York State Concrete Masonry Association on February 2, 1994 and the tuition of \$25.00 per person.

The following votes were cast on roll call:

UNANIMOUSLY PASSED - 5 AYES

Motion made by Supervisor Wurtemberger and seconded by Councilman Cybulski to transfer money from three accounts to create an Unemployment Insurance Reserve Fund suggested by the Town Accountant, George Provost, to pay for Unemployment Insurance.

#### Transfer From

General Fund	A9050.8	\$6,000
Highway Fund	DA9050.8	\$13,000

Sewer Fund      SS9050.8      \$200

To

Unemployment Insurance      5031      \$19,200

Reserve Fund

The following votes were cast on roll call:

UNANIMOUSLY PASSED - 5 AYES

MEETING OPENED TO THOSE PRESENT

Justin Schultz, Acting Chairman of Planning Board, would greatly appreciate if the Town Board would give both the Planning Board and Zoning Board the courtesy of sitting in on the interviews for the applicants of the advertised vacancies.

Terry Turner commented regarding grant applications that time is of the essence that perhaps the Board should consider Performance Bonds to guarantee timeliness of completion dates.

Frank Allen inquired about the 911 Public Hearing that was promised to the residents. Mr. Allen also asked if the public would be allowed to be present at the special meeting scheduled for January 19, 1994. Supervisor Wurtemberger thought the meeting would be an Executive Session but he would inform the public when the decision was finalized.

Dan Holser stated that the residents of Sand Lake should be given the opportunity to have input on the solid waste issue. Supervisor Wurtemberger assured Mr. Holser that before any Board action is taken a public hearing would be held. Mr. Holser questioned the salary and fringe benefits the town pays its highway employees. He offered to do the work for \$5,000 (labor and equipment) thus saving the town \$80,000. Mr. Holser once again requested the removal of a beaver dam.

Motion made by Supervisor Wurtemberger and seconded by Councilman Glasser to move into Executive Session to discuss a legal matter at 9:18 PM. All were in favor.

Reconvened Regular Board Meeting at 9:48; PM.

City, February 20-23, 1994, are hereby authorized to attend said meeting, and shall be compensated prior to said meeting in an amount equal to their actual and necessary expenses in connection with their attendance up to the amount of \$500.00 for each official or employee:

Councilman Cybulski, Glasser and Primeau, Town Clerk Regan and Assessor Senacal expressed their interest in attending the annual meeting.

Be it RESOLVED, that Colleen Regan is appointed the Town's official Delegate and that Councilman Cybulski is appointed Alternate Delegate to the Association of Towns Annual Meeting.

The following votes were cast on roll call:

RESOLUTION PASSED UNANIMOUSLY - 5 AYES

#### GENERAL ITEMS

Solid waste Disposal

Correspondence from Smith & Mahoney:

- 1.) January 6, 1994 - Breakdown of past engineering services.

2.) January 10, 1994 - Work Schedule 6 which pertains to preparation of bid documents for the final cover of the landfill closure.

3.) January 11, 1994 - Concerning preparation of landfill closure State Grant Application.

4.) January 12, 1994 - Estimate/opinion of the final closure of Construction cost might be as estimated by the Consultant.

Supporting documents hereto attached. Full discussion available for review on cassette in Town Clerks office.

RESOLUTION #35 Motion Made by Councilman Primeau and Seconded by Councilman Baum to have Smith & Mahoney prepare the contract documents for the final phase of the landfill closure in accordance with the work schedule given to Supervisor Wurtemberger.

The following votes were cast on roll call:

RESOLUTION PASSED UNANIMOUSLY - 5 AYES

RESOLUTION #36 Motion made by Supervisor Wurtemberger and seconded by Councilman Baum to authorize Smith & Mahoney to prepare the Grant Application in the sum of 3,500 as outlined in the letter of August 19, 1993 with the correction of \$3,500 vs. the \$4,500 stated in the correspondence.

The following votes were cast on roll call:

RESOLUTION PASSED UNANIMOUSLY 5 - AYES

At the advice of the Town Attorney the Town Board members mutually agreed to have an Executive Session Meeting on, Wednesday, January 19, 1994 to further discuss confidential matters pertaining to the landfill.

#### FUND WARRANT

Councilman Baum moved and Councilman Primeau seconded that the Town Attorney Brocks contact the Petitioners (Sheehans) attorney to indicate the Town Assessor will complete the paperwork necessary to fix the assessed value be reduced to \$49,300.

The following votes were cast on roll call:

UNANIMOUSLY PASSED - 5 AYES

A motion was made by Councilman Primeau and seconded by Councilman Baum to adjourn the meeting at 9:50 PM. All in favor.

Respectfully submitted,

Colleen Regan Town Clerk

REGULAR MONTHLY MEETING

February 9, 1994



The regular monthly meeting of the Town Board of the Town of SandLake was called to order by Supervisor Wurtemberger at 8:10 PM, at the Town Hall, in Sand Lake New York. After the Pledge of Allegiance the following answered roll call:

PRESENT:	Supervisor	Wurtemberger
	Councilman	Paul Primeau
	Councilman	John Glasser
	Councilman	Joseph Baum
	Attorney	Kevin Brocks

OTHERS PRESENT: Colleen Regan; Town Clerk, Justin Schulz; Acting Planning Board Chairman and Planning Board Secretary, Frank Allen; Zoning Board Secretary, Art Mardon; Deputy Town Clerk, Bernie Mardon, Harold Roder; Public Works Commissioner, Terry Turner, George Lanciault, Paula Hernick, John Stockman, Angelo Patti; Republican Town Chairman, Philip Dixon, Esq., Robert Fickies, Dan Holsor and other town residents.

Supervisor Wurtemberger noted the meeting would not be televised because cameraman Dennis Arena was snowed in.

APPROVAL OF MINUTES Councilman Primeau moved and Councilman Glasser seconded to approve the December 8th, 1993 minutes - 3 AYES. Wurtemberger and Cybulski abstained because they were not in office at the time.

Councilman Primeau moved and Councilman Glasser seconded to approve the December 29th 1993 minutes - 2 AYES. Wurtemberger and Cybulski abstained because they were not elected to the Board. Baum abstained due to absence.

Councilman Cybulski moved and Councilman Baum seconded to approve the January 12th, 1994 minutes noting a roll call correction by adding Councilman Baum.

Councilman Primeau requested that the January 12, 1994 minutes reflect his rationale for voting no on Resolution #33 regarding Calvary Chapel renting the Town Hall.

Rationale as follows: Councilman Primeau has previously voted against the resolution and will continue to vote do so because he does not agree the Town Hall should be used for religious organizations. He expressed concerns regarding the appropriateness of allowing a religious group access to use of Town property.. Although, he is not personally against the religious organization, he believes a public facility should not enter a rental agreement because church and state should be separate. He urged the Board to follow suit.

MONTHLY REPORTS Town Clerks report given by Colleen Regan.

Supervisor Wurtemberger gave his report and a copy is hereto attached.

Councilman Cybulski reported on Cablevision, Insurance and Library. Copies on file, in Town Clerks office. Youth Program - no report.

Councilman Baum reported on Animal Control. Report on file. Senior Citizens - no report. Street Lighting - no report.

Councilman Primeau reported on Emergency 911 and Disaster Preparedness. Copies on file. Economic Development - no report.

Justin Schulz; Acting Chairman, gave Planning Board Report. Copy on file.

Frank Allen; Zoning Board Secretary, gave ZBA report and submitted applications and checks totaling \$450.00.

OPEN MEETING: Justin Schulz questioned Councilman Primeau regarding name changes for roads under the 911 implementation. Councilman Primeau stated that all the addresses in the Town of Sand Lake will change. Frank Allen asked when the next 911 meeting will be held. Jack Mahoney asked about a rezoning change and also who reviews his application first, the Town Board or the Planning Board? Supervisor Wurtemberger informed him the Planning Board looks at it initially. Dan Holser inquired if a public hearing on the D.O.T. paving project was scheduled. Supervisor Wurtemberger informed him construction would be from Meeler Rd. to Rte. 351, which may be partially paved before reconstruction. Dan Holsor also inquired, if a planning Board Chairman had been named. Supervisor Wurtemberger answer no. Mr. Holser requested the Board consider Justin Schulz for the position.

BUSINESS:

#### CITIZEN OF THE MONTH RESOLUTION 37

Councilman Cybulski moved and Councilman Primeau seconded the following resolution:

WHEREAS, As it is the sense of our unique society to recognize the contributions and achievements of the citizens of the community, we praise with respect and admiration the achievements of three men whose example has enriched the lives of their fellow New Yorkers; and

WHEREAS, Attendant to such concern and fully in accord with our long-standing traditions, it is the intent of this Town Board to convey our compliments and felicitations to Thomas Danaher, Joel Uline and Robert Fickies; and

WHEREAS, Thomas Danaher and Joel Uline displayed true heroism as they struggled to save Barbara Molitoes life, who fell through the ice on Burden Lake on the fourteenth day of January in the year nineteen-hundred-ninety-three; and

WHEREAS, It was through this tragedy that our community and those surrounding Sand Lake realized the need for sophisticated ice rescue equipment; and

WHEREAS, Through a fund raising effort spearheaded by Robert Fickies that this community was able to purchase an air boat such as is used in ice rescue attempts; and

WHEREAS, Through their selfless and dedicated commitment to the community that is Sand Lake, Thomas Danaher, Joel Uline, and Robert Fickies have so thoroughly advanced that spirit of united purpose and shared concern which is the unshakable aspiration of our American endeavor; therefore, be it

RESOLVED, That Thomas Danaher, Joel Uline and Robert Fickies are hereby named "CITIZENS OF THE MONTH" for February 1994, fully confident that such accolades mirror our shared commitment to the ideals of freedom which are our American heritage.

Supervisor Wurtemberger reopened the matter for discussion, upon request.

Mr. Holser stated the recognition of these men "hit a sore spot" because his daughter donated a great deal of her time to raise funds for the air boat and her name should have been mentioned. Councilman Cybulski stated the reason these three men were recognized. Two were the primary individuals who initially attempted to rescue Barbara Pologa Molitor. Mr. Fickies fund raising efforts were very substantial in the overall gathering of funds to purchase the air boat. The committee had no intention to ignore any one individual who may have been involved. It was the intent of the committee to site the efforts of those involved at a major level. Mr. Holser stated he believed his daughter was involved at a major level and he was upset that she wasn't mentioned. Councilman Cybulski told him it was an unintentional oversight and that the matter would be investigated and hopefully remedied in the near future. Mr. Holser expressed his appreciation.

RESOLUTION PASSED UNANIMOUSLY - 5 AYES

BUSINESS CONTINUED BOARD VACANCIES Supervisor Wurtemberger informed the Board he publicized for two weeks in The Advertiser, positions on the Board of Assessment Review and Planning Board. The Town Board agreed to hold interviews February 16th and 17th at 7:00 PM.

911 Project Councilman Primeau informed the Board of a letter he received from Mr. Cook, who is head of the 911 project for the County. He hoped the Town would have the road name changes concluded by February 25th, 1994. Mr. Primeau was not informed prior to receiving the letter and was hesitant to commit because additional time was needed to publish the information in The Advertiser. Councilman Cybulski stated the project had been on going for some time and it appeared the deadline was past due. His concern was the Town could be preventing the rest of the County from implementing the 911 project, resulting in a tragedy. Councilman Primeau agreed to have the project completed before the

March 1 st, 1994 Workshop Session. Councilman Primeau moved and Supervisor Wurtemberger seconded the motion to schedule a public hearing for March 1 st,1994 at 7:00 PM. Refer to audio cassette for full details of discussion.

The following votes were cast on roll call:

4 AYES; 1 Nay - Cybulski

#### SOLID WASTE DISPOSAL

RESOLUTION #38 Councilman Baum moved and Councilman Primeau seconded the following Resolution authorizing the Town of Sand Lake to submit an application for state funding for landfill closure pursuant to Title 5 of Article 54 of the New York State Environmental Conservation Law.

WHEREAS, the Town Supervisor of the Town of Sand Lake herein called the "Municipality", has hereby determined application and any amendments thereof, herein called the "Project", is desirable and in public interest; and

WHEREAS, Title 5 of Article 54 of the Environmental Conservation Law authorized state assistance payments to municipalities for closure of municipal landfills by means of a written agreement and the Municipality deems it to be in the public interest and benefit under this law to apply therewith.

Now, Therefore, Be It RESOLVED by the Town of Sand Lake Board as follows: 3

1. Fred Wurtemberger, Town Supervisor is hereby directed and authorized as the official representative to act In connection with any application between the Municipality and the State, and to provide such additional information as may be required;

2. that one (1) certified copy of this Resolution be prepared and sent to the Director, Division of Solid Waste, New York State Department of Environmental Conservation, 50 Wolf Road, Albany, New York 12233-4010 together with the application; and

3. that this Resolution take effect immediately.

The following votes were cast on roll call:

RESOLUTION PASSED UNANIMOUSLY - 5 AYES

RESOLUTION #39

Councilman Glasser moved and Primeau seconded the following resolution acknowledging the obligation to develop a minority and women's business enterprise/equal opportunity program associated with the Town of Sand Lakes landfill closure project financed or assisted by the State of New York.

WHEREAS, the Town of Sand Lake, as a potential recipient of a State Assistance Contract, desires to carry out the intent of Now York State Executive Law, Article 15-a on activities financed by a State Assistance Contract,

Now, Therefore, Be It RESOLVED that the Town of Sand Lake, as a potential recipient of A State Assistance Contract, acknowledges the obligation to develop a comprehensive Minority and Women's Business Enterprise/Equal Employment Opportunity (MMBE - EEO) Program which assures the meaningful participation of minority and women's business enterprises in contracting, and the meaningful participation of minorities and women in the workforce associated with the Town of Sand Lakes Closure Project, to be financed or assisted by the State of New York.

The following votes were cast on roll call: 4 - AYES; 1 Nay - Baum

RESOLUTION #40

Councilman Primeau moved and Glasser seconded the following resolution authorizing the advertisement, receipt and review of sealed bids for the landfill final cover system installation.

WHEREAS, an Interim cover has been placed on the Town's landfill and a final cover will be installed to meet the requirement of NYSDEC'S Consent Order; and

WHEREAS, Smith and Mahoney, P.C. has prepared specifications, drawings and other documents associated with installing the final cover;

Be it RESOLVED:

1. That the Town Supervisor is authorized to advertise that the sealed bids for the "TOWN OF SAND LAKE LANDFILL FINAL COVER SYSTEM INSTALLATION" will be received, publicly opened and read aloud on February 23, 1994 at 10:00 Am, at the Town Hall; and
2. that the Town Board will review the bids at its workshop session on March 1, 1994 in preparation for a possible award at its March 9, 1994 Meeting.

The following votes were case on roll call;

RESOLUTION PASSED UNANIMOUSLY - 5 AYES

RESOLUTION #41 Councilman Glasser moved and Councilman Primeau seconded the following resolution:

Be it RESOLVED, That the Town of Sand Lake's green disposal bag prices be changed to reflect the increased cost of waste disposal. The 15 gallon bags increased from, \$1.00 to &1.75 and the 30 gallon bags from \$2.00 to \$3.50, effective February 10, 1994. (See attached worksheet to justify price increases.)

The following votes were cast on roll call:

4 - AYES; 1 NAY - BAUM

RESOLUTION #42 Councilman Baum moved and Glasser seconded the following resolution:

Be it RESOLVED, That Supervisor Wurtemberger is authorized and directed to take all steps reasonably necessary to make application to register the Convenience Facility, as discussed in the \*memo from Counsel, dated February 4, 1994, and he is authorized to utilize such assistance by Counsel. or Engineers as the Supervisor feels appropriate.

The following votes were cast on roll call:

RESOLUTION PASSED UNANIMOUSLY - 5 AYES

\*Philip H. Dixon, Esq. is affiliated with Whiteman, Osterman & Hanna. This law firm specializes in environmental matters. Mr. Dixon has been retained for approximately two years and is handling the Solid Waste Closure Project.

An in depth discussion was held concerning the Eastern Rensselaer County Solid Waste Management Authority (ERCSWMA), the Town's plans to register the Convenience Facility, and available options.

The following votes were cast on roll call:

RESOLUTION PASS UNANIMOUSLY

FUND WARRANT Councilman Glasser moved and Councilman Cybulski seconded to pay the fund warrant as audited. General - \$51,213.85, Highway - \$35,179.84, Sewer - \$10,042.12, Total Fund Warrant . \$96,435.81. All in Favor.



FLOOR OPENED Mr. Holser wanted an explanation of the options available in regards to the Convenience Facility. Supervisor Wurtemberger recited these options:

1. To contract with the Eastern Rensselaer County Authority.
2. To contract with the Troy Solid Waste Authority.
3. Got out of the business altogether and have private haulers take care of solid waste.
4. To receive a bids from outside firms to collect the waste for the community.
5. Be served by a Capital District Authority or entity, if established.

Supervisor Wurtemberger moved and Councilman Glasser seconded the meeting to be adjourned at 10:00 PM. All in favor.

Respectfully submitted,

Colleen Regan Town Clerk

REGULAR MONTHLY MEETING

March 9,1994

The regular monthly meeting of the Town Board of the Town of Sand Lake was called to order by Supervisor Wurtemberger at 7:30 P.M., at the Town Hall in Sand Lake New York. After the Pledge of Allegiance the following answered roll call:

PRESENT: Supervisor Wurtemberger  
Councilman Baum (Arrived 7:42 P.M.)  
Councilman Primeau  
Councilman Cybulski  
Councilman Glasser

OTHERS PRESENT: Colleen Regan; Town Clerk, Art Mardon; Deputy Town Clerk, Bernie Mardon, Justin Schultz; Acting Planning Board Chairman, Tom Larkin, Dan Holser, Terry Turner, George Lanciault; Chatam Coutier, Russell Bennett Connie Burkart and other town residents.

APPROVAL OF MINUTES Councilman Cybulski moved and Supervisor Wurtemberger seconded to approve the February 9th 1994 Minutes. All were in favor.

MONTHLY REPORTS Town Clerk - Colleen Regan

\* Polly Pedersen has been appointed as Second Deputy Town Clerk to succeed Art Mardon, who had been hired as Deputy Town Clerk unfit March 1st to assist with the transition from the former administration. Mr. Mardon will remain as an alternate Deputy Town Clerk in an unsalaried position, and will serve when either of the two Deputies are unable to do so.

\* There is a now County Law requiring all dog owners to have their dogs, over six months of age, vaccinated and to show proof of vaccination for license renewals.

\* Total Fees remitted to the Supervisor \$309.22.

Supervisor Report hereto attached.

Planning Board - Justin Shultz

- \* Subdivision applications
- \* Recommendations to the Zoning Board of Appeals
- \* A recommendation on the drafting of a local law concerning the use of escrow accounts for town review engineer fees.

Youth Commission - Connie Burkart

- \* Roller skating will continue March 18th and May 6th and 20th \* Easter Egg Hunt at Butler Park on April 2nd, at 12 noon, for kids 10 and under
- \* Youth Commission needs new members
- \* Summer Day Camp plans are underway. Counselors are taking required CPR courses

Cablevision, Insurance and Library - Councilman Cybulski

- \* Copies on file in the Town Clerks Office.

Highway - Councilman Glasser

- \* Requested that residents wishing to use the Town Park this summer put their reservations in as soon as possible and the forms are in the Supervisor's Office.

Animal Control - Councilman Baum

- \* Report on File in the Town Clerks Office.

911 Emergency Response - Councilman Primeau

- \* The map was available that reflected the revisions to the road name changes that the Town hoped to adopt in the Business portion.

Town Attorney - Kevin Brocks

- \* Legal matters concerning Niagara Mohawk challenging an assessment

- \* Brookside Senior Housing inquiring about taxable status
- \* A lawsuit entitled "Sheehan vs. Town of Sand Lake, et al" being moved for dismissal
- \* Some legal matters concerning highway department
- \* A request for an executive session to discuss other legal matters

#### FLOOR OPENED FOR QUESTIONS AND COMMENTS

\* Dan Holsor pointed out a discrepancy with the map verses the index in the 911 road name changes. The map indicates Yager Way but the index says Holser Road Extension. He wanted to know which was correct. Councilman Primeau agreed that the map was in error and that it would be revised to indicate Holser Rd. Ext.

\* Russell Bennett questioned the Board about 1993 campaign literature regarding his tax assessment.

BUSINESS Councilman Primeau moved and Councilman Cybulski seconded to waive procedural rules to add an item to adopt the rowed town map. All were in favor.

CITIZEN OF THE MONTH RESOLUTION #43 Councilman Cybulski moved and Councilman John Glasser Seconded the following resolution:

WHEREAS, consistent with the duty of this legislative body to recognize the contributions and achievements of the citizens of the Town of Sand Lake, we praise with respect and admiration the achievements of a man whose singular example has enriched the lives of his fellow Now Yorkers and

WHEREAS, M. Duane Wehnau has continually demonstrated impressive dedication to the goals and aspirations of the Postal Service through his thirty five years as a rural mail carrier in the Town of Sand Lake, including his holding office with the New York State Board of Rural Letter Carriers, and his being named "New York Rural Letter Carrier of the year of 1981" by the New York State Rural Letter Carriers Association, truly demonstrating the Postal Code "Neither snow nor rain nor dark of night shall stay these couriers from the swift completion of there appointed rounds;" and

WHEREAS, his impressive dedication for the benefit of others is displayed throughout Duane Wehnau's involvement with the West Sand Lake Lieutenant Perry Williams Veterans of Foreign Wars Post

especially with his strong leadership as Post Commander , service as Parade Grand Marshall and other volunteer positions he's held in the Post, and so dedicated to the VFW Post was he, that when there second child was born in 1950 Duane and Marge Wehnau named him Victor Floyd Wehnau and his son Victor also carried on the tradition by naming his daughter Valerie Frances Wehnau; and

WHEREAS, M. Duane Wehnau has contributed greatly to the community by his involvement in the Salem United Methodist Church in West Sand Lake, through his service as Chairman of the Friendship Club, Chairman of the Board of Trustees, and his work at the church's annual County Fair; and

WHEREAS, through his selfless and dedicated commitment to the Town of Sand Lake M. Duane Wehnau has so thoroughly advanced that spirit of united purpose and shared concern which is the unshakable aspiration of our American endeavor now therefore, be it

RESOLVED, that the Town Board of the Town of Sand Lake takes great pride in naming M. DUANE WEHNAU Sand "CITIZEN OF THE MONTH" for March 1994.

The following votes were cast on roll call:

RESOLUTION PASSED UNANIMOUSLY - 5 AYES

SOLID WASTE DISPOSAL RESOLUTION #44 Supervisor Wurtemberger moved and Councilman Glasser seconded the following resolution:

WHEREAS, nine bids were received and opened on February 23, 1994 for the Sand Lake Landfill Final Cover System Installation; and

WHEREAS, Smith and Mahoney, the Town's consulting engineer, reviewed and evaluated the following four low bids:

A. Servidone, Inc.	\$867,190.00
Riffenburg construction Inc.	\$868,576.00
Suburban Pipeline Co. Inc.	\$885,000.00
R.J.Valente Excavating, Inc.	\$886,940.00

and recommend the award of a contract to the low bidder, A. Servidone, Inc.; therefore be it RESOLVED, that the Town Supervisor is authorized to execute a contract with A. Servidone, Inc., in accordance with the terms of the prepared contract documents, at the bid price of \$867,190.00.

The following votes were cast on roll call:

RESOLUTION PASSED UNANIMOUSLY - 5 AYES

RESOLUTION #45 Supervisor Wurtemberger introduced Work Schedule #7, prepared by Smith & Mahoney, P.C., and asked for authorization for Smith & Mahoney to provide the services listed in the schedule to ensure proper closing of the landfill.

Councilman Primeau moved and Councilman Glasser seconded to authorize Smith and Mahoney to provide the services listed under Work Schedule #7 to complete landfill closure.

The following votes were cast on roll call:

RESOLUTION PASSED UNANIMOUSLY - 5 AYES

RESOLUTION #46 Supervisor Wurtemberger moved and Councilman Cybulski seconded the following resolutions

AID TO LOCALITIES PROJECT SHORT AND LONG TERM ENGINEERING CONSIDERATIONS FOR PUBLIC WATER SUPPLIES IN THE TOWN OF SAND LAKE

Resolution Authorizing the signing of a State Contract for an Aid to Localities Project Under the Appropriate Laws of New York State.

Councilman Cybulski moved and Councilman Glasser seconded the motion to amend date to data. All were in favor.

WHEREAS, The Town of Sand lake herein called the "Municipality", after thorough consideration of the various aspects of the problem and study of available data has hereby determined that certain work, as described in the State Contract herein called the "Project", is desirable, in the public interest and is required in order to study and/or implement the local project or program; and

WHEREAS, under Chapter 53, Section 1 and 2, of the Laws of 1992 relating to the Local Assistance Budget the Legislature has authorized financial assistance to localities for services and expenses related to local projects, programs and studies by means of a written agreement-, and

WHEREAS, the Municipality has examined and duly considered Chapter 53, Sections 1 and 2 of the Laws of 1992 relating to the Local Assistance Budget and deems it to be in the public interest and benefit under this law to enter into a contract therewith;

Now therefore, be it RESOLVED by the Town Board of Sand Lake:

1. That the Town is directed and authorized as the official representative to act in connection with any contracts between the Municipality and the State, and to provide such additional information as may be required;
2. That one (1) certified copy of Resolution be, prepared and sent to the New York State Department of Environmental Conservation Albany, New York together with the State Contract.
3. That this Resolution take effect immediately.

The following votes were cast on roll call:

RESOLUTION PASSED UNANIMOUSLY - 5 AYES

RESOLUTION #47 PUBLIC DISPLAY OF FIREWORKS The Town Attorney, Ken Brocks, provided the Town Board members with a draft of a proposed local law requiring persons to purchase permits in order to have fire work displays legal in the Town of Sand Lake. Kevin Brocks asked the Board to consider the proposed law and suggested the Board schedule a Public Hearing at the next Town Board Meeting in order to perhaps adopt it as a local law.

Councilman Glasser moved and Councilman Primeau seconded the motion to hold a Public H at the April 13th 1994 Town Board Meeting at 7:30 PM for the purpose of considering a Local Law - Public Display of Fireworks Law.

The following votes were cast on roll call;

RESOLUTION PASSED UNANIMOUSLY - 5 AYES

Supervisor Wurtemberger stated that the Town Board advertised for candidates on various board opening and interviewed approximately thirteen excellent candidates. The decisions were hard, but he believes they have recommended the most qualified candidates for the positions. The Supervisor hoped the remaining candidates would reapply for other positions as the become vacant.

Councilman Baum asked why the Resolutions were left blank Supervisor Wurtemberger said it gives the Board Members the opportunity to recommend a candidate if they so choose.

Councilman Primeau asked if Ken Van Pragg had previously been on the Planning Board and if he had resigned. Supervisor Wurtemberger stated Ken Van Pragg had been a Chairman of the Board. Councilman Primeau stated he was aware of a state report from the Health Department that was smmly critical of Mr. Van Pragg at the time and wanted to know if this was correct. The Supervisor was not aware of any report that had to do with the Planning Board. Councilman Primeau believed there was such a report.

The Supervisor stated that he has been a member of the Planning Board since it's inception back in 1968 and is familiar with the needs of the Planning Board and feels very comfortable with the people who are being proposed.

Councilman Primeau requested that the resolution be broken down into two resolutions and vote separately for each candidate.

Councilman Baum supported the position of breaking down the resolution to vote separately for the candidates.



Supervisor moved and Councilman Primeau seconded to ammend the motion to break the resolution into three parts. All were in favor.

RESOLUTION #48 Supervisor Wurtemberger moved and Councilman Cybulski seconded the following Resolution:

that the following appointment is made to the Planning Board:

Bonnie Cook for the vacant position with a term expiring December 31, 1996.

The following votes were cast on roll call;

RESOLUTION PASSED UNANIMOUSLY - 5 AYES

RESOLUTION #49 Supervisor moved and Councilman Cybulski seconded the following Resolution:

BE IT RESOLVED, that the following appointment is made to the Planning Board:

Ken Van Pragg for the seven-year term commencing January 1, 1994 and expiring December 31, 2000.

The Supervisor asked for discussion. Councilman Baum wanted to note that he has known Ken Van Pragg for years on State, County and Local levels and has found Mr. Van Pragg to conduct himself in a dignified gentlemanly manner but he does not feel he is the right person for this position.

Councilman Cybulski stated that Mr. Van Pragg has proven that he is very qualified for the position and he takes pride in supporting Mr. Van Pragg's nomination.

Supervisor Wurtemberger wanted to reiterate that he was a member of the Planning Board since its inception and the Planning Board has had a number of Chairman through out those years, Ken Van Pragg being one of them for about a 2 year period, and was impressed with Mr. Van Pragg.

The Following Votes were cast on roll call:

3 AYES; 2 NAYS - Baum and Primeau

RESOLUTION #50 Supervisor Wurtemberger moved and Councilman Cybulski seconded the following resolution:

BE IT RESOLVED, that Ken VanPragg is appointed chairman of the Planning Board.

Supervisor Wurtemberger asked for discussion. Both Councilman Baum and Councilman Primeau reiterated their reasons for voting no as stated above.

The following votes were cast on roll call:

3 AYES; 2 NAYS - Baum and Primeau

Planning Board appointments are effective April 1, 1994.

RESOLUTION #51 Councilman Glasser moved and Councilman Primeau seconded the following resolution:

BE IT RESOLVED, that the following appointment is made to the Board of Assessment Review:

Paul Schroeder for the vacant position with a term expiring December 31, 1994;

Supervisor asked for discussion. Councilman Cybulski stated Mr. Schroeder's qualifications were an impressive asset to the Board of Assessment and Review.

RESOLUTION #51 (continued)

Councilman Primeau pointed out Mr. Schroeder had shown an interest for years in serving the Town of Sand Lake and was pleased by his appointment.

The following votes were cast on roll call:

RESOLUTION PASSED UNANIMOUSLY - 5 AYES

RESOLUTION #52 Councilman Glasser moved and Councilman Cybulski seconded the following resolution:

BE IT RESOLVED, that the following appointment is made to the Board of Assessment Review:

Paul Splain for the vacant position with a term expiring December 31, 1995.

Supervisor asked for discussion. Councilman Glasser stated, along with Mr. Splain that all the candidates were exceptional and it was great to have so many qualified applicants from the town show interest in the various positions.

The following votes were cast on roll call:

RESOLUTION PASSED UNANIMOUSLY - 5 AYES

RESOLUTION #53 Councilman Glasser moved and Councilman Cybulski seconded the following resolution:

BE IT RESOLVED, that the following appointment is made to the Board of Assessment Review:

Elwood Hacker for the vacant position with a term expiring December 31, 1996.

Supervisor asked for discussion. No response from the Board Members given.

The following votes were cast on roll call:

4 AYES; 1 NAY - Primeau

RESOLUTION #54 Councilman Glasser moved and Councilman Cybulski seconded the following resolution:

BE IT RESOLVED, that Elwood Hacker is appointed Chairman of the Board of Assessment Review.

Supervisor asked for discussion. No response from the Board Members given.

The following votes were cast on roll call:

4 AYES: 1 NAY - Primeau

Board of Assessment Review appointments are effective immediately.

RESOLUTION #55 Councilman Primeau stated that the Town Board held a public hearing March 1, 1994 regarding the name changes for town roads in order to comply with the emergency 911 program. The town map has been revised to reflect the road name changes and the addition of private roads so as many houses as possible can have an address. This does not mean that the town will be taking over these private roads. They are still private roads. As a result of the public hearing phone calls were

received that brought attention to some private roads that have more than one house, possibly two and three houses, the Board was not aware of. Since the public hearing a few additions have been made.

RESOLUTION #55 (continued)

LISTING OF REVISED PRIVATE ROADS TO THE TOWN MAP

ASHLEY WAY FRENCH WAY MANNING WAY  
BONACRE WAY GRAND WAY MALL WAY  
BROOKSIDE WAY GRANGE ROAD MARIA VILLA WAY  
CAMPANO WAY HARRIMAN ROAD EXT. PALMER WAY  
CARLSON WAY HARVEY WAY PERRY WAY  
CRANBERRY WAY HIDDEN WAY RAVERS WAY  
CONNELLY WAY\*HOLSER ROAD EXT. REID WAY  
CROWLEY WAY HOWE WAY SAXBY WAY  
DAHL WAY IROQUOIS WAY SCHRIENER WAY  
FARM WAY LAWRENCE WAY STONE CAMP WAY  
FIREHOUSE WAY LOCKSMITH WAY WINDMILL WAY  
FORTUNE WAY

\*The Town Map needs to reflect Hober Road Extension instead of Yager Way. The map has a revised date of March 8, 1994.

RESOLUTION #56 Councilman Primeau moved and Councilman Baum seconded the following resolution:

WHEREAS, as several public hearings have been held regarding the name changes of several roads and

WHEREAS, the official town map has been revised to reflect the previously approved road name changes; now therefore be it

RESOLVED, that the town map revised March 8 1994 be adopted as the official town map.

Supervisor asked for discussion. Councilman Cybulski asked if the map had been forwarded to the County Bureau of Emergency Services. Councilman Primeau said it had not and according to the County Bureau of Emergency Service engineers they would prefer to have the revised map which would be much easier for them to just take the program and put into the computer rather than have a hard copy, write out everything, then digitize into the machine. So tomorrow would be adequate time. Councilman Cybulski wanted to know if the adoption of the map would also in effect certify the computer disc medium as being the adopted map. Councilman Primeau assured Councilman Cybulski that the revised map is what is on the computer, there should be no difference, other than the revision for Yager way to be Holsor Road Extension.

Councilman Primeau stated that a certified copy of the resolution is necessary.

The following votes were cast on roll call:

RESOLUTION PASSED UNANIMOUSLY - 5 AYES

#### BUDGET TRANSFERS RESOLUTION #57

Supervisor Wurtemberger moved and Councilman Primeau seconded the following resolution:

BE IT RESOLVED, the following transfer shall be made:

FROM TO

H003 9901.9 (landfill Reserve) H006 R5031(Interfund Transfer) \$50,000.00

H006 R5031(Interfund Transfer) H006 8160.2 (Landfill Closure) \$50,000.00

Supervisor asked for discussion. No response from the Board Members given.

The following votes were cast on roll call:

RESOLUTION PASSED UNANIMOUSLY - 5 AYES

RESOLUTION #58

Supervisor Wurtemberger moved and Councilman seconded the following resolution:

BE IT RESOLVED, the following transfer shall be made in the 1994 budget:

FROM TO

A1355.2(Assessor's Equipment) A1410.2(Town Clerk's Equipment) \$1,300.00

Supervisor asked for discussion. Councilman Baum questioned the purpose of the equipment transfer. The supervisor stated the transfer is essentially to upgrade the computer in the Town Clerk's office.

The following votes were cast on roll call:

THE RESOLUTION PASSED UNANIMOUSLY - 5 AYES

RESOLUTION #59

Supervisor Wurtemberger moved and Councilman Glasser seconded the following resolution:

FROM TO

A1950.4(Judgments & Claims) A1910.1(Unallocated Insurance)\$2,500.00

Supervisor asked for discussion. Councilman Baum questioned if there are increased amounts for the new insurance policies. Supervisor Wutemberger indicated that the town expended \$36,695 in 1992, \$38,087 in 1993; budgeted \$34,500 for 1994 with projected expenditures of \$36,936 or fairly close to those of 1992.

The following votes were cast on roll call:

RESOLUTION PASSED UNANIMOUSLY - 5 AYES

FUND WARRANT

Councilman Primeau questioned the Town Clerk Regan on the fund appropriation regarding the Legal Notice Voucher for the road name changes and stated it should come out of the Town Clerks budget. Clerk Regan said she wasn't sure how Councilman Primeau wanted the Legal Notice coded. Supervisor Wurtemberger said he should code it because the notice is for his committee. Councilman Glasser asked if we could take the appropriations out of the Town Boards line item budget. Councilman Primeau yes. Councilman Cybulski stated that there may be some extra money in the Town Boards Budget because he was not able to attend the Association of Towns Convention in New York City and he gave back the check in the amount of \$500 that was to cover the cost of his travel.



Councilman Glasser moved and Councilman Cybulski seconded that the Fund Warrant be paid as audited. Supervisor asked for discussion. No response from the Board members given. All were in favor.

FLOOR OPENED FOR QUESTIONS AND ANSWERS

Mr. Holser questioned figures for the Smith and Mahoney work schedule. Supervisor Wurtemberger restated the following amounts to Mr. Holser's satisfaction.

\$67,700 (Based on hourly rate)

\$3,500 Well de-commissioning

\$2,500

\_\_\_\_\_

\$73,700 Total

Mr. Holser questioned Supervisor's comment in the Echo Newspaper article about the Commercial Development Master Plan being in place. He wanted to know if there were any new processes for developing Commercial property than in the past.

Supervisor Wurtemberger stated that the process is still the same and is outlined in the new Zoning regulations.

Mr. Holser made comment to Councilman Cybulski about the process of picking the citizen of the month and felt that more investigation should be done to determine the qualifications of the candidate.

Councilman Cybulski stated that a Citizen of the Month Committee does the nominating of the candidates and not himself. Councilman Cybulski also told Mr. Holser that there is no intent on the part

of the Committee to overlook any person who should be included in a nomination. Council Cybulski thanked Mr. Holser for his comments.

Council Primeau moved and Councilman Cybulski seconded to adjourn the meeting and move into Executive Session to discuss legal matters at 8:53 P.M. All in favor.

Councilman Primeau moved and Councilman Glasser seconded that the Board move out of Executive Session at 9:51 P.M. All were in favor.

Reconvened Regular Town Board Meeting at 9:53 P.M.

#### RESOLUTION #60

Councilman Primeau moved and Councilman Cybulski seconded that the Town Supervisor is authorized to retain an appraiser in connection with the present landfill site.

The following votes were cast on roll call:

RESOLUTION PASSED UNANIMOUSLY - 5 AYES

#### RESOLUTION #61

Councilman Cybulski moved and Councilman Baum seconded that the Town Supervisor is authorized to retain outside counsel in connection with the NYSDEC Consent Order concerning sewer matters if deemed necessary in his opinion.

The following votes were cast on roll call:

RESOLUTION PASSED UNANIMOUSLY - 5 AYES

Councilman Primeau moved and Supervisor Wurtemberger seconded to adjourn the meeting at 9:55 P.M. All were in favor.

Respectfully submitted,

Colleen Regan

Town Clerk/RMO

#### REGULAR MONTHLY MEETING

April 13,1994

The regular monthly meeting of the Town Board of the Town of Sand Lake was called to order by Supervisor Wurtemberger at 7:30 P.M., at the Town Hall in Sand Lake, Now York. After the Pledge of Allegiance the following answered roll call:

PRESENT: Supervisor Wurtemberger Councilman Baum Councilman Primeau Councilman Cybulski Councilman Glasser Town Clerk Colleen Regan Town Attorney Kevin Brocks

OTHERS PRESENT: Edna & Phil Pierce; Harold Roder-Commissioner of Public Works; Ed Martin; Mr. & Mrs. Greg Benson, John Kacharimi, Carol Cybulski Angelo Patti, Martin Reid, Fred Erickson, Dee Erickson, Russell Bennett, John Stockman, Tom Turner, Paula Hernick, Gene Levy: Echo, George Lanciault: Chatam Courier, Dennis Arena, Frank Allen Gladys Alcedo: Record and other town residents.

PUBLIC HEARING: PROPOSED LOCAL LAW 1 PUBLIC DISPLAY OF FIREWORKS LAW LEGAL NOTICE Please take notice that a Public Hearing will be held by the Town Board of the Town of Sand Lake at Town Hall on Route 43 in the Town of Sand Lake at 7:30 P.M. April 13, 1994 to adopt PROPOSED LOCAL LAW NO. 1

OF 1994 Entitled -PUBLIC DISPLAY OF FIREWORKS LAW'. The Regular Town Board Meeting will follow immediately after the Public Hearing. By order of the Sand Lake Town Board. /S/ Colleen Regan, Town Clerk

Supervisor Wurtemberger stated the local law has been available at the Town Clerk's office for perusal and opened the meeting to the residents for public comments. Supervisor stated the only comment received by the Board was from Attorney Brocks (See attached memorandum). Councilman Glasser moved and Councilman Cybulski seconded a motion to close the Public Hearing for the purpose of discussing the proposed Local Law 1 entitled Public Display of Fireworks Law.

MOTION CARRIED BY THE FOLLOWING VOTE: UNANIMOUS

APPROVAL OF MINUTES: Supervisor Wurtemberger moved to table approval of minutes until n Town Board meeting.

MOTION CARRIED: UNANIMOUS

MONTHLY REPORTS:

Town Clerk - Colleen Regan o Total fees submitted to the Supervisor \$1,128.97.

Supervisor Report - hereto attached.

Youth Commission - Connie Burkart

\* Easter egg Hunt was hold on April 2, 1994 at Butler Park. It went over very well. 100 plus children attended.

\* Two roller skating events left May 6th and May 20, 1994. \* Camp plan for the State of New York has been finalized and forwarded to the State and the County also has a copy.

\* Applications for Day Camp Jobs are on file in the Town Clerks office. Will be interviewing one week before registrations are due.

\* Placed Helped Wanted Ad in the Advertiser. Children have to be 14 years of age and eighth grade graduates by July 1st and applications have to be returned by April 24th.

\* Sand Lake Day Camp Will run from July 11, 1994 through August 19, 1994. Applications on file in the Town Clerk office. Completed applications and health forms with the registration fee and field trips fees will be accepted on a first come first serve basis at Town Hall Sat. May 14th from 9:00 A.M. until 3:00 P.M. Three week or Six week sessions are available. Hours are 9:00 A.M. until 3:00 P.M. Extended care hours are 7:00 A.M. until 6:00 P.M.

#### Planning Board - Ken VanPragg

\* Copy on file in the Town Clerk's Office

#### Zoning Board - Frank Allen

\* Submitted 3 Applications & checks to the Board

\* Copy of Report on file in the Town Clerk's Office

#### Cablevision, Insurance and Library - Councilman Cybulski

\* Copies on file in the Town Clerk's

#### Highway - Councilman Glasser

\* Copy on file in the Town Clerk's Office

#### Animal Control - Councilman Baum

\* Report on File in the Town Clerk's Office.

#### 911 Emergency Response - Councilman Primeau

\* Received correspondence regarding 911 system from Rensselaer County Legislature Chairman H Zwack to invite two members of the Town Board to attend an Enhanced 911 Project Status Meeting on Sat. April 16, 1994 at 10:00 AM in Hudson Valley Community College. Speakers at meeting will give a briefing/evaluation of County's Emergency Services and program and status of 911.

Town Attorney No Report

AGENDA AMENDMENT: Councilman Cybulski moved and Councilman Baum seconded the motion to request the Board's permission to waive procedural rules to move one item on the Agenda, Citizen of the Month, to the head of the list of items to be discussed at the meeting.

MOTION CARRIED: UNANIMOUS

RESOLUTION #62

CITIZEN OF THE MONTH Councilman Cybulski moved and Councilman Glasser seconded the following resolution:

RESOLUTION COMMENDING PHIL AND EDNA PIERCE UPON THE OCCASION OF BEING NAMED SAND LAKE "CITIZENS OF THE MONTH" FOR APRIL 1994

WHEREAS, Consistent with the duty of this Town Board to recognize the contributions and achievements of the citizens of the Town of Sand Lake, we praise with respect and admiration the achievements of two people whose extraordinary example has enriched the lives of their fellow New Yorkers; and

WHEREAS, Phil and Edna pierce have continually demonstrated impressive dedication to the goals and aspirations of the many church school and civic organizations to which they have belonged-to wit: Phil is a founding member of the Sand Lake Kiwanis Club; was one of its first Presidents; has volunteered for almost every project Kiwanis has been involved with for his 45 years of membership; and has "seeded" the kernel of involvement in Kiwanis by working directly with the Averill Park High School Chapter of Kiwanis Key Club; and

WHEREAS, Phil and Edna Pierce have been very dedicated church volunteers for many years helping to build the education building of the Sand Lake Baptist Church, Phil serving as a trustee of the Church both singing in the choir of the Sand Lake Baptist Church and later at the Church of the Covenant, and being active participants in many church events; and

WHEREAS, Edna Pierce has personally contributed greatly to the community by her involvement with Sunday school activities, working with the GOOF'S group which works all year long doing handicrafts to provide funds to the Church of the Covenant at their Annual Bazaar, furthering an appreciation of the arts in our young people and the community as a whole through her many years of involvement with the Sand Lake/Poestenkill Council on the Arts, and a chartered and long-term volunteer with the Sand Lake Town Library; and

WHEREAS, Phil and Edna were instrumental with the Averill Park High School Music Department musicals, and the subsequent Youth Summer Theater Program: Phil serving as a theater board member, fund-raiser, and ticket salesman; Edna creating countless costumes not only for her own children but also for numerous others for over thirty years; and

WHEREAS, For some it would not be Christmas without a visit from the "Pierce Family Singers" who annually carol throughout the Sand Lake community bringing their own very personal variety of Christmas cheer through verse and song; and

WHEREAS, No one can fully account for all of the hundreds of volunteer hours which these two splendid individuals have given so selflessly to their community, never seeking praise for themselves; two role models whom some have referred to as "Mr. and Mrs. Sand Lake"; now, therefore, be it

RESOLVED, That the Town Board of the Town of Sand Lake takes great pride in naming Phil and Edna Pierce as Sand Lake "Citizens of the Month" for April 1994.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

QUESTIONS AND COMMENTS FROM RESIDENTS: Mahoney addressed the Board regarding sewer moratorium. Russell Bennett addressed the Board regarding 1993 campaign literature about his assessment.

BUSINESS: RESOLUTION #63

National Library Week Councilman Cybulski moved and Councilman Glasser seconded the following resolution:

RESOLUTION HONORING NATIONAL LIBRARY WEEK, APRIL 17-23, 1994

WHEREAS, The week of April seventeenth through the twenty-third, nineteen-hundred ninety-four, has been designated National Library Week; and

WHEREAS, Reading is a basic key to achieving personal success in school in business and in life; and

WHEREAS, Librarians and library volunteers are leaders in promoting literacy and are actively engaged in numerous efforts to encourage people of all ages to read; and

WHEREAS, Libraries ensure equal access to knowledge and information and offer valuable, resources and services; and

WHEREAS, The theme chosen for this year's National Library Week event is "Libraries Change Lives;" now, therefore, be it

RESOLVED, That the Town Board of the Town of Sand Lake pauses in its deliberations in honor of "National Library Week" by expressing great appreciation for the efforts of our Town librarians, volunteers, and Friends of the Library for the essential services they provide; and be it further

RESOLVED, That the Town Clerk be and is hereby directed to transmit a certified copy of this resolution to the Sand Lake Town library.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

PROPOSED LOCAL LAW #1 OF 1994 "DISPLAY OF FIREWORKS LAW"

Councilman Primeau made a recommendation that the Bond be increased from \$500,000.00 to \$1,000,000.00.

Supervisor Wurtemberger moved and Councilman Glasser seconded that the Proposed Local LAW #1 of 1994 Entitled "Public Display of Fireworks Law" be enacted with the following changes:



\* Section 5-A Definitions be deleted and substituted therewith Fireworks shall be defined as defined in penal law section 270.00 (1), as amended

\* Section 10-Bonds \$1,000,000.00 be substituted for \$500,000.00

Councilman Primeau moved and Councilman Cybulski seconded the motion to table the enactment of the Public Display of Fireworks Law until the next Town Board Meeting following a Public Hearing.

MOTION CARRIED: UNANIMOUS

RESOLUTION #64 Designation of Polling Places Councilman Glasser moved and Councilman Cybulski seconded the following resolution:

BE IT RESOLVED, that pursuant to section 104, Article 4 of the Election Law of the State of New York, the following polling places are designated for the Town of Sand Lake:

Election

District Location Address

- |   |                                  |                         |
|---|----------------------------------|-------------------------|
| 1 | Sand Lake Elementary School      | Rte 43, Sand Lake       |
| 2 | West Sand Lake Elementary School | Rte 150, West Sand Lake |
| 3 | West Sand Lake Elementary School | Rte 150, West Sand Lake |
| 4 | Town Hall                        | Rte 43, Sand Lake       |
| 5 | Sand Lake Elementary School      | Rte 43, Sand Lake       |
| 6 | Averill Park High School         | Rte 43, Sand Lake       |

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #65

Citizens' Advisory Committee on Capitol Improvements

Supervisor Wurtemberger moved and Councilman Glasser seconded the following resolution:

WHEREAS, the Town of Sand Lake is presently considering the potential need for capital improvements of Town facilities, including an assessment of the utilization of existing space and the potential need for additional space for Town purposes such as highway purposes, public safety, recreation, cultural uses, office and meeting space, and similar needs, and

WHEREAS, the Town Board believes an Advisory Committee of Citizens would be useful in assessing the Town's present and future needs, and would further the goal and practice of volunteer citizen participation in the Town government

Therefore, Be It RESOLVED, that there is hereby created a Citizens Advisory Committee on Capital improvements, consisting of John Dahl, Meg Distell John Kacharian, John Mulligan, Ellie Pattison, Paul Schroeder and Ken Van Pragg, and

Be It Further RESOLVED, that the Citizens Advisory Committee shall meet advise and consult with Supervisor Wurtemberger.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #66

Sheriff's Substation - Schedule Public Information Meeting/Hearing

At this time Councilman Baum read a letter concerning Workshops. (Letter hereto attached).

Councilman Glasser moved and Councilman Cybulski seconded the motion to schedule a Public Information Meeting for Thursday, April 28, 1994, at 7:30 P.M. at the Town Hall.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #67 Appointment to Zoning Board of Appeals Councilman Cybulski moved and Councilman Glasser seconded the following resolution:

BE IT RESOLVED, that the following appointment is made to the Zoning Board of Appeals: Richard J. Miller for the vacant position effective immediately with a term expiring December 31, 1998.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 4

NAYS: 1 (Primeau)

RESOLUTION #68

Additional Depository for Moneys Received

Supervisor Wurtemberger moved and Councilman Glasser seconded the following resolution:

Be It RESOLVED, that pursuant to Section 64 of the Town law, the following institution be and is hereby designated as an additional depository for all moneys received:

ONBANK AND TRUST COMPANY

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #69

Petty Cash Fund for Convenience Facility

Supervisor Wurtemberger moved and Councilman Glasser seconded the following resolution:

Be it RESOLVED, that pursuant to Section 64 of the Town Law, a petty cash fund be established in the amount of \$50.00 to be used in connection with the receipt of fees and charges at the Sand Lake Solid Waste Convenience Facility and said fund be supervised by the Commissioner of Public Works.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #70

Budget Transfer(s)

Supervisor Wurtemberger moved and Councilman Cybulski seconded the following resolution:

Be it RESOLVED, that the following transfer shall be made in the 1994 Budget:

FROM	TO	AMOUNT
------	----	--------

A1255.2 (Assessor Equipment)	A1410.4(Town Clerk contractual)	\$1,500.00
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RESOLUTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 3

NAYS: 2 (Baum, Primeau)

RESOLUTION #71 Fund Warrant Councilman Glasser moved and Councilman Baum seconded that the Fund Warrant be paid as audited. General Fund \$34,153.73, Highway Fund \$21,105.03, Landfill Fund \$5,222.80 and Sewer Fund \$2,235.91. Total Fund Warrant \$62,717.46.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

BOARD OF ASSESSMENT REVIEW/ASSESSOR:

Due to the nature of the issue being discussed, Supervisor Wurtemberger moved the item to the Executive Session Agenda.

AGENDA ADDITIONS:

Supervisor Wurtemberger moved and Councilman Glasser seconded that two additional items be added to the agenda:

- 1.) A request for two members of the Planning Board to attend a conference
- 2.) Resolution honoring Paul Rummel

MOTION CARRIED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #72 Attendance at Planning Board Conference

Supervisor Wurtemberger stated a conference is being sponsored by New York State Department of Transportation and the Government Law School entitled "Access Management Arterial Mobility for Economic Growth Preserving Our Highways." A \$35.00 per person registration and request was made for Ken VanPragg and Justin Schultz to attend that Conference on May 3, 1994. Councilman Glasser moved and Councilman Primeau seconded that the request for the conference be approved.

RESOLUTION ADOPTED BY FOLLOWING VOTE: UNANIMOUS

RESOLUTION #73 Resolution honoring Paul Rummel

Supervisor Wurtemberger moved and Councilman Glasser seconded the following resolution:

WHEREAS, Paul Rummel has contributed more than 18 years of distinguished service to the Town of Sand Lake as a Member of the Town Planning Board;

WHEREAS, Paul has chosen to step down as a member of the Planning Board, effective March 31, 1994;

WHEREAS, during his tenure Paul consistently served his community with the highest degree of integrity which earned him the respect of his colleagues;

WHEREAS, Paul was essential in keeping the Planning Board's focus on its fundamental role of service to the Town, its residents and applicants appealing in front of the Board; and

WHEREAS, the Sand Lake Planning Board wishes to extend its gratitude to Paul for his knowledge, insight and logic; Now, Therefore,

Be It RESOLVED, that the Planning Board of the Town of Sand Lake, when it adjourns its meeting of March 16, 1994, it does so in appreciation of Paul Rummel's service on the Board and to his community; and

Be it Further RESOLVED, that copies of this Resolution be submitted to the Town Board for entrance into its minutes.

Adopted this 16th day of March, 1994

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

QUESTIONS AND COMMENTS FROM RESIDENTS:

\* Assessor Martha Senecal addressed the Board in regard to former Town Attorney Russell Bennett's assessment.

\* Terry Turner commented in regard to the Town Clerk's Budget Transfer.

EXECUTIVE SESSION: Supervisor Wurtemberger moved and Councilman Primeau seconded a motion to adjourn the Regular Town Board Meeting and move into Executive Session to discuss legal matters, sewer moratorium, and personnel issues, at 9:28 P.M.

MOTION CARRIED: UNANIMOUS

Councilman Cybulski moved and Councilman Primeau seconded the motion to adjourn the Executive Session and reconvene the Regular Town Board Meeting, at 11:49 P.M.

MOTION CARRIED: UNANIMOUS

RESOLUTION #74

Sewer Moratorium

Councilman Primeau moved and Councilman Baum seconded the following Resolution:

Be it RESOLVED, the Supervisor is authorized to execute the consent order with D.E.C. regarding sewers forwarded to the Board by Philip Dixon under cover letter dated April 11, 1994.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

MEETING ADJOURNMENT: ON MOTION MEETING ADJOURNED at 11:52 P.M. - UNANIMOUS

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

Respectfully Submitted,

Colleen Regan Town Clerk/RMO

REGULAR MONTHLY MEETING

May 11, 1994

The regular monthly meeting of the Town Board of the Town of Sand Lake was called to order by Supervisor Wurtemberger at 7:30 P.M., at the Town Hall, in Sand Lake New York. After the Pledge of Allegiance the following answered roll call:

PRESENT: Councilman Baum (Arrived 7:40 P.M.)

Councilman Primeau

Councilman Cybulski

Councilman Glasser

Supervisor Wurtemberger

Town Clerk Colleen Regan

Town Attorney Kevin Brocks

OTHERS PRESENT: Mr. & Mrs. Robert Dawes; Harold Roder-Commissioner of Public Works; Mary Lynn Baldwin accompanied by class students, Ken VanPragg, Connie Burkart, George Lanciault: Chatam Courier; Carol Cybulski, John Stockman, Gene Levy: Echo, Terry Turner, John Larkin, Dan Holser, Bernie & Art Mardon and other town residents.

PUBLIC HEARING:

PROPOSED LOCAL LAW #1 PUBLIC DISPLAY OF FIREWORKS LAW LEGAL NOTICE, Please take notice that a Public Hearing will be held by the Town Board of the Town of Sand Lake at Town Hall on Route 43 in the Town of Sand Lake at 7:30 P.M. May 11, 1994 to adopt the proposed LOCAL LAW NO. 1 OF 1994 Entitled "PUBLIC DISPLAY OF FIRE WORKS LAW". The Regular Town Board Meeting will follow immediately after the Public Hearing. By order of the Sand Lake Town Board. /S/ Colleen Regan, Town Clerk,



Supervisor Wurtemberger stated that the Town Board held a Public Hearing on March 9, 1994 and changes were proposed: The definition of fireworks and insurance requirement to increase from \$500,000.00 to \$1,000,000.00. Because of these amendments another Hearing needed to be scheduled. Supervisor Wurtemberger opened the floor to residents for questions or comments on tile proposed local law. No response was given from the floor or from tile Town Board Members.

Councilman Glasser moved and Councilman Cybulski seconded the motion to close the Public Hearing for the purpose of discussing the proposed Local Law #1 entitled Public Display of Fireworks Law.

#### APPROVAL OF MINUTES:

Councilman Primeau moved and Councilman Cybulski seconded to approve tile March 9, 1994 Minutes as submitted.

MOTION CARRIED: UNANIMOUS

Councilman Cybulski moved and Councilman Primeau seconded to approve the April 13, 1994 Minutes as submitted.

MOTION CARRIED: UNANIMOUS

#### MONTHLY REPORTS:

Town Clerk - Colleen Regan

Total fees submitted to the Supervisor \$2,280.13

Copy on file in the Town Clerk's Office

Supervisor Report - Hereto attached.

Planning Board - Ken VanPragg

Copy on file in the Town Clerk's Office

Youth Committee - Connie Burkart

- \* Roller Skating May 6, 1994
- \* Interviewed 27 applicants for Day Camp Workers on May 7, 1994
- \* Registration for Day Camp being held May 14, 1994 at Town Hall from 9:00 A.M. to 3:00 P.M.
- \* Four day CPR Course to be taken by Alexia Parascanduler on 6/27 - 6/30 1994 mandated by State for responding to emergencies for children's camp.
- \* Need two men to volunteer for Youth Commission
- \* Requesting residents to share hobbies - to be paid at a small stipend
- \* Working on "Theme Weeks" for Day Camp
- \* Town Board Appointing Camp Director

Zoning Board of Appeals - Frank Allen

- \* Submitted 9 Applications & checks totaling \$450.00
- \* Copy of Report on file in the Town Clerk's Office

Sara Grant - Lynn Baldwin

- \* Copy on file in the Town Clerk's Office

Cablevision, Insurance & Library - Councilman Cybulski

- \* Copies on file in the Town Clerk's Office

Highway - Councilman Glasser

- \* Highway Dept. shifted from winter duties & preparing for summer projects
- \* Road Improvement have begun and will continue for the next few weeks

- \* Sander & plows have been removed from Town's fleet of trucks
- \* Town roads swept and will continue to be in some areas because, of the severe winter, much sand has accumulated on the roads which require several passes with the broom
- \* First mix of asphalt and gravel has been put up in the gravel bank and used for patch and shim of the chipseal projects plan
- \* Major repair - John Deer Grader has transmission problems and currently being repaired.

#### Town Park/Beach - Councilman Glasser

- \* Seeking applications for Life Guards and Beach aids. Applications for employment available at Town Clerk's Office. Return completed application to Councilman Glasser by May 21, 1994
- \* Frank Allen presented to the Town Board on behalf of the Town Park a brand new American Flag donated by Congressmen Solomon

#### Animal Control - Councilman Baum

- \* Copy on file in the Town Clerk's Office

#### Street Lighting - Councilman Baum

- \* Copy on file in Town Clerk's Office

Councilman Glasser requested Councilman Baum to took into adjusting the streetlight facing onto the Playground because it shines into the eyes of people who come around the turn.

AGENDA ADDITION: Councilman Baum moved and Councilman Cybulski seconded the motion to request the Board's permission to waive procedural rights to add an Agenda Item.

1.) Request to add a streetlight at intersection of Burden Lake Rd and Spring Ave.

MOTION CARRIED: UNANMIOUS

Senior Citizen - Councilman Baum

- \* Received a Grant Application from the State which needs to be submitted by June 1994

Disaster Preparedness/911 Program - Councilman Primeau

Copy on file in Town Clerk's Office

Economic Development - Councilman Primeau

- \* No report

Grants - Supervisor Wurtemberger

- \* The Town Received a executed contract from NY State for \$50,000 Public Water Supply Study. 95% of the funds have been advanced. Subcontracting remains to be done
- \* Milfoil Control Application submitted to the Open Space Institute was not funded

Landfill Committee - Supervisor Wurtemberger

- \* Contractor started work the week of April 25, 1994; scheduled for completion sometime in August 1994
- \* A Public Hearing scheduled for May 12, 1994 at 7:30 P.M. at the Town Hall concerning Eminent Domain Proceeding to acquire the Landfill Site. The Town has a 25 year lease which expires June 30, 1994. The Town has been unsuccessful in extending the lease & arranging for acquisition so the Town needs to go through Eminent Domain Proceedings.

Sewer Committee - Supervisor Wurtemberger

- \* Sewer Moratorium imposed on November 18, 1993 has been hired upon NYSDEC signing the Consent Order on April 18, 1994. Consent Order includes a Compliance Schedule: 1.) Inspect all manholes. The Town has 437 of which we have, inspected 70 to date to determine which ones need additional work,. 2.) Install sewage flow meters at critical points within the system. Commissioner of

Public Works and the Supervisor have interviewed two suppliers of meters. 3.) Remove Sump Pumps. Sump Humps connections to the Town's Sewer System are illegal and the Town will be initiating a program to educate the residents.

QUESTIONS AND COMMENTS FROM RESIDENTS:

No response given.

BUSINESS:

RESOLUTION #75

Citizen of The Month

Councilman Cybulski moved and Councilman Glasser seconded the following resolution:

RESOLUTION COMMENDING ROBERT DAWES UPON THE OCCASION OF BEING NAMED SAND LAKE "CITIZEN OF THE MONTH" FOR MAY 1994

WHEREAS, Consistent with the duty of this Town Board to recognize the contributions and achievements of the citizens of the Town of Sand Lake, we praise with respect and admiration the accomplishments of a man whose singular example has enriched the lives of his fellow New Yorkers; and

WHEREAS, Robert Dawes has continually demonstrated impressive dedication to the goals and aspirations of the youth sports programs of our community through his spirit of volunteerism, outstanding leadership abilities and comprehensive organizational skills by being a "Founding Father" of the Sand Lake Youth Basketball League; serving as vice-president of the league for three years Secretary for two years; and coaching for five years; and

WHEREAS, Bob Dawes has continually demonstrated impressive dedication to the goals and aspirations of the youth sports programs of our community through his spirit of volunteerism, outstanding leadership abilities and comprehensive organizational skills by being a "Founding Father" of the Sand Lake Youth Basketball League; serving as vice-president of the league for three years Secretary for two years; and coaching for five years, and

WHEREAS, Not to allow a sport season to go unnoticed, Bob has also been involved in youth soccer serving as a coach on the Averill Park Fall Soccer League; and

WHEREAS, No one can fully account for all the hundreds of volunteer hours which Bob Dawes has given so selflessly to his community in the hope that youngsters of all ages can participate, enjoy and learn in youth sports programs; now, therefore, be it

RESOLVED, That the Town Board of the Town of Sand Lake takes great pride in naming Robert Dawes as Sand Lake "Citizen of the Month" for May, 1994.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #76

Local Law - Public Display of Fireworks

Councilman Cybulski moved and Councilman Glasser seconded the adoption of Proposed Local Law #1 of 1994 - "Public Display of Fireworks Law". (Local Law hereto attached).

RESOLUTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 4

NAYS: 1 - (Baum)

RESOLUTION #77 Sheriff Substation

Councilman cybulski moved and Councilman Glasser seconded the following resolution:

WHEREAS, the Town of Sand Lake desires to provide appropriate accommodations to the Rensselaer County Sheriff's Department for a substation within the Town; and

WHEREAS, the town held a public informational meeting on April 28, 1994, at which time citizens of the Town provided valuable comments concerning this matter; and

WHEREAS, the substation will be located in presently vacant space in the existing Town building on Springer Road, and though the building is located in a "commercial excavation" zone, there is no reason why the presently available room in the building should not be put to such a good use, and there is no discernible negative impact of adapting the available space in the existing building for a Sheriff's substation, the proposed use does not conflict with the Town's Zoning Ordinance, the remaining part of the premise has been devoted to a municipal use, and that upon a balancing of all the relevant factors we find that the Ordinance does not prohibit municipal use of the premise as a Sheriff's substation; and

WHEREAS, this public service will be rendered at minimal cost to the Town, and

WHEREAS, the Town believes that an appropriate substation would be in the public interest; therefore

BE IT RESOLVED:

1. The use of the space in the existing Town building for a Sheriff's Substation is classified as a Type II unlisted action under the State Environmental Quality Review Act (SEQRA), having no discernible negative impacts or need for further SEQRA review.
2. The Town Supervisor is authorized and directed to enter into an appropriate lease arrangement and any other necessary agreement with the County Sheriff to allow the Sheriff to locate a substation at the existing Town Building on Springer Road in the Town of Sand Lake.
3. The premises to be leased is the existing vacant room at the Town building on Springer Road.
4. The condition of the lease and agreement should include: no rental charge to the Sheriff; the Sheriff will be responsible for incremental utility costs attributable to the Sheriff's occupancy; a term not to exceed five years; that the Sheriff will be responsible for fix-up and maintenance; that the Sheriff will carry proper insurance; that there will be no unsightly storage and the exterior will be property maintained and kept in presentable condition and good order; and that the premises will be turned over to the Town in good condition upon termination or expiration of the lease.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #78

Sub-contracts for State Aided Water Supply Study

Supervisor Wurtemberger moved and Councilman Primeau seconded the following resolution:

MUNICIPAL LOCAL ASSISTANCE SUBCONTRACTS CONSIDERATIONS FOR PUBLIC WATER SUPPLIES

WHEREAS, A Municipal Local Assistance Contract has been executed between the Town and the New York State Department of Environmental Conservation (NYSDEC) for the Town to undertake a study entitled "Short and Long Term Considerations for Public Water supplies in the Town of Sand Lake" (Project) as described in the Program Narrative approved by NYSDEC;

WHEREAS, the Program Narrative has delineated the subcontract services to be performed by BCM Consulting, Inc. Dr. Robert LaFleur and Rensselaer Polytechnic Institute;

WHEREAS, the Town has been advanced 95% of the \$50,000 Assistance Aid by the State;

Now therefore, be IT RESOLVED, by the town Board that the Town Supervisor, after consultation with the Town Attorney, is authorized to execute contracts with BCM Consulting Inc., Dr. Robert LaFleur and Rensselaer Polytechnic Institute and to implement the study aspects of the Project.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

Resolution #79

State Archives and Records Administration (SARA) Grants



Councilman Cybulski moved and Councilman Glasser seconded the following resolution:

WHEREAS, the appropriate management of local government records through their creation, use, maintenance and disposition is essential to efficient and effective government as these records document the responsibilities and prerogatives of local governments, and protect the property and rights of their citizens; and

WHEREAS, The Local Government Records Management fund was established by Chapter 78 (laws of 1989) to benefit local governments of New York State through grants for records Management and through the establishment of a program of regionally-based technical assistance administered by the New York State Education Department; and

WHEREAS, The local Government Records Management Improvement Fund has greatly benefited local governments statewide through readily accessible consultation by the (SARA) under the New York State Education Department, and

WHEREAS, The grants have supported successful projects such as the "teaching with historical records" initiative regarding the Wynanskill that has been implemented by Averill Park High School History Teacher Lynn Baldwin, and

WHEREAS, The Town of Sand Lake could benefit significantly from the grants, consultations, workshops and other services available to enable local government to improve the management of Town Records, the availability of those records to Town officials and citizens and, in turn, further the economical and responsive administration of the taxpayers dollars; and

WHEREAS, As the needs of local government change and information technologies present new challenges, it is essential that localities are assisted in developing programs adequate to meet the demands; the local Government Records Management Improvement Fund provides just such vital assistance; and

WHEREAS, The Local Government Records Management Improvement Fund, sustained without the use of state tax revenues but rather through a modest surcharge paid on fees for records filed with county clerks and the Register of the City of New York, will sunset on December 31, 1995; and

WHEREAS, Such action will result in incomplete local government records management projects throughout the state, and will deny many local governments, including Sand Lake, access to expertise now available through the State Archives and Records Administration; now therefore be it

RESOLVED, That the Town of Sand Lake joins with local government, education professionals, county legislators and town and county clerks statewide to fully support the continuation of Local Government Records Management Improvement Fund, as administered, by requesting, through this resolution, that State officials act to eliminate the Fund's sunset provision; and be it further

RESOLVED, That the Town of Sand Lake forward copies of this resolution to the following state officials: Senator Joseph L. Bruno, Assembly Speaker Sheldon Silver, Senate Majority Leader Ralph J. Marino, Assembly Majority Leader Michael J. Bragman, Assembly Minority Leader Clarence D. Rappleyea, Jr., Senate Minority Leader Manfred Ohrenstein and Governor Mario M. Cuomo.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 4

NAYS: 1 (Baum)

RESOLUTION #80 Brookside Senior Housing P.I.L.O.T. Agreement Councilman Baum moved and Councilman Glasser seconded the following resolution:

WHEREAS, The Town Board entered into a Tax P.I.L.O.T. Agreement with Brookside Senior Housing Development Fund Company, Inc. (hereinafter Brookside) on or about December 23,1992; and

WHEREAS, The Tax P.I.L.O.T. Agreement recognizes that Brookside is an exempt entity which is not subject to real property, school and other taxes as described in Real Property Tax Law ~422 and ~490; and

WHEREAS, The Tax P.I.L.O.T. Agreement provides that Brookside will pay (1) a stated sum annually in lieu of taxes and (2) sewer taxes; and

WHEREAS, Brookside has paid, to date, the stated sum as it has become due in each year under the Tax P.I.L.O.T. Agreement; and

WHEREAS, In 1993, due to an oversight or miscommunication, a tax bill for the lighting district and fire district was erroneously generated for the Brookside property, said tax bill was not paid by Brookside because it is an exempt entity; and said bill was returned to the County of Rensselaer for collection resulting in a tax lien against the Brookside property; and

WHEREAS, A tax bill for fighting and fire districts has been generated erroneously for 1994; and

WHEREAS, It is the intention of the Town of Sand Lake to abide by the mandates of the Real Property Tax Law and the provisions of the Tax P.I.L.O.T. Agreement; be it therefore

RESOLVED, That the tax bills for the Brookside property for the years 1993 and 1994, in so far as it bills for the lighting district and fire district, shall be and hereby are deemed null and void. The assessor and Town Attorney are hereby directed to make whatever arrangements are required to have the County of Rensselaer cancel and release the tax lien against the Brookside property; and it is further

RESOLVED, That the Assessor shall be and hereby is directed not to issue any further tax bills on the Brookside property for any taxes other than sewer taxes so long as the owner remains an exempt entity.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #81 Appointment of Summer Camp Director Councilman Glasser moved and Councilman Primeau seconded the following resolution:

Be it RESOLVED, that Barbara Bittig is appointed Summer Camp Director at \$10.50/hr for a 40 hour week for 8 weeks tip to a maximum of \$3,360.00.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #82 Appointment of Secretary to the Board of Assessment Review

Supervisor Wurtemberger moved and Councilman Glasser seconded the following resolution:

Be it RESOLVED, That Florence Slavin is appointed Secretary to the Board of Assessment Review for Grievance Day on May 24, 1994, at \$9.89 per hour not to exceed \$131.00 as budgeted in the 1994 Budget.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #83

Budget Transfer(s)

Councilman cybulski moved and Supervisor Wurtemberger seconded the following resolution:

Be it RESOLVED, the Following transfer(s) shall be made in the 1994 Budget:

FROM	TO	AMOUNT
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1190.4 (Contingent)	A1910.1 (Unallocated Insurance)	\$1,000.00
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RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #84

Fund Warrant

Councilman Glasser moved and Councilman Baum seconded that the Fund Warrant be paid as audited. General Fund \$20,206.01, highway Fund \$9,212.07, Landfill Fund \$11,255.03 and Sewer Fund \$4,304.23. Total Fund Warrant \$44,977.34.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #85 Street Light installation at Burden Lake RD & Spring Ave.

Councilman Baum moved and Councilman Primeau seconded the following resolution:

Now therefore be it RESOLVED, that Now York, Electric & Gas be directed to install a street light at the intersection of Burden Lake Road and Spring Avenue.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

QUESTIONS AND COMMENTS FROM RESIDENTS:

\* John Stockman addressed the Board concerning a referendum on a proposed Municipal building and directed questions toward Town Attorney Kevin Brocks concerning the status of Town Assessor working as a Real Estate Broker.

\* Dan Holser addressed the Board regarding the Town's state with (ERCSMA) Eastern Rensselaer County Solid Waste Management Authority and the Town's relationship with the business community.

\* Terry Turner commended the Board for accommodating the Sheriff Substation on springer Rd.

Councilman Primeau moved and Councilman cybulski seconded the motion to adjourn the Regular Town Board Meeting at 8:45 P.M.

A Complete accounting of all discussion on agenda items is available for review on audio tape in the Town Clerk's office.

Respectfully yours,

Colleen Regan

Town Clerk RMO

SPECIAL MONTHLY MEETING

May 17, 1994

The Special Board meeting of the Town Board of the Town of Sand Lake was called to order by Supervisor Wurtenberger at 7:09 P.M. at the Town Hall Sand Lake, New York. The following answered roll call:

PRESENT: Councilman Baum

Councilman Primeau

Councilman Cybulski

Councilman Glasser Absent

Supervisor Wurtemberger

Town Clerk Colleen Regan

Town Attorney Kevin Brocks

OTHERS PRESENT: Peter Sutherland, Pat Seely, Jeff Irwin.

Supervisor Wurtemberger read the following notice:

Please be advised that a Special Meeting of the Town Board of the Town of Sand Lake will be hold on Tuesday, May 17, 1994 at 7:00 P.M. at Town Hall. The purpose is to make findings and determinations with respect to the Landfill Closure Project matter of the Public Hearing of May 12, 1994.

/S/

Colleen Regan, Town Clerk

#### BUSINESS RESOLUTION #86

Supervisor Wurtemberger introduced documentation - "Short Environmental Assessment Form" concerning the Project "Landfill Closure - Site Acquisition" located on Chamberlain Hill Rd. The Board added Item #7 regarding amount of land affected: 37 acres initially and 37 acres ultimately. (Form filed in Town Clerk's Office). Supervisor Wurtemberger moved and Councilman Primeau seconded that the Town take Lead Agency Status in this matter (The Project).

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

#### RESOLUTION #87

Supervisor Wurtemberger moved and Councilman Primeau seconded that the Project does not have an adverse environmental impact and we hereby issue a negative declaration.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

#### RESOLUTION #88

Councilman Baum moved and Councilman Cybulski seconded that the Determinations and Findings, dated May 17, 1994, be adopted and filed in the Town Clerk's office.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #89

Attorney Brocks requested the Board move into Executive Session to discuss a Real Prop issue. Supervisor Wurtemberger moved and Councilman Cybulski seconded the motion to move into Executive Session at 7:17 P.M. for the purpose of discussing a Real Property issue.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

Supervisor Wurtemberger moved and Councilman Cybulski seconded to adjourn the Executive Session meeting at 8:37 P.M.

MOTION CARRIED: UNANIMOUS

Respectfully submitted,

Colleen Regan

Town Clerk/RMO

REGULAR MONTHLY MEETING

June 8, 1994



The regular monthly meeting of the Town Board of the Town of Sand Lake was called to order by Supervisor Wurtemberger at 7:30 P.M., at the Town Hall, in Sand Lake New York after the Pledge of Allegiance. The following answered roll call:

PRESENT          Councilman Paul Primeau

                         Councilman Joseph Cybulski

                         Councilman John Glasser

                         Supervisor Fred Wurtemberger

                         Attorney Kevin Brocks

ABSENT;          Councilman Joseph Baum

RECORDING SECRETARY:          Town clerk Colleen Regan

65,T 5

OTHERS PRESENT: Sid Gallant, John Wright, Mr. & Mrs. Joel Hunt: Superintendent of Highways, Terry Turner, Mary Hilt: Record, Angelo Patti, John Stockman, Ken Van Pragg: Planning Board Chairman, Dennis Arena, Gene Levy: Echo, Connie Burkart: Youth Director, Mr. & Mrs. Art Mardon: Deputy Town Clerk, George Lanciault: Chatam Courier, Frank Allen: Zoning Board Secretary, Justin Schultz and other town residents.

APPROVAL OF MINUTES:

Councilman Cybulski moved and Councilman Glasser seconded to approve the May 11, 1994 minutes and the Special Meeting May 17, 1994 Minutes as submitted.

MOTION CARRIED: UNANIMOUS

MONTHLY REPORTS:

- \* Town Clerk - Colleen Regan Total fees submitted to the Supervisor for May 1994 - \$998.27
- \* Copy on file in the Town Clerk's Office

Supervisor Report - Hereto attached.

Planning Board - Ken VanPragg

- \* Copy on file in the Town Clerk's Office

Youth Committee - Connie Burkart

- \* Registration for Day Camp held & Session one filled to capacity - 125 children
- \* Session two limited number of openings left
- \* 50 applicants of 140 registered are signed up for extended care Hr. - 7:00 A.M.- 6:00 P. M.
- \* 80 of the applicants are signed up for both sessions
- \* To date \$8,005 has been deposited
- \* Need a male volunteer for Youth Commission
- \* Requesting residents to share hobbies
- \* Golf for Youth no longer offers proceeds to the Day Camp, therefore, financial aid win not be offered to residents for the year of 1994
- \* Averill Park Transportation Dept. will be listing a Circus in 1994 and will donate proceeds for 1995 Day Camp for financial aid

Zoning Board of Appeals - Frank- Allen

- \* Copy on file in Town Clerk,'s Office

SARA Grant - Lynn Baldwin

- \* Copy on file in file in Town Clerk's Office

Cablevision, Insurance & Library - Councilman Cybulski

- \* Copies on file in the Town Clerk's Office
- No report for Library

Town Park/Beach - Councilman Glasser

- \* Thanked members of the Averill Park Key Club who cleaned the Town Park,
- \* Thanked members of Sand Lake Kiwanis Club which sponsored the Trash Buster Program and assisted in cleaning the Town Park
- \* Town Beach will open June 25, 1994 and close September 5, 1994. Hours of operation are Monday - Saturday 10:30 A.M. - 7:00 P.M. and Sunday 11:00 A.M. - 7:00 P.M.

Highway - Councilman Glasser

- \* Highway Dept. continued cleanup from the winter and began preparing roads for chipseal
- \* Highway Dept. continued cleanup from the winter and began preparing roads for chipseal
- \* Black top skin applied to Biting, Firstdike and Methodist Farm Road
- \* Culvert pipe was installed on Teal Rd, Cobb Hill, Prospect Avenue & Springer Rd.
- \* Chamberlain Hill Rd has been graded and calcium applied for dust control while trucks begin hauling cover for the Landfill
- \* Numerous odd jobs were done such as signs, guide rail, landscaping, all on daily logs
- \* The month of June resurfacing of roadways will begin with a goal of 10 plus miles expected to be done by the month's end
- \* All vehicles inspected and no major repairs to be reported for the month

Animal Control/Senior Citizen/Street Lights - Councilman Baum

- \* No reports given

Disaster Preparedness/Economic Development/911 - Councilman Primeau

- \* No reports given

Town Attorney - K Brocks

- \* Justice Shulman is a defendant in a Federal Court Action having to do with the disqualification of a law firm practicing before the court. Federal District Court denied a preliminary injunction by the plaintiffs. Plaintiffs are going to appeal that to the Second Circuit

- \* In the matter of Sheehan vs. Town of Sand Lake - the Town's motion to dismiss has been denied. The Town has, therefore, as of this date submitted an answer to that petition. Included in the answer an alternative relief suggesting to the judge that if the petition is not to be denied the appropriate legal course would be to remand that to the Board of Assessment Review and let the board make a determination

- \* In respect to the case of Niagara Mohawk Co. vs. the Town of Sand Lake - This is a difficult assessment matter which has to do with utility property on utility owned right of ways in Town. This does not have to do with utility property on the Town streets, that property is assessed by the State. The Town is obligated to assess mostly large transmission lines. This case has been ongoing for quite awhile. To date Town has spent over \$31, 000 in defense of this action and advised that the Town is faced with an estimated additional \$40,000 to litigate this case. Will be writing the Board a memo on the matter. Need to have a way of ensuring prudent cost control on the conduct of this case.

- \* Landfill Closure - there has been procedural skirmishing of late. Patrick L. Seely, Jr. from Bond Schoeneck & King, Special Council in this matter, who is present at this meeting to be available for an Executive Session after Regular Board Meeting convenes to discuss and decide some tactical questions which need to be addressed.

- \* The Board, last month, requested a memo with respect to a potential incompatibility between the appointed position of the Town Assessor and private employment as a real estate agent. A memo has been given to all Board Members and the Assessor. The Assessor has been asked to respond in a reasonable time frame and she, said she would do so.

- \* The Town has recently been informed that an appeal of an unfavorable unemployment claim. An unemployment decision that was made last year with respect to a Town Employee who is no longer

with the Town, Mr. Shauble. The appeal was granted and the matter has been remanded to an Administrative Law Judge for judicial hearing scheduled tentatively for June 15, 1994. Prior to this Attorney Brocks spoke with Councilman Baum and expects to have an opportunity to work with Councilman Primeau who may be the Town's major witness in this case

\* The Sheriff Lease has been drafted by Attorney Brocks firm and sent to the Sheriffs Department

\* The Department of Environment of Conservation (DEC) alleged last month that the Town violated the Environmental Conservation Law by having some unregistered fuel tanks and an alleged oil spill. Both of these matters have been taken care of and fully remedied and there was no environmental problem whatsoever. The Town is now in the stage of negotiating an order. DEC wanted a \$2,000 Civil Penalty which we successfully reduced to \$500 and appears to be as low as we are able to go. DEC commended the Town's response but has a policy in these matters which absolutely mandates that a civil payment be made. This matter is pending.

\* SARA Grant information has been provided to the Supervisor with a draft amended contract to handle some technical matters with the SARA Grant

\* In respect to Troy Sand & Gravel - It came to the Board's Attention a little while ago that Troy Sand & Gravel is presently mining in an area outside of the commercial excavation district. Attorney Brocks wrote a letter to the Attorney of the aforesaid requesting information and received an unsatisfactory response. However, Attorney Brocks was pleased to report that a principal in Troy Sand and Gravel called him personally about the letter in which a positive and productive conversation led to a commitment in providing the Town with prompt, relevant and appropriate information regarding that mine. Once the Town receives the information it can turn it over to Counsel for the Planning & Zoning Board, Attorney Frederick Schreyer who has been informed of the matter, and the Town can move on from there.

\* Cable Television - Two issue's at stake. 1) Extension of service. 2) Equipment to broadcast Municipal events. Attorney Brocks has been conferring with Counsel with the New York State Cable Television Commission and expects to be meet with him and check the original franchise on file. Attorney Brocks commended and thanked former Town officials for making his job easier by creating and keeping an tip to date resource Binder consisting of all the material dealing with Cablevision in one place. Attorney Brocks commented that it was a nice filing mechanism and a pleasure to utilize

#### QUESTION AND COMMENTS FROM RESIDENTS:

No response given.

BUSINESS

RESOLUTION #90

Citizen Of The Month

Councilman Cybulski moved and Councilman Glasser seconded the following resolution:

RESOLUTION COMMENDING SID GALLANT UPON THE OCCASION OF BEING NAMED SAND LAKE "CITIZEN OF THE MONTH" FOR JUNE 1994

WHEREAS, A town is only as great as those individuals that provide exemplary service to their community, whether through participation in voluntary programs, through unique personal achievement in their profession or other endeavors, or simply through a lifetime of good citizenry; and such service, which is truly the lifeblood of a community, so often goes unrecognized and unrewarded; and

WHEREAS, Born in Burlington, Vermont, Sidney S. Gallant has been a resident of the Town of Sand Lake for fifty-seven years, fifty-two of which he shared with his beloved wife, Doris; and

WHEREAS, Employed as an administrator at Montgomery Ward in Menands for, Forty-two years, Sid started countless area youngsters in their work, careers with jobs there and elsewhere; and many residents have fond memories of Sid volunteering his time to deliver catalogs and orders from the Menands facility to Sand Lake residents as well: and

WHEREAS, Much of Sid's time and energy has gone to advance community organizations including Cub Scouts, Little League: Baseball, Pop Warner Football as well as his membership in the Sgt. Walter A. Adams American Legion Post, the Burden Lake Country Club, the Hudson Valley Community College Business Advisory Committee, the Stephentown Valley Rod and Gun Club and the Sand Lake Republican Club; and

WHEREAS, Sid Gallant also gave of his time to serve the town of Sand Lake for Twenty-seven years as an elected Town official including serving as Town Justice of the Peace, Councilman and Town Supervisor; and during his time as Town Supervisor, Sid Gallant was instrumental in such projects as the creation of Butler Park, the Town Sewer District, the Sand Lake Police Department, and the negotiations for acquiring the current Town Hall and much more; and

WHEREAS, Rare indeed is such impressive dedication shown by one individual for the benefit of others, such as Sid Gallant has displayed throughout his tenure as a most valued citizen of the Town of Sand Lake to the extent that many in Town refer to Sid as "Mr. Sand Lake"; now, therefore, be it

WHEREAS, That this Legislative Body pause in its deliberations to commemorate Sidney S. Gallant upon the occasion of his being named Sand Lake "Citizen of the Month" for June 1994.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #91

Commendation of Elton Dobert

Councilman Glasser moved and Councilman Primeau seconded the following resolution:

AFTER THIRTY-THREE YEARS OF SERVICE TO THE TOWN OF SAND LAKE RESOLUTION COMMENDING ELTON DOBERT UPON HIS RETIREMENT

WHEREAS, A Town is only as great as those individuals who give of themselves to its successes; and

WHEREAS, Elton dobert, with his retirement from the town of Sand Lake, brings to an end thirty-three years of dedicated service to the Town and

WHEREAS, Elton began his tenure with the Town of Sand Lake when Al Flaxmayer was highway Superintendent, and he has seen numerous changes since then including going from one lane dirt roads to the present road system in place in the town; and

WHEREAS, Elton was a laborer for the Town of Sand Lake when during the winter months sand was put down on icy roads from a truck with a hand shovel; and

WHEREAS, Elton Dobert has experienced the growth of the Town of Sand Lake and has always offered his ideas for the betterment of the Town Highway Department service to the residents as the changes of the times dictated change; and

WHEREAS, As a major participant of the Town's Highway Department, Elton's skill, dedication and his resourcefulness will sorely be missed; not, therefore, be it

RESOLVED, That the members of the Highway Department, the Town Board, and all employees of the Town of Sand Lake join together to wish Elton Dobert much health and happiness in his well-deserved retirement.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #92

Maintenance of Sidewalks - Route 43

Supervisor Wurtemberger moved and Councilman Glasser seconded the following resolution:

MAINTENANCE OF SIDEWALKS-ROUTE 43 NYSDOT CONSTRUCTION PROJECT PIN 1086.22

WHEREAS, the New York State Department of Transportation proposes the construction of the State contract identified as Route 43 Safety Improvements, Defreestville West Sand Lake Part 2 S.H. 5658 in the town of Sand Lake, Rensselaer County and



WHEREAS, the State will include as part of the construction, reconstruction, or improvement of the above mentioned project the construction of curbs and sidewalks,, pursuant to Section 10 Subdivision 22 and Section 151 of the Highway Law and

WHEREAS, the state will provide for the construction of the above mentioned work, as shown on the contract plans relating to the project.

NOW, therefore,

BE IT RESOLVED: that the Town of Sand Lake approves the construction of such curbs and sidewalks, the above mentioned work performed on the project, and shown on the contract plans relating to the project, and that the Town of Sand Lake will maintain or cause to be maintained the constructed sidewalks performed as above stated and as shown on the contract plans, including the control of snow and ice.

BE IT FURTHER RESOLVED: that the Town Clerk is hereby directed to transmit five (5) certified copies of the foregoing resolution to the State Department of Transportation.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE,: UNANIMOUS

RESOLUTION #93

Reductions of Speed Limit-Meeter Rd

Supervisor Wurtemberger moved and Councilman cybulski seconded the following resolution:

WHEREAS, Many citizens signed a petition requesting that the speed limit on Meeler Road in West Sand Lake be reduced to 15 MPH, and

WHEREAS, Meeler Road between Route 43 and 150 abuts the West Sand Lake Elementary School, and is a short road, with turns, and heavy pedestrian traffic, especially by children to and from school and the playground, and

WHEREAS, the public health, safety and welfare would be served by a reduction in the speed limit,

THEREFORE, BE IT RESOLVED,

1. The Town of Sand Lake, pursuant to Vehicle and Traffic, Law {1622, hereby requests the State Department of Transportation and County Superintendent of Highways to reduce the speed limit on Meeler road in the Town of Sand Lake to 15 MPR during school days from 7:00 AM to 6:00 PM, and no more than 25 MPH at any other time, and
2. The Town Board directs the Town Supervisor and Commissioner of Public Works to take whatever steps are reasonable necessary to carry out this resolution.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #94

Reduction of Speed limit-Variou Roads

Councilman Cybulski moved and Councilman Glasser seconded the following resolution:

WHEREAS, Many citizens have requested that speed limits be reduced on various roads with problems of sight distance, hills, curves, pedestrian traffic, housing density, type of cargo carried, etc. and,

WHEREAS, The public health, safety and welfare would be served by a reduction in the speed limits,

THEREFORE, BE IT RESOLVED,

- 1.) The Town of Sand Like, pursuant to Vehicle and Traffic Law {1622, hereby requests the State Department of Transportation and County Superintendent of Highways to reduce the speed limit to 30 MRP on the following roads:

ROAD BETWEEN

Barnes Road (Town) Rt. 150 and County Rt. 55

Burden Lake Rd. (Co. Rt.51) Rt. 43 and Sand Lake Nassau Town Line

First Dike Rd. (Town) Burden Lake Rd. and Holcomb Rd. (Co.Rt.47)

Second Dike Rd. (Town) Burden Lake Rd. and Holcomb Rd. (Co.Rt.47)

Glass Lake Rd. (Town) Rt. 66 and Eastern Union Turnpike (Co.Rt.49)

Oak Hill Rd. (Town) Taborton Rd. (Co.Rt.42) and Wisner Rd.

2.) The Town Board directs the Town Supervisor and Commissioner of Public Works to take whatever steps are reasonably necessary to carry out this resolution.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #95

Town Beach appointees

Councilman Glasser moved and Councilman Cybulski seconded the following resolution:

BE IT RESOLVED, that the following people are appointed to the following positions at the SAND LAKE TOWN BEACH, compensation is as follows:

APPOINTEE	POSITION	HOURLY WAGE
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Carrie VanBrocklin	WSI	\$7.45
Carrie VanBrocklin	Lifeguard	\$7.25
Michele Hanley	Lifeguard	\$5.55
Kate Farley	Lifeguard	\$5.55
LeRoy Blowers	Lifeguard	\$5.55
Brian Keough	Beach Aide	\$3.40
Brian Blowers	Beach Aide	\$3.40
Lauren Hoffman	Beach Aide	\$3.40
Sarah Hoffman	Beach Aide	\$3.40
Robin VanBrocklin	Substitute	\$5.00
Keith Bergmann	Substitute	\$5.00
Karl Bergmann	Substitute	\$5.00

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #96

Hiring of Personnel for Summer Activities

Councilman Cybulski moved and Councilman Glasser seconded the following resolution:

BE IT RESOLVED, The following persons have been hired for the Summer Day Camp Session for 1994:

Tracy Albancs Exp. Sr. Counselor \$5.50 hr.

Tricia Campano Exp. Counselor \$5.00 hr.

Patty Gundrum Exp. C.I.T. \$3.00 hr.  
Catherine Hawkins Counselor \$5.00 hr.  
Jessica Henchey Exp. C.I.T. \$3.00 hr.  
Nadine Irish Exp. Counselor \$5.00 hr.  
Rebecca Lutringer C.I.T. \$2.75 hr.  
Greg O'Connor C.I.T. \$2.75 hr.  
Alexia Parasandola Exp. Sr. Counselor \$5.50 hr.  
Adam Rankin Exp. Sr. Counselor \$5.50 hr.  
Emily Villiagio Exp. Counselor \$5.00 hr.  
Jason Wood C.I.T. \$2.75 hr.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #97

Authorization of Secretary/Bookkeeper to transact banking business up to \$100,000

Supervisor Wurtemberger moved and Councilman Cybulski seconded the following resolution:

BE IT RESOLVED, That Florence Slavin, Secretary/Bookkeeper in the Office of the Town Supervisor, is authorized to transact town banking business up to \$100,000 with the institutions designated by the Town Board as depositories of monies received.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #98

Assessor Continuing Education Request

Supervisor Wurtemberger moved and Councilman Cybulski seconded the following resolution:

BE IT RESOLVED, that the Assessor's request for State reimbursable tuition payment to attend the Seminar, on Appraising at Cornell University July 7, 1994 - July 22, 1994 be approved.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 3

NAYS: 1 - (Primeau)

RESOLUTION #99

Budget Transfers

Supervisor Wurtemberger moved and Councilman Primeau seconded the following resolution:

BE IT RESOLVED, that the following transfer be made:

FROM	TO	AMOUNT
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H003 9901.9 (Landfill Reserve)	H006 R5031 (Interfund Transfer)	\$150,000.00
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H006 R5031 (Interfund Transfer)	H006 8160.2 (Landfill Closure)	\$150,000.00
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RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #100

Fund Warrant

Councilman Glasser moved and Councilman Cybulski seconded that the Fund Warrant be paid as audited. General Fund \$24,233.12, Highway \$29,383.19, Landfill 68,553.93, Chamberlain Road Capital Project \$3,465.00, Waterstudy Capital Fund \$420.00 Street Lighting \$236.70, Sewer \$5,733.13.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

AGENDA AMENDMENT: Supervisor Wurtemberger moved and Councilman Glasser seconded the motion to request the Board's permission to waive procedural rules to add an item on the agenda in regards to an application made to the Town Board for a mobile home replacement.

MOTION CARRIED: UNANIMOUS

RESOLUTION #101 Replacement of mobile home in a A-1 zoned district.

Supervisor Wurtemberger moved and Councilman glasser seconded the following resolution:

BE IT RESOLVED, That the application made to the Town Board by Guy L. Beckwith, Sr. for replacement of a mobile home in a A-1 zoned district be referred to the Planning Board in accordance with the provisions of the Town's Zoning Regulations.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE,: UNANIMOUS

QUESTIONS AND COMMENTS FROM RESIDENTS:

\* Frank, Allen addressed the Board requesting the speed limit be lowered on County Route 351, Reichard's lake area, because of the increase in pedestrians due to the opening of the Town Beach.

\* Frank Allen commented that he has been appointed to the Rensselaer County Safety Traffic Board and looking forward to serving on it.

\* Councilman Primeau commented that as a result of the investigation by the Organized Crime Task Force the Town of Sand Lake, this month, received a check for approximately \$130,000.00 as restitution for monies taken in connection with the Landfill.

\* Councilman Cybulski requested permission of the Board for a moment of silence for the passing of an age. Colleague Councilman Glasser turned 40, FORTY, years old today.

EXECUTIVE SESSION Councilman Primeau moved and Councilman Cybulski seconded a motion to adjourn the Regular Town Board Meeting and move into Executive Session to discuss legal matters at 8:35 P.M.

MOTION CARRIED: UNANIMOUS

Councilman Glasser moved and Councilman Cybulski seconded the motion to adjourn the Executive Session and reconvene the Regular Town Board Meeting at 9:26 P.M.

RESOLUTION #102 Councilman Cybulski moved and Councilman Glasser seconded the following resolution:

BE IT RESOLVED, That the Town Supervisor is authorized to put on deposit with the Court requires in connection with the immediate possession aspect of the pending Eminent Domain Proceeding concerning the Landfill.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

MEETING ADJOURNMENT

Supervisor Wurtemberger moved and Councilman Cybulski seconded the motion to adjourn the Regular Board Meeting at 9:29 P.M.



MOTION CARRIED: UNANIMOUS

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

Respectfully submitted,

Colleen Regan 'Town Clerk/RMO

REGULAR MONTHLY MEETING

July 13, 1994

The regular monthly meeting of the Town Board of the Town of Sand Lake was called to order by Supervisor Wurtemberger at 7:30 P.M., at the Town Hall, in Sand Lake Now York after the Pledge of Allegiance. The following answered roll call:

PRESENT: Councilman Joseph Baum

Councilman Joseph Cybulski

Councilman John Glasser

Supervisor Fred Wurtemberger

Attorney Kevin Brocks

ABSENT: Councilman Paul Primeau

RECORDING SECRETARY: Town clerk Colleen Regan

OTHERS PRESENT: Ross & Mary French; Carla Petrone; Terry Turner; Justin Schultz; Martin Reid; Harold Roder, Commissioner of Public Works;; Dennis Amna; Art & Bernie Mardo Deputy Town Clerk; George Lanciault, Chatam Couiir; Dan Holser; John Stockman; Connie Burka Youth Director; Gene , Echo; Angelo Patti; Mary Hilt, Record; Mr. & Mrs. Robert Eckart; Fred Schreyer, Planning Board & Sewer Attorney and other town residents.

APPROVAL OF MINUTES: Councilman Cybulski moved and Councilman Glasser seconded to approve the June 8, 1994 Minutes as submitted

MOTION CARRIED: AYES: 3

NAYS: 0

ABSTAIN: 1 - (Baum)

MONTHLY REPORTS:

Town Clerk - Colleen Regan

- \* Total fees submitted to the Supervisor for June 1994 - \$864.92
- \* Copy on file in the Town Clerk's Office

Supervisor Report - Hereto attached.

Highway Department/Town Park/Beach - Report Given By Councilman John Glasser

- \* Highway Dept. continuing with chipseal program through the month of July 1994
- \* Major Repair - transmission on the John Deere Grader

\* Swim classes will begin July 18 - 22, July 25 - 29, August 1 - 5, 1994. Two classes will be given each day. First class begins at 10:45 A.M. and will end at 12:15 P.M. The second class will begin at 1:00 P.M. and end at 2:30 P.M.

\* Registrations will be July 14, 1994 at 10:30 A.M. - 2:30 P.M. Friday July 15, 1994 at 10:30 A.M. - 2:30 P.M. and on Sunday at 11:00 A.M. - 3:00 P.M. Classes are free to all residents in the Town of Sand Lake

Public Works - Harold Roder

\* Copy on file in the Town Clerk's Office

Planning Board - Ken VanPragg

\* On file in the Town Clerk's Office

Youth Committee - Connie Burkart

Day Camp started on July 11, 1994 & operations went smoothly

134 children registered for Session one

102 children registered for Session two

Monies deposited to date - \$2,275.00

Second Session money due on July 15, 1994

July 15, 1994 - roller skating & water slide

July 27, 1994 - Mac-Hadyn & Colonie Yankees

Ice cream man, Mr. Ding a Ling, Thursday's

August 10, 1994 - Dutch apple Cruise

August 10, 1994 - Displaying crafts the children have created at Town Hall

Approximately 55 children attended the extended day care (hours 7:00 A.M. - 6:00 P.M.)

Zoning Board of Appeals - Frank Allen

- \* Copy on file in the Town Clerk's office

Sara Grant - Lynn Baldwin

- \* On file in the Town Clerk's office

Cablevision, Insurance & Library - Councilman Baum

- \* Copies on file in the Town Clerk's office

Animal Control, Senior citizen, Street Lights - Councilman Primeau

- \* Copies on file in the Town Clerk's office

Disaster Preparedness, Economic Development, 911 - Council Primeau

- \* No Reports submitted to date

Town Attorney - Kevin Brocks

- \* Matter of Niagara Mohawk Corp, against the Town of Sand Lake is ongoing and requested an Executive Session to discuss litigation strategy.

- \* New York Telephone company has taken a tax certiorari challenge served July 12, 1994 against the Town of Sand Lake.

- \* Supervisor received questions regarding excessive noise at a couple of the town's local establishments. Ordinance from the late 1970's has been reviewed and looks appropriate. The issue is enforcement of the ordinance. The town does not have a system whereby it can enforce this type of ordinance. The Town Attorney suggested that the Board should inform State Police and Sheriff that the Ordinance exists and ask them to enforce it when residents call with noise complaints. Also assure the law enforcement agencies that the town will support their efforts if they issue appearance tickets. The Town Attorney needs to do research in order to draft a local law that would enable the Town to appoint a town employee as an appropriate person to issue appearance tickets, when necessary, for these types of complaints.

\* The Town Board received a letter from the Assessor dated July 5, 1994 responding to Attorney Brock's earlier memo's and has not, as of this date, received any feed back from the Town Board Members regarding that response.

\* In June 1994 several people attended, on their own time, an unemployment case hearing on behalf of the town. Kathy Middleton, Bob Martin, Paul Primeau & Art Mardon. The Town Attorney expressed, on behalf of the town, thanks for taking their own time to appear. The outcome was not as the town would have liked but an appeal is pending.

\* Landfill litigation is pending. There is before the Judge a request for a decision on the town's motion for temporary possession. There has been a flurry of motions and actions back & forth. Those matters are now before the Judge.

\* Last month the Town Attorney reported to the Board that it had come to our attention that Troy Sand & Gravel is mining in a residential area and the Town Attorney had written a letter asking them to give us some information on this. One of the principals called & said he would provide the information and as of this date received nothing. The Town Attorney has written another letter which may invoke a response.

\* On a personal note the Town Attorney wanted to use the Board Meeting forum to thank the West Sand Lake Fire Department for their effort. Attorney Brock's house was struck by lightning on July 9, 1994 and his family was impressed by the professional, competent, thorough & courteous behavior of the Fire Department.

#### QUESTIONS & COMMENTS FROM RESIDENTS:

Dan Holser addressed the Board on the following items:

- \* Sewer moratorium & problem areas of the sewer system.
- \* A bill he submitted to the town involving a beaver dam located in the Wynantskill Creek.

John Stockman addressed the Board on the following items:

- \* Status on Insurance changes Councilman Baum proposed in January.
- \* Urged the "Harassment in the Work Place Policy" be discussed at a Town Board Meeting verses a Workshop Meeting.
- \* The upkeep & clearance of installed sidewalks.

BUSINESS

RESOLUTION #103

Councilman Cybulski moved and Councilman Glasser seconded the following resolution:

RESOLUTION COMMENDING MARY AND ROSS FRENCH UPON THE OCCASION OF HIS BEING NAMED SAND LAKE "CITIZENS OF THE MONTH" FOR JULY 1994

WHEREAS, Consistent with the duty of this Legislature Body to recognize the contributions and achievements of the citizens of the Town of Sand Lake, we praise with respect and admiration the achievements of two individuals whose singular example has enriched the lives of their fellow New Yorkers; and

WHEREAS, Mary and Ross French have continually demonstrated impressive dedication to the goals and aspirations of good citizenship through their years of tirelessly volunteering their time and efforts for the benefits of others in the Town of Sand Lake; and

WHEREAS, Mary and Ross French have constantly exhibited their concern for the good of others as seen by their involvement with the Sand Lake Baptist Church, volunteering to work on church fund raisers, and of course the annual Strawberry Festival; Mary being a member of the church choir, meetings moderator, a Sunday School Teacher and currently being a member of the Church Board of Directors; Ross serving as clerk of the church for many years as well as a trustee, usher and greeter; and

WHEREAS, Mary and Ross French have contributed to their home community by their involvement with organizations such as the Sand Lake Historical Society: Ross through his service as president and both Mary and Ross being long-time members in good standing; and

WHEREAS, Through their selfless and dedicated commitment to the Town of Sand Lake, Mary and Ross French have so thoroughly advanced that spirit of united purpose and shared concern which is the unshakable aspiration of our American endeavor; now, therefore, be it

RESOLVED, That the Town Board of the Town of Sand Lake takes great pride in naming Mary and Ross French Sand Lake "Citizens of the Month" for July 1994.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #104 Sewer Extension - Mt View Drive

Supervisor Wurtemberger moved the following resolution:

WHEREAS, Philip and Janice Daigle are owners of a piece of property on Mountainview Drive which they are seeking to subdivide with Planning Board approval into five lots and,

WHEREAS, They have proposed to extend the town sewer line along Mountainview Dive a distance of 1300 feet in order to service said lots, said installation to be at their own expense, and to thereafter dedicate such line to the Town and

WHEREAS, there are other properties in the vicinity not owned by the Daigles which could in the future be hooked up to such extended sewer line, and

WHEREAS, it is in the interest of the Town to utilize the sewer system to the greatest extend feasible, and

WHEREAS, should other properties in the vicinity of such extended sewer line book up to such extension, it would be fair and equitable to require them to reimburse the Daigles for part of the cost of extending the sewer main,

NOW THEREFORE IT IS HEREBY RESOLVED:

1. The Daigles are hereby granted permission to extend and hook up the sewer line on Mountainview Drive, Such hook up and extension shall be a manner approved by the sewer inspector,

and otherwise in accordance with the standard operating procedures of the Sewer District, including inspections, at the Daigle's expense, by the Town Review Engineer. All cost of such hook up and extension are to be borne by the Daigles, and neither the Town nor the Sewer District assumes any liability for the cost thereof.

2. It is the sense of this Board that, upon completion of construction and dedication of the sewer line by the Daigles, the Town would and should accept the following conditions upon such dedication and no others, and only then if the sewer line is installed in a manner which would otherwise be acceptable to the town.

Currently unimproved property located across Mountainview Drive from Daigle property-upon development of this property, the owner would be required to pay to the Daigles for each lateral look up an amount equal to 10% of the cost of the Daigles of installing the 1300 feet of sewer in the Town right of way, up to a limit of four such payments. For the purpose of this resolution, the cost of installation of the main in the Town right of way along Mountainview Drive, shall be submitted by the Daigle's engineer to the Town review engineer for review and approval of the amount and shall include only the costs of actual design and installation of that part of the sewer line lying in the Town right of way and which is proposed to be dedicated to the Town.

Further Extension-should anyone but not including the Town or sewer district, seek to further extend the sewer farther up Mountainview Drive, one 10% payment as defined above shall be made by the person seeking to so extend the sewer main, no matter how many structures of lots are intended to be serviced by such extension.

RESOLUTION WITHDRAWN AT REQUEST OF OWNER'S REPRESENTATIVE

RESOLUTION #105

Sewer Easement - Addition to Home

Supervisor Wurtemberger moved and Councilman Cybulski seconded the following resolution:

WHEREAS, Robert C. Eckart is the owner of an approximately one half acre lot on Glass Lake, Routes 43 and 66, and improved by a single family residence, and



WHEREAS, said lot is bisected by the by the Sand Lake sewer line casement, and

WHEREAS, Mr Eckart wishes to construct an addition to his home however the northeast corner of said addition as he has proposed it would fall within the sewer easement, and

WHEREAS, Mr. Eckart has submitted to the town Board preliminary plans and drawings for the addition and the Board members have at a workshop meeting on July 5, 1994, had the opportunity to consider same, and

WHEREAS, the Planning Board has given its approval under the Scenic Preservation Ordinance for construction of the addition in accordance with the plans submitted, contingent upon the Board allowing encroachment into the easement, and

WHEREAS, the Board agrees with Mr. Eckart that the only feasible place to construct the addition is where he has proposed it, on the northerly side of the existing dwelling and

WHEREAS, by the written terms of such easement, construction within the easement is allowed provided it does not conflict with the pipeline or restrict the Town's ability to maintain or repair it.

NOW THEREFORE IT IS HEREBY RESOLVED AS FOLLOWS:

\* Amendment moved by councilman Baum and seconded by councilman Cybulski to delete language in resolution concerning specific design construction details with the following addition:

1. The footing for the foundation of the northeast corner of the addition shall be no closer than five feet to the Sanitary line. All plans for construction within the casement shall be "prepared and and signed by a licensed engineer or architect and approved and inspected by the Town Department of Public Works, or Town's review engineer, or both, at the homeowner's expense.

2. The homeowner shall bear all risk involved with the project including but not limited to damage to the pipeline or the homeowner's property during or after, construction, sewage overflow or leakage onto or within the homeowner's property resulting from the homeowners voluntary encroachment therein, and damage to the addition should it ever be necessary for the Town to excavate the pipeline in the vicinity thereof for repair or maintenance, provided that nothing herein shall excuse the town from its own negligence in performing Such excavation, repair or maintenance.

AMENDMENT PASSED UNANIMOUSLY

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #106

Sewer District Sewer Rents/Collector's Warrant

Supervisor Wurtemberger moved and Councilman Glasser seconded the following resolution:

BE IT RESOLVED, that, in accordance with Section 240 of the Town Law and Section 1594 of the Real Property Tax Law, the following warrant shall be issued with respect to collection of Sewer District Sewer Rents:

COLLECTOR'S WARRANT

State of New York

Town of Sand Lake

To Christine Kronau, Collector of Taxes

You are hereby charged with the total amount of \$ 255,348.32 levied on the roll for Town of Sand Lake Sewer District Sewer Rents, hereto annexed, and are authorized and directed to collect not later than November 1, 1994 from the several persons and corporations therein named, the amounts listed opposite their respective names, together with any interest and penalties thereon as proscribed by law.

You are directed to pay the amounts collected to town accounts to the credit of the Supervisor in accordance with Subdivision 1 of Section 37 of the Town Law.

Order this 13th day of July, 1994.

---

Fred J. Wurtemberger    Colleen Regan  
Town Supervisor        Town Clerk/RMO

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #107

Proposed Masterplan

Supervisor Wurtemberger moved and Councilman Baum seconded the following resolution:

WHEREAS, the Town of Sand Lake, acting under authority of Town Law section 2720-a, has for the past several years been engaged in the process of revising the town's comprehensive master plan, and

WHEREAS, effective July 1, 1994, the authority under section 272-a of the Town Law to adopt such a comprehensive plan has been shifted from the Planning Board to the Town Board, which may adopt such a plan by ordinance or local law, and

WHEREAS, the Town Board has heretofore received from tile Master Plan Committee a copy of a report entitled Town of Sand Lake Master plan, dated March 5, 1993 and last revised November, 1993, prepared by the I.A. Group for the Master Plan Committee, and

WHEREAS, in order to accommodate the transition of authority for adoption of the comprehensive plan from the Planning Board to the Town Board in an effective manner, and to enable this Board to obtain the expertise of the Planning Board with respect thereto,

IT IS HEREBY RESOLVED AS FOLLOWS:

1. The Planning Board is directed to provide the Town Board with a recommendation with respect to the Master Plan Committee's report entitled Town of Sand Lake Master Plan.
2. The Town Board concurs that the Planning Board should act as lead agency with respect to procedures and determinations under the State Environmental Quality Review Act, which must be completed prior to any formal action on the Plan.
3. A Public Hearing will be held before this Board on August 2, 1994, at 7:30 P.M. to consider an ordinance adopting the aforesaid report as the comprehensive plan for the Town, said hearing to be held jointly with the Planning Board should it so desire.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #108

Sand Lake Youth Commission Appointees

Councilman Glasser moved and Councilman Cybulski seconded the following resolution:

WHEREAS, the Town of Sand Lake Youth Commission provides variable advice and assistance to the Town; and

WHEREAS, the Town Board, on behalf of the people of the, Town, appreciates the efforts and dedication of these able people who donate their services; now therefore, be it

RESOLVED, that the following people are hereby appointed or reappointed to serve on the Sand Lake Youth Commission, at the pleasure of the Board through December 31, 1995:

Pat Dahl, Heleanu Browe, Joyce Eberle, Deborah Willbrant, Dawn Roberts.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #109

Speed limit reductions on various roads

Councilman Cybulski moved and Councilman Glasser seconded the following resolution:

WHEREAS, Many citizens have requested that speed limits be reduced on various roads with problems of sight distance, hills, curves, pedestrian traffic, housing density, type of cargo carried, etc. and,

WHEREAS, The public health, safety and welfare would be served by a reduction in the speed limits,

THEREFORE, BE IT RESOLVED,

1.) The Town of Sand Lake, pursuant to Vehicle and Traffic Law (1622, hereby requests the State Department of Transportation and County Superintendent of Highways to reduce the speed limit to 30 MPH on the following Town/county Roads(s) and to 45 MPH on the following state road(s):

ROADS BETWEEN

Algonquin Rd. (Town) Rt. 351 and Stop 13 Road

Crystal Lake Rd. (Town) Rt. 66 and County Rt. 45

Old Best Rd. (Co. Rt. 53) Rt. 43 and East Greenbush Town Line

Reichards Lake Rd. (State Rt. 351) Rt. 43 and Poestenkill Town Line

2.) The Town Board directs the Town Supervisor and Commissioner of Public Works to take whatever steps are reasonably necessary to carry out this resolution.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #110

Use of Town Park

Councilman Glasser moved and Councilman Baum seconded the following resolution:

BE IT RESOLVED, That the Town of Sand Lake Democratic Committee shall be permitted to dispense alcoholic beverages at the Town Park on Saturday, August 20, 1994 from 12:00 P.M. until 8:00 P.M.; provided, however, that the Committee first has secured any necessary State permits or licenses.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 3

NAYS: 1 (Baum)

RESOLUTION #111

Mining Permit Renewal Application - Springer Road Bank

Supervisor Wurtemberger moved and Councilman Baum seconded the following resolution:

BE IT RESOLVED, That the Town Supervisor is authorized to retain the services of George L. Marshall, Engineering Geologists, for a fee not to exceed \$1,000 to complete the Springer Road bank mining permit renewal application including topographic survey, mining and reclamation plan maps, forms and letter report.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #112

Budget transfers

Supervisor Wurtemberger moved and Councilman Cybulski seconded the following resolution:

BE IT RESOLVED, that the following transfers(s) shall be made in the 1994 budget:

FROM	TO	AMOUNT
A8090.4 (Environmental Control)	A1910.1 (Unallocated Insurance)	\$2,300.00
A8790.1 (Mining Reclamation- Personal Services)	A8790.4 (Mining Reclamation - Contractual Expenses)	\$1,000.00
H003-9901.9 (Landfill Reserve)	H006-R5031 (Interfund Transfer)	\$400,000.00
H006-R5031 (Interfund Transfer)	H006-8160.2 (Landfill Closure)	\$400,000.00
A8090.4 (Environmental Control)	A1-430.2 (Personal Equipment)	\$1,700.00

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #113

July 1994 Fund Warrant

Councilman Glasser moved and Councilman Baum seconded that the July 1994 Fund Warrant be paid as audited. General Fund \$27,133.68, Highway \$36,720.66, Landfill \$441,882.10, Water study Capital Fund \$8,095.49, Sewer \$1,233.72. Total fund Warrant \$515,055.65.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

AGENDA AMENDMENT,;Supervisor Wurtemberger moved and Councilman Cybulski seconded the motion to request the Board's permission to add an item to the agenda to address correspondence received from Kristine Zeronda requesting the Board to change the street name of Cobb Hill Road to Brier Hill Road.

MOTION CARRIED: UNANIMOUS

NO BOARD ACTION TAKEN ON THIS AGENDA ITEM

Councilman Cybulski moved and Councilman Glasser seconded the motion to request the Board's permission to allow Town Attorney Brock's to add an agenda item to retain additional counsel to assist in the litigation of the New York Telephone Company certiorari action against the town.

MOTION CARRIED: UNANIMOUS

RESOLUTION #114

Retainer for Additional Counsel regarding New York Telephone Councilman Cybulski moved and Councilman Glasser seconded the following resolution:



Be it RESOLVED that the Town Supervisor is authorized with Town Attorney Brock's assistance to retain counsel in the amount of \$500.00 to do the initial steps in the litigation of the New York Telephone Company certiorari action.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

QUESTIONS AND COMMENTS FROM RESIDENTS:

\* Justin Schultz addressed the Board opposing the retaining of additional counsel in regards to the New York Telephone certiorari action

\* Terry Turner addressed the board commending the Board and Town Attorney for its professional conduct exercised at the meeting

\* Frank Allen asked Councilman Baum if he had contacted the electric company about the street light facing Butler Park. Councilman Baum said he had

\* Councilman Glasser requested Councilman Baum to ask the electric company to turn the flood light off for the weekend of July 30, 1994 because it interferes with the Summerfest fireworks display

EXECUTIVE SESSION

Supervisor Wurtemberger moved and Councilman Glasser seconded the motion to adjourn the Regular Town Board Meeting and move into Executive Session to discuss legal matters at 9:08 P.M.

MOTION CARRIED: UNANIMOUS

Councilman Cybulski moved and Councilman Glasser seconded the motion to adjourn the Executive Session and reconvene the Regular Board Meeting at 9:35 P.M.

MEETING ADJOURNMENT

Supervisor Wurtemberger moved and Councilman Cybulski seconded the motion to adjourn the Regular Board Meeting at 9:36 P.M.

MOTION CARRIED: UNANIMOUS

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

Respectfully submitted

Colleen Regan Town Clerk/RMO

SPECIAL MONTHLY MEETING

August 2, 1994

The Special Board meeting of the Town Board of the Town of Sand Lake was called to order by Supervisor Wurtemberger at 9:26 P.M. at the Town Hall, Sand Lake, New York. The following answered roll call:

PRESENT: Supervisor Wurtemberger

Councilman Baum

Councilman Primeau

Councilman Cybulski

Councilman Glasser

Attorney Kevin Brocks

RECORDING SECRETARY: Town Clerk Colleen Regan

OTHERS PRESENT: Mary Hilt Record; Justin Schultz, Fred Schreyer, Peter Libertucci, Harold Roder and other residents.

#### PUBLIC NOTICE

Please take notice that the Town Board of the Town of Sand Lake will hold a Special Meeting at the Town Hall on Tuesday, August 2, 1994, upon the adjournment of the Town of Sand Lake's Proposed Master Plan Public Hearing scheduled for 7:30 P.M., to make an appointment to the position of Justice Clerk. Work Shop meeting to follow. By order of the Sand Lake Town Board.

/S/

Colleen Regan

Town Clerk/RMO

Councilman Primeau asked Supervisor Wurtemberger if the Special Meeting was advertised for the minimum required by law. Supervisor Wurtemberger stated the Notice was posted Saturday, July 30, 1994 in the Town Hall window box and was not required to be in the newspaper as a legal advertisement. Two telephone calls were placed to Councilman Primeau over the weekend with no response.

Supervisor Wurtemberger stated interviews were held on August 1, 1994 from 5:00 P.M. to 7:00 P.M. for the Justice Clerk position. The present Justice Clerk is leaving for a new job starting August 29, 1994. Seven Candidates were interviewed by Councilman Cybulski, Councilman Primeau, Supervisor Wurtemberger and the Two Justices Morton Shulman and Frank Bressler. A unanimous choice was made.

Supervisor Wurtemberger moved and Councilman Glasser seconded the following resolution:

Be it RESOLVED, that upon the advice and consent of the Justices, Peggy S. Burkart is hereby appointed to the position of Justice Clerk for a 31 hour work week at \$7.80 per hour.

Supervisor Wurtemberger asked for any discussion. Councilman Primeau asked the Supervisor if he spoke with Mrs. Burkart and the Supervisor said he did and she would accept the position. Councilman Primeau stated that part of his discussion with her was she would begin work within a week or so to begin training. Councilman Primeau wanted to clarify if the training would be at the \$7.80 per hr. salary. Supervisor Wurtemberger said yes. The Supervisor stated that Mrs. Burkart is willing to start August 15, 1994. The first two weeks and two Monday evenings would be the training.

The Board Members had some discussion on the current Justice Clerk's hours and Supervisor Wurtemberger stated her hours are 31 per week according to the present budget. Councilman Baum questioned why a Special Meeting was held and felt that the next Board Meeting of August 10, 1994 would be sufficient notification to Mrs. Burkart. Supervisor Wurtemberger stated it provided for a training period and for the prospective appointee and the Town to timely know who has the position. The availability of the eventual successful candidate was not known when the special meeting was noticed (the Saturday before the Monday interviews).

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

Justin Shultz of the audience felt that the salary of \$7.80 per hour should be reduced to a lower entry rate. Mr. Wurtemberger indicated that the Board was following past practice and that previous Boards had not established a graded or entry system of employment.

ADJOURNMENT

Councilman Cybulski moved and Councilman Glasser seconded the motion to adjourn the meeting at 9:36 P.M.

A complete accounting of all discussion of the Special Meeting is available for review on audio tape in the Town Clerk's office.

Respectfully submitted,

Colleen Regan Town Clerk/RMO

REGULAR MONTHLY MEETING

August 10, 1994

The regular monthly meeting of the Town Board of the Town of Sand Lake was called to order by Supervisor Wurtemberger at 7:30 P.M., at the Town Hall, in Sand Lake New York after the Pledge of Allegiance. The following answered roll call:

PRESENT: Councilman Joseph Baum

Councilman Paul Primeau

Councilman Joseph Cybulski

Supervisor Fred Wurtemberger

Attorney Fred Schreyer

ABSENT: Councilman John Glasser

RECORDING SECRETARY: Deputy Town, Clerk Art Mardon

OTHERS PRESENT: Harold Roder; Mary Hilt, Record; Alice Tiffit Ellen Caverly; Toly Bonesteel; Sean Baldwin; Dave Bolton; Joe McGuirk; Justin Schultz; John Stockman; Lynn Baldwin; Barbara Biittig; Ken

Van Pragg; Peter Libertucci; Gene Levy, Echo; Be kfardon; Ed Martin; George Wright; Connie Burkart & staff of Day Camp and other town residents.

APPROVAL OF MINUTES: Approval of July 13, 1994 Minutes and August 2, 1994 Minutes - TABLED

MONTHLY REPORTS:

Town Clerk - Colleen Regan

- \* Copy on File in the Town Clerk's Office

Supervisor Report - Hereto attached.

Youth Commission - Connie Burkart

- \* Gave the Town Board Members gifts from the children who attend the Sand Lake Day Camp
- \* Showed arts & crafts the children have made at day camp so far this season
- \* Introduced Day Camp Counselors: Jason Wood C.I.T.; Adam Lankin; Greg O'Connor,C.I.T.; Patty Gundrum; Rebecca Lattimore; Patiicia Campano; Emily Villagio; Jessica Henchey; Nadine Irish.
- \* Day Camp Hours 7:00 A.M. - 6:00 P.M.
- \* Thanked the Averill Park- School system for allowing them to use the Sand Lake School as the camp facility
- \* "Camper of the Year" is Ron Campano. Mr. Campano donated the hay wagon and hay for their parade

Sara Grant - Lynn Baldwin

- \* Copy on file in the Town Clerk's Office Presented the Board with indexed records on the Wynantskill Improvement Association with lesson plans for teaching. Will also present a video when completed.
- \* Gave a presentation of all information collected to date on the Wynantskill Improvement Association

Planning Board - Ken Van Pragg

- \* Copy on file in the Town Clerk's Office

Zoning Board of Appeals - Alice Tifft

\* July 1994 devoted strictly to the Ackner Hearing which is continued for next week for approximately 1 1/2 hours. If the Ackner hearing is not finished by 8:30 the Zoning Board will convene to hold 3 hearings first (listed below) and resume the Ackner hearing. A decision will not be reached for sometime because records will need to be obtained from the court stenographer to review (the court steno's records will be put of the ZB minutes) It may be up to two months before the conclusion of the Ackner hearing.

- \* Mahar - Special Exception for Apartment in her house.
- \* Teal - Area Variance. Keyhole lot Wisner Rd.
- \* Mahoney - Area Variance. Front yard & side yard setbacks.

Receiver of Taxes - Christine Kronau

- \* Not in attendance - no report given

Building Department - George Wright

- \* Copy on file in the Town Clerk's Office

Dept. of Public Works - Harold Roder

- \* Copy on file in the Town Clerk's Office

Animal Control/Senior Citizens/Street Lighting - Councilman Baum \*      Copies of Animal Control & Street Lighting Reports on file in the Town Clerk's Office

- \* Senior Citizen - No report

Cable TV/Insurance/Library - Councilman Cybulski

- \* Copies of Insurance & Library Reports on file in the Town Clerk's Office
- \* Cable TV - No report

Disaster Preparedness/Economic Development/911 - Councilman Primeau

- \* Copy of Emergency Response - 911 Report on file in the Town Clerk's Office
- \* Disaster Preparedness - Received notification of the NYS Disaster Preparedness Conference to be held September 20 - 22, 1994, to be held in Albany. Agenda consists of Community's right to know, Chlorine Planning, Hazard Mitigation, Public Information, Managing Disasters & Emergency Planning
- \* Economic Development - No report given

Highways/Recreation Facilities - Councilman Glasser

- \* Not in attendance - No report given

Town Attorney - Kevin Brocks

- \* Not in attendance - No report given

QUESTION & COMMENTS FROM RESIDENTS:

Justin Schultz addressed the Board requesting the opportunity to speak on the Spring Avenue Streetlight agenda item

BUSINESS

RESOLUTION #116 Sewer connection (from outside sewer district) - Peter Libertucci

Supervisor Wurtemberger moved and Councilman Primeau seconded the following resolution:



WHEREAS, Peter J. Libertucci, residing at State Route 66 near Creek Lane, mailing address PO Box 654, Averill Park, N.Y. 12018, (the property owner) wishes to connect such residence to the Sand Lake Sewer District #1 sewer main, and

WHEREAS, said property is not located within the Sewer District, and

WHEREAS, the Town Board has determined that allowing this connection would not adversely affect the capacity of said system nor the future ability of properties located within the District which are not currently connected to connect in the future, and

WHEREAS, the property owner has indicated his willingness to perform such connection in the manner approved by the District, and to pay all reasonable charges of accomplishing and maintaining same, in like manner as those property owners located within the District,

NOW THEREFORE IT IS HERE, BY RESOLVED AS FOLLOWS:

The Supervisor of the Town of Sand Lake is hereby authorized to enter into an agreement with the property owner, in the form of agreement attached hereto, providing for the property owner to connect his property to the District's sewer line, and further providing for payment by the property owner of the charges and assessments set forth therein.

Suggested agreement presented by Sewer Attorney Fred Schreyer:

RESIDENTIAL SEWER SERVICE CONTRACT SAND LAKE SEWER DISTRICT NO. 1

WHEREAS, \_\_\_\_\_ owning real property in the Town of Sand Lake, located at \_\_\_\_\_, Tax Map No. \_\_\_\_\_ (Owner), wishes to connect sanitary facilities on such real property to the Sand Lake Sewer District sewer lines; and

WHEREAS, all or a portion of the real property is located wholly or partially outside of the Sand Lake Sewer District No. 1 (District); and

WHEREAS, the District wishes to encourage the use of the sanitary sewer facilities constructed for the health and welfare of its residents;

NOW THEREFORE, be it agreed that:

Hook-up

Owner agrees to connect his/her sanitary facilities to the District's sewer line. All connections shall be done at Owner's expense and be subject to the inspection and approval of the District's sewer inspector.

Annual Charge

Until such time as the District is enlarged to include such real property, owner shall pay an annual charge for sanitary sewer services in an amount equivalent to the sewer fees paid by a like property that he's within the District. Specifically, Owner shall pay the Residential Unit Lateral Sewer Charge and the Operation and Maintenance Sewer Unit Charges as determined by the Sand Lake Town Board (Board) from time to time. In addition Owner shall pay the General Benefit Charge as assessed from year to year by the Board, plus the pro rata value of accrued capital costs to date, which shall be determined as the sum of what would have been the General Benefit Charge (ad valorem sewer assessments--' Sand Lake Sewer #1' on property tax bills) on the subject parcel for the current and the past ten tax years had the parcel been located in the sewer district.

Owner agrees that the annual charges shall be paid by the Owner within 30 days of the mailing of a bill for same by the District.

DATE: Owner \_\_\_\_\_

DATE: District \_\_\_\_\_

Supervisor, Town of Sand Lake

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #117

Unsafe Buildings - Faith Mills on Burden Lake Road

Councilman Baum moved and Councilman Primeau seconded the following resolution:

WHEREAS, the Town Building Department has brought to the Town Board a Report, pursuant to Local Law No. 2 of 1982 ("Unsafe Buildings"), concerning an unsafe portion of Faith Mills on Burden Lake Road; and

NOW, THEREFORE, BE IT RESOLVED, that the Town board of the Town of Sand Lake hereby:

1. Determines that the building is unsafe and dangerous, and order that it be repaired if it can be safely repaired or demolished and removed; and
2. Directs the service of the following attached Notice upon the appropriate person, pursuant to Section 7 of the aforesaid law.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #118

Reduction of Speed Limit(s) - Gettle Road

Councilman Cybulski moved and Councilman Baum seconded the Following resolution:

WHEREAS, Many citizens have requested that speed limits be reduced on various roads with problems of sight distance, hills, curves, pedestrian traffic, type of cargo carried, abutting housing density, abutting public use, etc. and,

WHEREAS, Many people, including children, young adults, and adults use or visit the educational and recreational facilities of averill Park High School and Butler Park abutting Gettle road, and

WHEREAS, The public health safety and welfare would be served by a reduction in the speed limits,

THEREFORE, BE IT RESOLVED,

1.) The Town of Sand Lake, pursuant to Vehicle and Traffic law {1622, hereby requests the State Department of Transportation and county Superintendent of Highways to reduce the speed limit to 30 MPR on the following Town Road(s):

ROADS BETWEEN

Gettle Road Rt. 43 and county Rt. 45

2.) The Town Board directs the Town Supervisor and Commissioner of Public Works to take whatever steps are reasonably necessary to carry out this resolution.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

## RESOLUTION #119

### Harassment In The Workplace Policy

Councilman Cybulski moved and Supervisor Wurtemberger seconded the following resolution:

BE IT RESOLVED, that the Town of Sand Lake hereby adopts the attached policy with respect to harassment in the workplace in accordance with guidelines of the Equal Employment Opportunity Commission. (Proposed "Harassment In The Workplace Policy" hereto attached).

Upon discussion as to who the designated internal investigative authority will be, to whom all alleged complaints shall be directed to, Councilman Cybulski made a motion to table the resolution pending further discussion at the next scheduled Workshop meeting, September 6, 1994 and Councilman Primeau seconded the motion.

RESOLUTION TABLED: UNANIMOUS

## RESOLUTION #120

Use of Town Park with dispensing of alcoholic beverages- Knights of Columbus & St. Henry's Parish

BE IT RESOLVED, That the Knights of Columbus and St. Henry's Parish, jointly, shall be permitted to dispense alcoholic beverages at the Town Park on Saturday, September 10, 1994; provided, however that the organizations first have secured any necessary State permits or licenses.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 3

NAYS: 1 - (BAUM)

AGENDA ITEMS - DISCUSSION ONLY

Spring Avenue Street Light Discussion concerning the cost of installing a street light on Spring Avenue. No decision made and item referred back to committee. No action taken.

Green Island burn plant Discussion on the plant and its effect to the Town of Sand Lake. No action taken.

RESOLUTION #121

Budget Transfer(s)

Supervisor Wurtemberger moved and Councilman Primeau seconded the following resolution:

BE IF RESOLVED, that the following transfer(s) shall be made in the 1994 budget:

FROM TO AMOUNT

H003-9901.9 (Landfill Reserve) H006-R5031 (Interfund Transfer) \$300,000.00

H006-R5031(Interfund Transfer)H006-8160.2 (Landfill Closure) \$300,000.00

A8090.4(Environmental Control) A1420.4 (Attorney Contractual) \$26,000.00

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #122

August 1994 Fund Warrant

Councilman Cybulski moved and Councilman Councilman Primeau seconded that the Fund Warrant be paid as audited. General Fund \$51,025.24, Highway \$69,855.42, Landfill \$294,926.20, Waterstudy Capital Fund \$5,772.08, Sewer, 8,508.23. Total Fund Warrant \$430,087.17.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

QUESTIONS AND COMMENTS FROM RESIDENTS:

Supervisor Wurtemberger asked for questions and comments. No response given.

MEETING ADJOURNMENT

Councilman Primeau moved and Councilman Cybulski seconded the motion to adjourn the Regular Board Meeting at 9:50 P.M.

MOTION CARRIED: UNANIMOUS

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

Respectfully submitted,

Colleen Regan Town Clerk/RMO

REGULAR MONTHLY MEETING

September 14, 1994

The regular monthly meeting of the Town Board of the Town of Sand Lake was called to order by Supervisor Wurtemberger at 7:30 P.M. at the Town Hall, in Sand Lake New York after the Pledge of Allegiance. The following answered roll call:

PRESENT: Supervisor Wurtemberger

Council Baum

Councilman Primeau Arrived 7:35 P.M.

Councilman Cybulski

Councilman Glasser

Town Attorney Brocks

RECORDING SECRETARY: Town Clerk Colleen Regan

OTHERS PRESENT: Mr. & Mrs. Daigle & legal representation; Frank Allen; Mary Hilt, The Record; Gene Levy, Echo; George Lanciault, Chatam Courier; Justin Schultz; Ken Van Pragg; Terry Turner; Connie Burkart; Harold Roder; Ed Martin; Angelo Patti; John Stockman; Fred Schreyer, Deputy Town Attorney and other residents.

APPROVAL OF MINUTES: Councilman Cybulski moved and Councilman Glasser seconded to approve the July 13, 1994 Minutes as submitted. MOTION CARRIED: UNANIMOUS

Councilman Glasser moved and Councilman Cybulski seconded to approve the August 2, 1994 Minutes as submitted. MOTION CARRIED: UNANIMOUS

Councilman Cybulski moved and Councilman Baum seconded to approve the August 10, 1994 Minutes as submitted. MOTION CARRIED: AYES: 3, ABSTAIN: 1 (Glasser)

#### MONTHLY REPORTS:

Town Clerk - Colleen Regan

\* Total fees submitted to the Supervisor for August 1994 - \$947.67

\* Copy on file in the Town Clerk's Office



Supervisor Report - Hereto attached.

Building Department - Ed Martin

- \* Copy on file in the Town Clerk's Office

Highway Department - Harold Roder

- \* Copy on file in the Town Clerk's Office

Planning Board - Ken Van Praag

- \* Copy on file in the Town Clerk's Office

Receiver of Taxes - Christine Kronau

- \* Copy on file in the Town Clerk's Office

Youth Committee - Connie Burkart

- \* Day Camp ended on August 19, 1994
- \* A total of 157 children attended. 80 children attended both sessions and 65 children were enrolled in the extended care
- \* Total cost to the Town \$30,402.00
- \* Teddy bear won by Mike Warren. Afghan won by Sue WSL Post Office. Prizes donated by Barbara Bittig which helps support field trips
- \* Sand Lake Beverage Center will continue to take bottles to benefit the Camp Scholarship Fund
- \* Children benefited from the scholarship for 1994
- \* Comment sheets were positive this year and idea's and suggestions are encouraged from the parents. Swim trips and Great Escape trips have been suggested but neither of them can be done because of rules, regulations and funds.

- \* Roller skating events booked through May 12, 1995
- \* Hay ride and haunted house trip planned for October 15 & October 29, 1994 for the older children
- \* Christmas crafts being worked on for early part of December 1994
- \* Articles have been appearing in the Advertiser on the different events and there will be more to follow
- \* Budget transfer for the Youth Program from the Personal Services line to the Contractual line - \$1,000.00

Councilman Glasser commended Mrs. Burkart for a job well done

Zoning Board of Appeals - Frank- Allen

- \* Copy on file in the Town Clerk,'s Office

Dog Control/Senior Citizens/Street lights - Councilman Baum

- \* Copies on file in the Town Clerk's Office

Cable/Insurance/Library - Councilman Cybulski

- \* Copies on file in the Town Clerk's Office

Highway Dept. & Town Park/Beach - Councilman Glasser

- \* Town Beach - completed a successful season with nice warm weather and good crowds in attendance. The town was able to staff the beach at all times
- \* Thanked the Life Guards and Beach Aides for job well done
- \* Town Park - The town is in the process of converting the skate board pad into a basket ball court and received bids for ceiling and striping the pad. Key Bank employee's were at the park, for their service community project and they were grading and planting grass and would like to thank them for there efforts also

Disaster Preparedness/Economic Development/911 - Councilman Primeau

\* No reports given due to little or no activity

QUESTIONS & COMMENTS FROM RESIDENTS:

Supervisor Wurtemberger opened the floor to residents at this time. No response was given from the residents in attendance of the meeting.

AGENDA AMENDMENT: Councilman Cybulski moved and Councilman Primeau seconded the motion to waive procedural rules to add an item to the agenda. A resolution commemorating Constitution Week, September 17-23, 1994.

MOTION CARRIED: UNANIMOUS

Councilman Glasser moved and Councilman Primeau seconded the motion to waive procedural rules to add an item to the agenda. A resolution to advertise for bids to purchase a highway vehicle.

MOTION CARRIED: UNANIMOUS

BUSINESS:

RESOLUTION #123

Authorization of Supervisor to enter an agreement with Daigle's Installation of sewer lateral along Mountain View Dr.

Supervisor Wurtemberger moved and Councilman Glasser seconded the following resolution:

WHEREAS, Phillip and Janice Daigle are the owners of a piece of property on Mountain View Drive which they are seeking to subdivide with Planning Board approval into five lots, and

WHEREAS, the Daigles have proposed to extend the town sewer line along Mountain View Drive a distance of about 1300 feet in order to service said subdivision, said installation to be at their own expense and according to Town specifications, and

WHEREAS, there are other properties in the vicinity which could in the future be connected to such extended sewer line, and

WHEREAS, it is in the interests of the Town and Sewer District to utilize the sewer system to the greatest extent feasible, and

WHEREAS, should other properties in the vicinity of such extended sewer line seek to connect to such extension, it would be fair and equitable to require them to reimburse the Daigles for part of the cost of extending the sewer main.

NOW THEREFORE IT IS HEREBY RESOLVED

The Town Supervisor, acting on behalf of the Town and the Sand Lake Sewer District 1, is hereby authorized and directed to enter into an agreement with Phillip and Janice Daigle providing for installation of approximately 1300 feet of sewer lateral along Mountain View Drive such installation to be according to Town and District specifications and at the sole expense of the Daigles, further providing for reimbursement to the Daigles for part of the costs of such installation by other persons who may wish to connect to such extended sewer lateral in the future, said Agreement to utilize the form of agreement attached hereto and incorporated herein by reference.

AGREEMENT

Dated \_\_\_\_\_ between the Town of Sand Lake (Town), the Sand Lake Sewer District #1 (District), and Janice and Phillip Daigle.

WHEREAS, the Town and District are desirous of expanding the District's sewer system and sewer service to the residents of the District and

WHEREAS, the Daigles are ready, willing and able to construct a certain lateral sewer main along Mountain View Drive from the present sewer main on Route 45, a distance of approximately 1300 feet, but wish to recoup some of their costs for doing so from other property owners in the vicinity of Mountain View Drive who may wish in the future to connect to such extended sewer lateral,

NOW THEREFORE IT IS HEREBY AGREED AS FOLLOWS:

1. The Town hereby grants to the Daigles authorization to place such lateral sewer main in the Town right of way along Mountain View Drive.
2. The Daigles agree to construct said lateral sewer main in accordance with District specifications, utilizing an 8" pipe with appropriate connectors, manholes and other appurtenances, all as approved in advance by the District, and to pay the complete cost of doing same, including without Stations the costs of the District's review engineer. Estimated review engineer costs for the entire project shall be placed in escrow with the Town, and paid from such escrow, in accordance with the same procedures used by the Planning Board in such matters. The Daigles further agree to utilize video equipment to aid in inspection of the completed sewer line.
3. The Daigles agree to guarantee the integrity and construction of said sewer line and to perform all required maintenance for a period of one year from its completion and final approval by the District's review engineer. The Daigles further agree to hold the Town and District harmless from any injury suffered by third parties during the period of construction of said sewer lateral. Upon the expiration of such one year guarantee period, the Town and District agree to hold the Daigles harmless from any and all claims for failure to the system while it is being maintained and controlled by the Town and District, except for damages caused by the negligent acts of the Daigles which are committed after the expiration of the one year guarantee period.
4. Upon expiration of the one year period referenced in paragraph 3 hereof, the District agrees to maintain said sewer line in all respects with regard to manholes, manhole covers, pavement cleaning,

serving and all other reasonable and necessary maintenance of said sewer line as if it were an integral part of the District's sewer system.

5. It is understood and agreed by the parties that the lateral sewer main to be constructed and paid for by the Daigles shall remain their private property and shall not be offered for dedication to the public until the earlier of the following events: 15 years from the date of completion and approval by the District's review engineer, or until the Daigles have recouped one half of their project costs as set forth in paragraph 6 below.

6. The Daigles agree that they will charge property owners who wish to connect to the sewer lateral to be constructed and owned by the Daigles, whether such connection is made directly to such sewer lateral or through a connection to an extension of such lateral, a fee for each building connection in an amount equal to less than one tenth (1/10) of the project costs for installation of the approximately 1300 feet of sewer lateral contemplated by this agreement. The Daigles further agree that no more than five such fees shall be charged, so that the total amount which the Daigles shall be permitted to recoup hereunder shall not exceed one half of their project costs. The maximum project cost for all purposes under this agreement is agreed to be the actual project costs or \$100,000.00 (One hundred thousand dollars), whichever is lower. Project cost includes costs of design and engineering, review engineering costs, permitting fees, and costs of construction and material.

7. The Town and District agree to advise any persons wishing to connect directly or indirectly to the sewer lateral to be constructed by the Daigles, until such time as said lateral is dedicated to the public, that said lateral remains the private property of the Daigles and that the Town has no authority to authorize such connection until and unless the Daigles have consented thereto.

8. The Daigles understand and agree that neither the Town nor the District shall in any event have any obligation to the Daigles for reimbursement or payment of any part of the project costs of said sewer lateral if it is determined that this agreement is invalid in whole or in part by any court of competent jurisdiction.

9. The Town and District understand and agree that the Daigles may in fact take title to the sewer line in the name of a corporation of which they shall be the sole shareholders, for the purposes of protecting themselves from any personal liability from third parties which might arise through ownership of said sewer line. This is not meant to reduce or eliminate any liability the Daigles may

personally have to the Town or District for any and all promises or covenants made under this agreement.

10. The Town and District agree that only one connection fee shall be charged to the Daigles for connecting the sewer lateral to the sewer main on Route 45.

Town of Sand Lake

Sand Lake Sewer District

Phillip Daigle

Jace Daigle

All signatures to be acknowledged by Notary

Councilman Baum moved and Councilman Glasser seconded the motion to approve two suggested minor changes to the Agreement which would not affect the substance of the resolution but were merely 'housekeeping' amendments.

AMENDMENT PASSED UNANIMOUSLY

RESOLUTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 4

NAYS: 0

ABSTAIN: 1 (Cybulski)

#### RESOLUTION #124

Public Hearing to consider an amendment to a local law pertaining to sewer connections

Councilman Cybulski moved and Councilman Glasser seconded the motion to schedule a Public Hearing for the purpose of amending the Town Sewer Law to be held on Wednesday, October 12, 1994, at 7:30 P.M. immediately preceding the Town Board Meeting.

#### RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

At this time Supervisor Wurtemberger reminded the Town Board Members that at the next regularly scheduled Workshop Meeting, October 4, 1994, there will be a Special Meeting concerning the Tentative Budget.

#### RESOLUTION #125

Unsafe Buildings - Donald Richards

(Letter hereto attached) A Hearing was scheduled for September 14, 1994, 7:30 P.M., at which time Mr. Richards has the opportunity to challenge any portion of the attached June 13 1994 Building Dept. Report. Mr. Richards will also have the opportunity to show good cause why demolition and removal should not commence in the proposed schedule. Supervisor Wurtemberger opened the floor to Mr. Richards. Mr. Richards was not in attendance of the meeting. Ed Martin Building Inspector, addressed the Board informing them that at Approximately 3:30 P.M. this afternoon he inspected the site in question and some work has commenced. The oil tank has been removed from the basement. He has cut up some of the debris in the cellar. Some progress has started. Richards was under the impression this was all he needed to do. Mr. Martin informed him that the site must be made safe and the existing Foundation needs to be filled in. Councilman Primeau asked if the fence was installed around the property as requested to do so by the Building Dept. back in August. Mr. Martin said a fence was not installed as requested. Mr. Richards has 60 days in which to make the site safe commencing 30 days of the notice dated August 4, 1994- which gives Mr. Richard until October 4, 1994. Councilman Cybulski urged Mr. Martin to contact Mr. Richards again to move progress along. Mr. Martin stated Richards no longer wants the Building Inspectors contacting him and instructed the Building Dept. to contact his attorney. Attorney Brocks suggested that the Building Inspectors should give the Town Board a report at the end of the 60 day period with recommendations as to whether the Board ought to hire a contractor to clean up the site.



NO BOARD ACTION TAKEN ON THIS AGENDA ITEM

RESOLUTION #126

Addition to Miller's Market

Supervisor Wurtemberger moved and Councilman Glasser seconded the motion that the Supervisor be authorized to send a letter (hereto attached) to the New York, State Department of State in regards to the Town of Sand lake - Miller's Key Bank/Rite Aid Addition.

Councilman Primeau stated he was not in favor of the issuance of the temporary certificate of occupancy in regards to the Miller's Market Addition. (see letter attached) Councilman Primeau was in favor of the letter being sent to the state stating the facts that have occurred.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 3

NAYS: 2 - (Baum, Cybulski)

RESOLUTION #127

Mobile Home Replacement - Bertram Referral to Planning Board

Supervisor Wurtemberger moved and Councilman Baum seconded the motion to refer a Mobile Home Replacement application for Mr. Bertram to the Planning Board.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #128 Acquisition of Landfill Site

Supervisor Wurtemberger moved and Councilman Baum seconded the following resolution:

## ACQUISITION OF LANDFILL SITE

WHEREAS, the Town of Sand Lake is under order to close the Town landfill on Chamberlain Road in accordance with State Law and the Rules and Regulations of the New York, State Department of Environmental Conservation; and

WHEREAS, The Town Board in consultation with its experts has thoroughly received all the Town's options with respect to the landfill; and

WHEREAS, on May 17, 1994, the Town Board adopted Determinations and Findings" recommending the acquisition by exercise of the power of eminent domain if necessary, of the landfill property in order to preserve the public health and welfare; and

WHEREAS, also on May 17, 1994, the Town Board issued a negative declaration under SEQRA with respect to the acquisition; and

WHEREAS, the Town Board has previously directed the Supervisor to take whatever steps are necessary to acquire the property, preferably of course by negotiation but including eminent domain; and

WHEREAS, the Town Board has retained counsel engineering and appraising expertise to advise it on these matters, and to assist the Town in acquiring the landfill property, including all services that would be needed to acquire the property by eminent domain; and

WHEREAS, the Town Board on June 8, 1994, adopted a resolution authorizing the Supervisor to post whatever deposit the Court may require in connection with the temporary possession of the landfill property; and

WHEREAS, the Town Board wishes there to be no confusion of the record with respect to this matter;

THEREFORE, BE IT HEREBY RESOLVED, that the Town Board of the Town of Sand Lake directs the Supervisor to pursue acquisition of the landfill property, including if necessary by exercise of the power of eminent domain.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 3

NAYS: 2 - (PRIMEAU, CYBULSKI)

RESOLUTION #129

Travel Request - Building Dept.

Councilman Primeau moved and Councilman Glasser seconded the motion that George Wright and Ed Martin be authorized to attend the second annual "Capital District Building Officials Educational Conference. (Request attached)

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #130

Travel Request - Dept. of Public Works

Councilman Cybulski moved and Councilman Baum seconded the motion that Harold Roder be authorized to attend the New York State Association of Highway Superintendents 64th Annual Conference. (Request attached)

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #131 Travel Request - Planning Board

Councilman Primeau moved and Councilman Baum seconded the motion that Justin Schultz, Fred Schreyer and Bonnie Cook be authorized to attend the New York Planning Federation 1994 Annual Planning and Zoning Conference at expenditures of \$440, \$440, and \$190 respectively.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE,:

AYES: 1 - (Primeau)

NAYS: 4

RESOLUTION #132

Travel Request - Planning Board (Amended)

Supervisor Wurtemberger moved and Councilman Glasser seconded the motion to authorize Justin Schultz, Fred, Schreyer and Bonnie Cook to attend the New York Planning Federation 1994 Annual Planning and Zoning Conference up to a maximum of \$200 per person.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 4

NAYS: 1 - (Primeau)

RESOLUTION #133

Budget transfer(s)

Councilman Primeau moved and Councilman Glasser seconded the following resolution:

BE IT RESOLVED, that the following transfer(s) shall be made in the 1994 Budget:

FROM	TO	AMOUNT
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A7310.1(Youth - Personal)      A7310.4 (Youth - Contractual)    \$1,000.00  
H003-9901.9(Landfill Reserve)    H006-R5031(Interfund Transfer)\$150,000.00  
H006-R5031(Interfund Transfer)H006-8160.2(Landfill Closure)    \$150,000.00

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #134

September 1994 Fund Warrant

Councilman Glasser moved and Councilman Baum seconded that the September 1994 Fund Warrant be paid as audited. General Fund: \$21,725.74, Highway: \$,10,416.77, Landfill: \$16,408.33, Chamberlain Rd. Capital Project: \$33,723.89, Waterstudy Capital Fund: \$3,919.57, Sewer Fund: \$436.68. Total Fund Warrant \$116,630.98

RESOLUTION ADOPTED BY TIM FOLLOWING VOTE: UNANIMOUS

Resolution #135

Commemoration of Constitution Week

Councilman Cybulski moved and Councilman Primeau seconded the following Resolution:

RESOLUTION COMMEMORATING CONSTITUTION WEEK, SEPTEMBER 17-23,1994

\*Amendment moved by Councilman Primeau and seconded by Councilman Glasser to substitute the word posterity for prosperity.

WHEREAS, Our founding Fathers, in order to secure the blessings of liberty for themselves and their  
\*posterity did ordain and establish a Constitution for the United States of America; and

WHEREAS, It is of greatest importance that all citizens fully understand the provisions and principles contained in the Constitution in order to support, preserve, and defend it against all enemies; and

WHEREAS, The two hundred seventh anniversary of the Signing of the Constitution provides an historic opportunity for all Americans to realize the achievements of the Framers of the Constitution and the rights, privileges, and responsibilities it affords; and

WHEREAS, The independence guaranteed to American citizens, whether by birth or naturalization, should be celebrated by appropriate ceremonies and activities during Constitution Week, September 17 through 23, as designated annually by proclamation of the President of the United States of America in accordance with Public Law 915; now, therefore, be it

RESOLVED, That the Town Board of the Town of Sand Lake, County of Rensselaer, State of New York, does hereby proclaim the week of September 17-23, 1994 as "CONSTITUTION WEEK" in the Town of Sand Lake; and be it further

RESOLVED, That this body does hereby urge all of our citizens to reflect during this week on the many benefits provided by our Federal Constitution and American Citizenship; and be it further

RESOLVED, That the Town Clerk is hereby directed to transmit a certified copy of this Resolution to the local representative of the National Society of the Daughters of the American Revolution.

AMENDMENT PASSED UNANIMOUSLY

RESOLUTION ADOPTED BY THE FOLLOWING VOTE,: UNANIMOUS

Resolution #136

Authorization to Publicize for purchase of a Highway One Ton Truck Cab & Chassis Dual Rear Tires

Councilman Glasser moved and Councilman Cybulski seconded the following resolution:

BE IT RESOLVED, that the Town Clerk is directed to advertise for bids for the purchase of such vehicle in accordance with specifications which have been approved by the Highway Department.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

QUESTIONS & COMMENTS FROM RESIDENTS:

Mary Hilt addressed the Board regarding the acquisition of the Landfill site.

EXECUTIVE SESSION

Councilman Primeau moved and Councilman Cybulski seconded to adjourn the Regular Board Meeting and move into Executive Session at 9:13 P.M. to discuss legal matters.

MOTION CARRIED: UNANIMOUS

Councilman Primeau moved and Councilman Baum seconded the motion to adjourn the Executive Session and reconvene the Regular Board Meeting at 10:08 P.M.

MEETING ADJOURNMENT:

Councilman Primeau moved and Councilman Cybulski seconded the motion to adjourn the Regular Board Meeting at 10:10 P.M.

MOTION CARRIED: UNANIMOUS

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

Respectfully submitted,

Colleen Regan Town Clerk/RMO

SPECIAL MONTHLY MEETING

October 4, 1994

The Special Board meeting of the Town Board of the Town of Sand Lake was called to order by Supervisor Wurtemberger at 7:35 P.M. at the Town Hall, Sand Lake, New York. The following answered roll call:

PRESENT: Supervisor Wurtemberger

Councilman Baum

Councilman Primeau

Councilman Cybulski

Councilman Glasser

RECORDING SECRETARY: Town Clerk Colleen Regan

OTHERS PRESENT: Mary Hill Record; Gene Levy , Echo; John Stockman; Harold Roder; Ed Martin and other residents.



## PUBLIC NOTICE

The Sand Lake Town Board will hold a Special Meeting at the Sand Lake Town Hall on Tuesday, October 4, 1994 at 7:30 P.M. for the purpose of presenting the Tentative Budget for Fiscal Year 1995. The regularly scheduled Workshop Meeting will immediately follow the Special Meeting. /S/ Colleen Regan  
Town Clerk/RMO

## BUSINESS

Supervisor Wurtemberger presented the "TOWN OF SAND LAKE 1995 TENTATIVE BUDGET" and supporting information to the Town Board members.

QUESTIONS & COMMENTS FROM RESIDENTS: Supervisor Wurtemberger asked for questions and comments from the residents present. No response given.

## ADJOURNMENT

Councilman Cybulski moved and Councilman Glasser seconded the motion to adjourn the meeting at 8:05 P.M.

A complete accounting of all discussion of the Special Meeting is available for review on audio tape in the Town Clerk's office.

Respectfully submitted,

Colleen Regan Town Clerk/RMO

SPECIAL MONTHLY MEETING

October 12, 1994

The Special Board meeting of the Town Board of the Town of Sand Lake was called to order by Supervisor Wurtemberger at 7:30 P.M. at the Town Hall, Sand Lake, Now York. The following answered roll call:

PRESENT: Supervisor Wurtemberger

Councilman Primeau

Councilman Cybulski

Councilman Glasser

Attorney Kevin Brocks

ABSENT: Councilman Baum

RECORDING SECRETARY: Town Clerk Colleen Regan

OTHERS PRESENT: Ken Van Pragg; Harold Roder; George Lanciault, Chatam Courier; Justin Schultz; John Stockman, Fred Schreyer; Gene Levy, Echo; John Kacharian; George Wright; Ed Martin; Mary Hilt Record; Frank Allen; Art & Bernie Mardon; Dennis Arena and other town residents.

PUBLIC NOTICE

Please take notice that a Public Hearing will be held by the Town Board of the Town of Sand Lake at Town Hall located on Route 43 in the Town of Sand Lake on Wednesday, October 12, 1994, at 7:30 P.M. to consider a proposed local law allowing properties outside of the Sand Lake Sewer District Number 1 to connect to the sewer system under certain conditions. The regular Sand Lake Town Board Meeting will follow adjournment of the Public Hearing. By Order of the Town Board. /S/ Colleen Regan Town Clerk/RMO

Proposed Local Law 2 entitled "Allowing properties outside of the Sand Lake Sewer District Number 1 to connect to the sewer system under certain Conditions" was read aloud by Clerk Regan to the residents. (Hereto attached).

QUESTIONS & COMMENTS FROM RESIDENTS: Gene Levy asked if the proposed local law referred to the Daigle agreement. Supervisor Wurtemberger referred to the Libertucci Agreement. The Diagles are within the District.

Councilman Glasser moved to close the Public Hearing and Councilman Cybulski seconded the motion at 7:35 P. M.

MOTION CARRIED: UNANIMOUS

APPROVAL OF MINUTES:

Approval of the September 14, 1994 and October 4, 1994 Meeting Minutes - TABLED

MONTHLY REPORTS:

Town Clerk - Colleen Regan

- \* Total fees submitted to the Supervisor for September 1994 - \$2,599.89
- \* Copy on file in the Town Clerk's office

Supervisor Report - Fred Wurtemberger

\* Hereto Attached

Building Department - George Wright

\* Copy on File in the Town Clerk's office

\* Requested the Board to review video tape regarding two building structures before adjournment

Highway Department - Harold Roder

\* Copy of file in the Town Clerk's office

Planning Board - Ken Van Pragg

\* Copy on file in the Town Clerk's office

Capital Improvements Committee - Ken Van Pragg

\* Committee has been meeting since its inception of April 1994

\* The committee is in the data collection stage

\* Examined the Town Hall in terms of square footage, existing facilities, etc.

\* Conducted written surveys, site surveys and have listed potential properties that may be recommended to the Board for consideration

\* Contacted community organization and have heard from several of them

\* Last month held a Public Information Hearing which was attended by many community organizations.

\* A wide range of cultural aspects/needs for the town were conveyed

\* The committee has begun to put together an instrument which will allow it to rate by uses and needs, recommendations for various parcels/sites

Receiver of Taxes - Christine Kronau

- \* Copy on file in the Town Clerk's office

Youth Commission - Connie Burkart

- \* Not in attendance - no report given

Zoning Board of Appeals - Frank Allen

- \* Checks collected in the Amount of \$300.00

- \* Copy on file in the Town Clerk's office

Dog Control/Senior Citizens/Street Lights - Councilman Baum

- \* Not in attendance - no reports given

Cable/Insurance/Library - Councilman Cybulski

- \* Copies on file in the Town Clerk's office

Highway Department/Town Park/Town Beach - Councilman Glasser

- \* In the process of putting together a new basket ball court for the Town Park

- \* Town Beach has been winterized and the Town Park will be wintered shortly

Disaster Preparedness/Economic Development/911 - Councilman Primeau

- \* Copy of 911 Report on file in the Town Clerk's office

- \* Disaster Preparedness/Economic Development - no report given

Attorney - Kevin Brocks

- \* The Judge in the pending eminent domain proceeding has set a pre trial conference for November 2, 1994. He has asked the parties to meet and seriously discuss settling the matter.

\* Attorney Brocks requested an executive session to discuss litigation on the preceding matter

#### QUESTIONS & COMMENTS FROM RESIDENTS:

John Stockman addressed the Board regarding a letter that was sent to the Assessor pertaining to future expectations for the upcoming year. Mr. Stockman wanted to know who wrote it why it was sent and what issues were discussed in the letter. Supervisor Wurtemberger responded that he asked for information in connection with the budget process. Mr. Stockman also asked why the Assessor is not required to make a monthly report to the Board. Supervisor Wurtemberger responded that he would ask her to make one.

Frank Allen addressed the Board with a public safety issue regarding 5 serious auto accidents within a week at the Corner of NYS Rt. 150, County Route 50, Millers Corners Road and County Route. 55 which is Old Route. 152. Mr. Allen requested that D.O.T. place a flashing light at the intersection and he would detail his request in writing.

#### BUSINESS

#### RESOLUTION #137

Local Law 2 - Sewer connections from outside of District

Supervisor Wurtemberger moved and Councilman Glasser seconded the motion to adopt the amendment of Local Law number 1 of the year 1980 entitled Local Law 2 of the year 1994 "Allowing properties outside of the Sand Lake Sewer District Number 1 to connect to the sewer system under certain conditions".

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

#### RESOLUTION #138

Dedication of Timberland Drive

Councilman Cybulski moved and Councilman Glasser seconded the following resolution:

TIMBERLAND DRIVE

WHEREAS, a parcel of land known as Timberland Drive has been offered for dedication to the Town of Sand Lake for highway purposes; and

WHEREAS, said offer of dedication was contained in a certain subdivision map entitled "Mountain View Estates, Lands of Timber Land Consultants, Inc.," dated September 27, 1985; and

WHEREAS, said subdivision was duly approved by the Planning Board and Rensselaer County Department of Health; and

WHEREAS, the roadway shown on said map is being used as a highway; and

WHEREAS, the Town believes that the continued use of said highway by the public would be in the public interest; therefore

BE IT RESOLVED:

1. The offer of dedication of Timberland Drive is hereby accepted and said highway is dedicated to the public use as a town highway; and
2. The Town Supervisor, with the assistance of the Town Attorney, is requested to obtain a deed to said property and title insurance, if appropriate.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #139

Dedication of Noah Drive

Supervisor Wurtemberger moved and Councilman Glasser seconded the following resolution:

BE IT RESOLVED, that the Town of Sand Lake hereby accepts dedication of Noah Drive upon submission to the Town Attorney of a deed in proper form.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 3

ABSTAIN: 1 (Primeau)

RESOLUTION #140

Dedication of Avon Ct (extended)

Supervisor Wurtemberger moved and Councilman Glasser seconded the following resolution:

BE IT RESOLVED, that the Town of Sand lake hereby accepts dedication of Avon Ct. extended upon submission to the Town Attorney of a deed in proper form.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE:-: UNANIMOUS

RESOLUTION #141

1995 Preliminary Budget - Set date(s) to establish/modify tentative budget - Set date for public hearing



Councilman Primeau moved and Councilman Cybulski seconded the motion to establish a Workshop meeting for the Pre Budget for November 1, 1994 at 7:30 P.M. and the Public Hearing on the Budget for November 9, 1994 at 7:30 P.M.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #142

Smith & Mahoney Work Schedule #9

Supervisor Wurtemberger moved and Councilman Primeau seconded the following resolution

BE IT RESOLVED, that Smith and Mahoney, P.C. is authorized under work schedule No. 9 to provide additional construction review and observation services for the landfill closure project for a fee not to exceed \$6,000.00.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #143

Smith & Mahoney Work Schedule #10

Supervisor Wurtemberger moved and Councilman Primeau seconded the following resolution:

BE IT RESOLVED, that Smith and Mahoney, P.C. is authorized under work schedule No. 10 to provide landfill environmental monitoring for a one year period starting with the fourth quarter of 1994 for a fee not to exceed \$20,500.00

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

AGENDA AMENDMENT: Councilman Cybulski moved and Councilman Primeau seconded the motion to waive procedural rules to add an item to the agenda to direct the Town Clerk to advertise for bids on the Town's insurance.

MOTION CARRIED: UNANIMOUS

RESOLUTION #144

Authorization to Advertise for Insurance Bids

Councilman Cybulski moved and Councilman Glasser seconded the following resolution:

BE IT RESOLVED, that the Town Clerk is hereby directed to advertise to begin the process to allow the Town Board to receive bids for the Town's insurance coverage for the next three year period beginning March 1, 1995.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #145

Three year Insurance bidding process

WHEREAS, it is and has been the intent of the Town Board to put the Town's insurance coverage out to bid for a three year period and upon expiration of an agreement with an insurance agency; and

WHEREAS, such three year agreement shall be considered to be the full term of which each insurance coverage package shall be written by an individual insurance agency through the control of a bidding procedure; now, therefore be it

RESOLVED, that during an agreement period of three years with an insurance agency, the Town shall generally not seek to re-bid its insurance with any other insurance agency unless unforeseen circumstances shall arise; and be it further

RESOLVED, that in the event that the Town terminates an agreement with an insurance agency which has been writing the Town's insurance coverage, the Town Board shall act on behalf of the Town following all proscribed protocols to re-bid all insurance coverage for a term which shall expire to coincide with the end of said three year period; and be it further

RESOLVED, that at the end of such an interim period of insurance coverage, the three year bidding cycle shall begin anew with all aforementioned processes duly followed.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #146

Travel Request - Planning Board Members

Councilman Primeau moved that in accordance with the Sand Lake Planning Board Authorization of September 7, 1994 Justin Schultz, Fred Schreyer and Bonnie Cook be authorized by the Sand Lake Town Board to attend the New York Planning Federation 1994 Annual Planning and Zoning Conference at the original expenditures of \$440, \$440, and \$190 respectively. The motion was not seconded.

RESOLUTION NOT SECONDED

RESOLUTION #147

Budget transfer(s)

Supervisor Wurtemberger moved and Councilman Cybulski seconded the following resolution:

BUDGET TRANSFERS AND AMENDMENTS(S)

BE IT RESOLVED, that the following transfer(s) shall be made in the 1994 Budget:

FROM TO AMOUNT

DA5110.4 Gen Repairs (Cont.) H009-5110.2 Chamberlain Rd. \$296.62

Repair

DA5112.2 Capital Outlay DA5110.4 Gen. Repairs \$50,000.00

(CHIPS) (Contractual)

A8790.1 Mining Recl. (Pers.) A1450.1 Elections \$2,265.00

(Pers. Serv.)

A8790.1 Mining Recl. (Pers.) A1450.4 Elections \$125.00

(Contractual)

A8790.1 Mining Recl. (Pers.) A1320.4 Audit & Account \$1,500.00

(Contractual)

A7140.1 Playgrounds (Pers.) A7140.4 Playgrounds \$250.00

(Contractual)

BE IT RESOLVED, that the following amendment(s) shall be made in the 1994 Budget:

Create appropriation account A1465.2 (SARA Grant)Equipment \$500.00

Increase appropriation account A1465.4 (SARA Grant)Contractual \$2,500.00

to be funded by appropriating additional fund balance which was available on 12/31/93 from SARA monies as provided by Section 112 of Town Law.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #148 Capital Fund Supervisor Wurtemberger moved and Councilman Cybulski seconded the following resolution:

CAPITAL FUND

BE IT RESOLVED, that a Capital Fund for Water Study be established and financed as follows:

Revenue	H011-3889	State Aid	\$50,000.00
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Appropriations	8310.2010	Consultants	\$41,270.00
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2020	Secretarial/Clerk	\$1,700.00
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2030	Equipment	\$4,600.00
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2040	Other	\$50,000.00
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RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #149

October 1994 Fund Warrant

Councilman Glasser moved and Councilman Cybulski seconded that the October 1994 Fund Warrant be paid as audited. General Fund: \$20,230.08, Highway: \$37,686.78, Landfill: \$121,571.83, Waterstudy Capital Fund: \$3,767.16, Sewer Fund: \$869.44. Total Fund Warrant \$184,125,.29.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

AGENDA AMENDMENT: Councilman Primeau moved and Supervisor Wurtemberger seconded the motion to waive procedural rules to add an item to the agenda to review video tapes of an unsafe building structure, Faith Mills, located on Burdon Lake Rd. and an unsafe site located on Kipple Road.

MOTION CARRIED: UNANIMOUS

RESOLUTION #150 Unsafe Building(s) Faith Mills - located on Burdon Lake Rd. (Mr. Bolton)

Councilman Glasser moved and Councilman Primeau seconded the, following resolution:

BE IT RESOLVED, that the Supervisor is authorized to retain the services of a qualified engineer to review the situation at the Faith Mills Building and to request from that engineer a report and recommendations and be it further

RESOLVED, that the Supervisor is authorized, at his discretion, to retain the necessary services to secure or demolish the building(s) as pursuant Local Law 2 of 1982 and be it further

RESOLVED, that the Building Department is directed to attempt contact with the owner of the premises to see if the owner is able, within a very short reasonable time, to properly secure the premises.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #151

Unsafe Site - located on Kipple Rd. (Donald Richards)

Councilman Cybulski moved and Councilman Glasser seconded the following resolution:

BE IT RESOLVED, that the Supervisor is authorized to direct the Commissioner of Public Works in cooperation with the Building Department to take the appropriate steps necessary to secure the premises that have heretofore been sighted pursuant Local Law 2 of 1982 known as the Richard's premises located on Kipple Road; if the property owner does not accomplish this work to the satisfaction of the Building Department by November 1, 1994, the Town will proceed to secure the premises and said work is scheduled to take place on or about November 1, 1994 and be it further

RESOLVED, that the Building Department is directed to assure that the copy of the notice is filed in the office of the County Clerk and be it further

RESOLVED, that the Town Attorney is directed to attempt to contact the Attorney that appeared in front of the Board on behalf of the Richards

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

QUESTIONS & COMMENTS FROM RESIDENTS:

No response given.

EXECUTIVE SESSION

Supervisor Wurtemberger moved to adjourn the Regular Board Meeting and move into Executive Session to discuss legal matters at 10:05 P.M.

MOTION CARRIED: UNANIMOUS

Councilman Cybulski moved and Councilman Primeau seconded the motion to adjourn the Executive Session and reconvene the Regular Board Meeting at 10:29 P.M.

MOTION CARRIED: UNANIMOUS

ADJOURNMENT Supervisor Wurtemberger moved and Councilman Glasser seconded the motion to adjourn the Regular Board Meeting at 10:29 P.M.

MOTION CARRIED: UNANIMOUS

A complete accounting of all discussion of the Special Meeting is available for review on audio tape in the Town Clerk's office.

Respectfully submitted,

Colleen Regan Town Clerk/RMO

SPECIAL MONTHLY MEETING

November 1, 1994



The Special Board meeting of the Town Board of the Town of Sand Lake was called to order by Supervisor Wurtemberger at 7:34 P.M. at the Town Hall, Sand Lake, New York. The following answered roll call:

PRESENT: Supervisor Fred Wurtemberger

Councilman Joseph Baum

Councilman Joseph Cybulski

Councilman John Glasser

Attorney Kevin Brocks

ABSENT: Councilman Paul Primeau

RECORDING SECRETARY: Town Clerk Colleen Regan

OTHERS PRESENT: Gene Levy, Record; Mary Hill Record; George Wright; Ed Martin; Harold Roder, Tom Larkin; Members of the Sand Lake Ambulance Inc.; Members of the Sand Lake Town Library and others.

Supervisor Wurtemberger stated that the agenda consists of two parts:

- 1.) Review and modification of the 1995 Tentative Budget. The Town Board will entertain questions & comments from the residents.
- 2.) The establishment of the Preliminary Budget. The Preliminary Budget will be subject to a Public Hearing at the next regularly scheduled Town Board Meeting, November 9, 1994.

Councilman Glasser stated that the Sand Lake Ambulance Inc. had been appropriated \$75,700 for the 1993 fiscal year and wanted to know if they had spent all of the money plus fund drive revenues.

Mr. Robert Metzger, Representative for the Sand Lake Ambulance Inc., answered Councilman Glasser stating that all 1993 funds had been appropriated. Mr. Metzger gave the Board Members a 1995 proposed budget submission and a Fiscal Analysis as of October 18, 1994 for their review to help answer any questions they may have. (Hereto attached).

Councilman Glasser asked Mr. Metzger if they spend the total budget that they are given and the where do the monies from the fund drive go? Does the money go toward operating expenses or your building, etc.

Mr. Metzger explained that out of the \$75,000 given to them by the Town that \$60,700 of that monies goes toward the actual operation and \$15,000 is put into a new ambulance fund. The Agreement with the town is that the SL Ambulance puts \$15,000 each year toward a new ambulance which costs approximately \$75,000. So every 5 years they can purchase a new ambulance. Basically on a 10 year replacement. The SL Ambulance runs two rigs and replace one every 5 years. Monies taken in on fund drives and other miscellaneous income, is put aside, as much as possible, towards building renovation. The Building is in pretty bad shape, does not meet OSHA standards, does not meet code and is inadequate for their needs. In the past they have taken the money and purchased things above and beyond what the operation would normally allow. Example 2 years ago they spent \$30,000 and put together their 1st response vehicle and all the equipment that goes along with it. This allowed them to drop their response time from 12 minutes down to 8 minutes on the average. Or they will purchase extra defibrillators etc.

Councilman Cybulski asked if the money that the Town provides to the ambulance is given to them in one lump sum, quarterly or monthly. Mr. Metzger said that they are given one lump sum and put the money in an interest bearing account and kept separate from the other funds. As needed they transfer the money into a checking account to pay for operating expenses. The \$15,000 towards the new ambulance also gets put into an interest bearing account. Mr. Metzger stated that the SL Ambulance will not be asking for any more money for the 95 budget than what they were given for last year because donations and fund drive are up and they can use that money to offset expenses.

Councilman Cybulski asked . Metzger in regards to the building renovation what is their time table for what they are planning or hoping to do? Mr. Metzger said that the SL Ambulance wanted to start adding an addition on this past summer but ran into some legal snags as far as the land etc. but have overcome these problems and they believe they will start renovation in the spring and be finished in about 3 months time. One thing they strive to do is hold their expenses down in order to put as much money as possible into the Building Renovation Fund which is not tax dollars but donations and they try to build that account up over the years so they could afford to do this renovation at no expense to the tax payers, other than their personal donations to the ambulance.

Supervisor Wurtemberger stated that the Sand Lake Library group desired to address the Board.

Doctor Gregory Benson, a Trustee of the Sand Lake Library, addressed the Board and stated that Mr. Jerry Oestrich President of the Board of Trustees, could not attend the meeting this evening and that he would be the representative on his behalf. Dr. Benson stated that as trustees, appointed by Town Board members, and when they were appointed were given a specific commission to administer the Library for the Town of Sand Lake as effectively and efficiently as possible and if they were not doing so that it would behoove the Town Board to take some action. Dr. Benson stated that is why they are here this evening. The trustees have recognized the fact that their number of registrants have jumped up over 7,000 and the population of Sand Lake is approximately 7,600. They are encountering some problems with space and money. Dr. Benson stated that the Library is slipping in terms of their effectiveness and efficiency. There is evidence that the residents of Sand Lake are also aware of the library's deficiencies. Not only is space and money a problem, they are encountering problem with staff and technology. The Library need people who are trained technically to remedy the problem. The Library has a number of people who have been employed with them a long time and who are looking at other positions. "So we are here in terms of representing you", The Town Board, "since you appointed us as Trustees to let you know that we are slipping." "We are not maintaining the level of effectiveness, the level of efficiency with which we are accustomed and what the patrons of our Town really are expecting it." "We are also aware of the fact that you have a broader responsibility than we do." "I think I made some comments about that at the last Trustees meeting and we are sensitive to that and the role that you have to play but we also want to make sure that you understand that we are working for you." "You appointed us and gave us an assignment and we feel that it is incumbent upon us let you know about how we are slipping at this point, how we need assistance and as a matter of fact you could say that we would be negligent if we did not make this kind of report." I'm just doing the introduction here, we have four other people here who are prepared to make comments or answer your question.

Supervisor Wurtemberger asked if anyone else from the library wanted to speak at this time with comments or questions.

Carolyn McLoughlin addressed the Board regarding personnel of the Library and referred to the library's written 1995 Budget proposal (hereto attached). Originally it was advised by the New York Library Association that wages for library staff should be comparable to school district employees in the area and set accordingly. At that time the library salaries were not based on that but the Board of Trustees set the salaries close to school district salaries. Now each year the library salaries are slipping farther and farther behind that standard and we are asking our people to do more and more work. At this point the starting pay for the library assistant is less than what a person would get to start a Walmarts. Our library assistants carry a great deal of responsibility. They are often in charge of the Library without either herself or the assistant director there. They are responsible for opening and closing the Library,

managing money, in charge of the volunteers who work at the time they are there, they handle records, answer questions. Basically they are in charge when the population comes in. Now we are asking each of these people to take on additional responsibilities to meet the demands and mandates of New York State Education Dept., The Bureau of Library Development demands that we meet certain minimum standards by 1995 which means operating fax machines, personal computers and additional technology. We are also in the process of automating our circulation system, while this, is not part of the 1995 mandate, is something that the library needs to meet the increased technology and the demands of the Library's patrons. The Sand Lake library has already met all the minimum standards for 1995 and this is attributed to the community support that the Library has. The point with the staff is that were asking them to do more and more and now were talking increasing our technology by automating the circulation system and not compensating the staff in any way. The staff are highly qualified people and they are very fortunate to have people with degrees well above what is required under the conditions. Some of these people are now beginning to look at other positions, someone just left to become a director of a preschool so that shows you the qualifications of the library assistants and we are paying them \$5.30 an hour to start. Our highest paid library assistant has 6 years of experience and is still making less than the entry level position of an Averill Park School Teaching Assistant and they have more responsibility than a teaching assistant. Also library assistant is making less than a person makes at Walmarts. So I am asking you to take this into account when you look at our personnel. We have asked that in this budget each of our library assistants be given a 25 cent an hour raise and then a 4% increase on their anniversary date. We have also asked for an increase for the Assistant Director who is making less than new graduates of library school in their first year of their first job. This person has over 9 years experience this should account for something. We want to be able to keep these people and we want to make them to feel that they are worth something working for our community. So I am asking you to leave the budget as has been proposed and as you know we expect to loose some County funding. We have in this budget have figured out how we can support \$1,000 of lost income by utilizing the fax machine.

Supervisor Wurtemberger stated that the 1995 Tentative Budget honors all of the Library's requests for salary increases. The only thing that was deleted was the interim move of some \$20,000. We are waiting for recommendations of the Capitol Improvements Committee and it is questionable whether or not we should be expending monies now when maybe a year down the pike we have other Facilities. Last year the Library received \$77,400. The 1995 Tentative Budget includes an item for \$87,700 which is a little over a 13 percent increase. It honors all of your requests except for the interim move.

Councilman Cybulski stated that it also puts the County funding back if he was not mistaken. Supervisor Wurtemberger said that it did take care of the County :funding so there would be no loss to the Library and the Town is picking up 100% of what the Library is missing from the County and in additionally, although it has not amounted to too much lately, the Town picks up the retirement contribution for the employees. Carolyn stated that the Towns pays for the Balance of two employees who are on tier two.

Supervisor Wurtemberger said that this is not reflected in any figures the Library gave to the Town Board. The Library put in 16% for benefits but in addition to that the Town pays retirement contributions which is nominal at this point in time but will most likely be going up.

Carolyn thanked Supervisor Wurtemberger on behalf of the Library staff.

Supervisor asked if there were any more questions or comments. There was no response given and Supervisor Wurtemberger thanked the representatives present from the Library for their presentation and invited them to stay for the rest of the meeting.

Supervisor Wurtemberger suggested that the Town Board review the 1995 Tentative Budget page by page so that he could summarize things for them if they were in agreement. Supervisor Wurtemberger pointed out that his budget message indicated two now part-time positions and some readjustments to either hours or salaries for other people and he wanted to review that for the Board members.

\* Justice Clerk - 4% increase effective after 6 months of employment and then a regular 4% increase which is being suggested for practically all employee's, at least 4% and more in a few cases. Increase the hours of 31 hours up to 32 1/2 and those hours would include evening sessions of the court.

\* Assessor Clerk/Data Collectors - increases total hours from 30 hours to 32 1/2 hours.

\* Supervisor's Secretary and Book keeper - increase hours from 32 1/2 to 37 1/2.

\* Clerk /Typist - (New position) 20 hours at \$7.50 an hour.

\* Zoning Board of Appeals Secretary - compensate the same as the Planning Board Secretary. That individual does an appreciable amount of work getting the minutes together and other responsibilities and feels that the person should get the same compensation as the Planning Board Secretary.

\* Planning Board Clerk - compensate at the same rate as the Justice Clerk. Would be more than a 4% raise and includes evening meetings. Supervisor Wurtemberger stated that the Planning Board Clerk and also Justice Clerk pretty much run the daily activities of those operations. They are equivalent to administrators of their offices and should be compensated accordingly.

\* Assistant for Planning/Improvements - (New part-time position) 20 hours per week at \$13.00 an hour. That individual would:

1. Be involved in implementing the Master Plan.
2. Assist in coordination of any modifications to the Zoning Regulations and Subdivision Regulations.
3. Be involved in any capital improvements which may come up in the future for example a municipal center or things of that nature.
4. Assist in making applications for grants.

\* Attendant for Solid Waste Facility - increase the hours and reduce the rate of pay. The Town is Presently receiving applications for that position which has been advertised for three weeks.

Supervisor Wurtemberger indicated that recalculations produced some changes:

Justice Clerk - A personnel increase of \$360.00 due to a transposition error.

Assessor - A personnel increase of Assessor/Data Collectors of \$17.00.

Planning - A personnel decrease of \$79.00.

Refuge & Garbage - A personnel decrease of \$1,300 based upon response of applicants for attendant position of 18 hrs/wk. at \$7.50/hr.

Town Clerk - A revenue reduction of \$4,200 (from \$7,000 to \$2,800). Planning Board and other fees were duplicates.

Councilman Baum stated that he had an over all question on the budget. "In your budget summary sheet that you handed out you indicated some percent changes over 1994 and you had a reduction of 38.4% in the General Fund and if you combine the General Fund and the Library you came out with a minus 26% as compared with the 1994 budget and then the Highway Fund had a minus 1.1% and Sewer Fund a minus 2% and so on." Now when I looked at the backup sheets attached to that I noticed that the

first expense appearing was personnel. Did you compare the 1994 budget as modified not necessarily expenditures, but amounts, that were placed in the budget? Is that what you were comparing to?

Supervisor Wurtemberger stated that he compared the total overall budgets.

Councilman Baum stated that some things were maybe conservative amounts were placed in there, in other words, larger amounts might have been necessary so that the reduction is exaggerated. If you make that comparison. But even if we don't do that even if we compare the way you did at the bottom of the personnel page it has Grand Total 94 Modified Budget \$727,000 and some change and then the 1995 Tentative Budget \$748,000 so that is an increase of over \$20,000 which would be an increase of 2 - 3% increase. Then I turned to the next page and it says equipment and it has 94 Modified Budget Grand Total \$96,000 and then the Tentative Budget figures for 95 is \$121,000 and some change. That is a 25% increase. Then I turned to the next page which has a grand total just has total and at the bottom of the page it says 94 Modified

Actual Total \$293,000 and then the 95 Tentative Budget figure is \$393,000 an increase of \$110,000. Over 33% and Contractual the Grand Total 1994 Modified Budget \$732,000 and then 95 jumps up another \$3,000. So that's an increase. So on every category that you have attached to claiming these 38% percent decreases, 26%, 1%, 2%, 0%, no increase but all of your expenditures are greater. Some by significant amounts than last years. I don't know how to reconcile.

Supervisor Wurtemberger stated that the percentages apply to the tax rate not to the expenditures. There are different things involved in the budget. There are expenditures, revenues and transfers. So you have to look at all aspects of it and come down with a bottom line.

Councilman Baum asked what is the bottom line was.

Supervisor Wurtemberger said the bottom line is there will be a tax reduction.

Councilman Baum wanted to know why there will be a tax reduction if all the expenditures are increased.

Supervisor Wurtemberger informed him that the people were over charged in 1994 because it was an inflated budget.

Councilman Baum said that if your making that claim your budget figures are higher and he becomes more mystified the longer that this goes on. "Starts to smell like politics to me."

Supervisor Wurtemberger stated that we have things like raises, more expenditures in different categories, however, we have more income.

Councilman Baum wanted to know what that entailed.

Supervisor Wurtemberger said that it included numerous items.

Councilman Baum said that his point is that there appears to be noticeable increases in the expenditures not reductions.

Supervisor Wurtemberger said he would have to review each item.

Councilman Baum stated "lets do that."

At this time the Supervisor and Town Board members reviewed the budget and determined that there was an increase in Personnel of \$20,000; Equipment an increase of \$24,000; Contractual an, increase of some what less than \$30,000. General, Highway and Sewer a decrease of some \$32,763.

The Board proceeded to review each page of the 1995 Tentative Budget.

- Councilman Baum questioned the Assessors contractual line of \$24,500. Supervisor Wurtemberger suggested that if he feels it is too much then reduce it. Councilman Baum said he



did not know what the purpose of the monies are for and wanted to know what the town would be getting for expenditure.

- Councilman Cybulski asked if the 1995 Tentative Budget is basically what is presented by department heads generate Supervisor Wurtemberger stated yes, with some modifications in certain areas.

Attorney Brocks asked if outside council for various services is included in the Town Attorney line. Supervisor Wurtemberger said yes and also included codification for the Town's local laws.

Councilman Baum questioned the personnel line regarding what the part timer will do. Supervisor Wurtemberger stated that Betty Heller, the former Bookkeeper, felt that one of the biggest deficiencies was that there wasn't any backup for that position. To recognize that deficiency and that certain department heads do there own typing (Budding Department DPW and ZBA) which would be better done by a typist allowing the departments heads to do what they were hired to do.

- Supervisor Wurtemberger stated the big item in Public Works Administration is for equipment. The purchase of a special tractor to mow the lawn at Butler Park. and snow plowing in cramped areas.

- Councilman Cybulski stated that in regards to Central Communications (Cable TV) additional equipment is needed that was not initially purchased with the audio visual equipment for taping Town Board meetings. Also to purchase some lights and camera lens.

- Supervisor Wurtemberger stated that there is an increase in Unallocated Insurance based on the information received from the insurance carriers.

- Supervisor Wurtemberger stated that Contingency is doubled for 1995 budget. Contingency was originally \$20,000. \$1,000 was transferred out. Councilman Baum asked if the \$19,000 has been spent. Supervisor Wurtemberger stated that it has not been spent. Councilman Baum wanted to know if the Board could take the \$19,000 and roll it over into the 1995 budget. Supervisor Wurtemberger said you can not do that. You have to start all over again with a new budget. You can not roll over anything,

except for Capital Accounts. Capital Accounts are ongoing and there are no yearly deadlines. Councilman Baum wanted to know why the Board would double Contingency. Supervisor Wurtemberger said it was to take care of any unforeseen events. For example legal expenses. Councilman Baum said that he understood this but the track record is we didn't spend a penny of half that amount why would you double it. Supervisor Wurtemberger stated that there was a lot of fat in two other items in the 1994 Budget which is not in the 1995 Budget so if you have unexpected items it will have to come out: of Contingency. The allowable amount is 10%. Hopefully you will not need to use it but if you do it is there.

- Ed Martin, Deputy Building & Zoning Commissioner, addressed the Board regarding a request in a form of a letter to have his salary increased to that of George Wright's, Commissioner of Building & Zoning salary. His request was not honored in the 1995 Tentative Budget. Councilman Baum stated that his understanding is that Ed Martin is paid a lesser amount than George Wright. The differential is more than ordinarily would be for longevity and if that is true I wonder what the reason is. Supervisor Wurtemberger stated he could not speak for past Boards for what salary schedules were set up and he just tacked on the 4%. Councilman Baum said he thought that up until the recent past Ed Martin did not have the paper qualification or certifications that George Wright did. Councilman Glasser said he has spoken to everyone involved about this. There is \$2,000 for overtime. December of last year Ed Martin was working 30 hours a week and the Board increased his hours to 40 hours a week as needed. Ever since then it seems that there is an automatic 40 hours every week plus overtime. Councilman Glasser proposed to knock out the overtime and the only overtime would be for fire inspections as needed when necessary.

- Supervisor Wurtemberger stated that there is a reduction in Employee Benefits of \$24,000.

- Interfund Transfers - To balance the Highway fund in 1994 there was \$160,000 stated to be transferred from the General to the Highway Fund and Supervisor Wurtemberger reduced it to zero and at a lower tax rate. Councilman Baum asked if he gave the Highway Fund any money. Supervisor Wurtemberger indicated he is using \$15,000 of the sales tax instead of \$160,000 from the General Fund.

- Real Property Tax - Have to calculate and fill in with a figure after the Town Board decides at this meeting. Councilman Baum asked how accurate the Sales Tax is at \$285,000. Supervisor Wurtemberger reviewed this with the consulting auditor and decided on the proposed figure. Councilman Baum heard it may be As much as \$100,000 or more than that. Councilman Cybulski stated that it depends on the economy. Supervisor Wurtemberger indicated that to be conservative the Town is allocating \$30,000 more than 1994 in the General Fund and \$15,000 in the Highway Fund.

- Town Clerks fees should be \$2,800 instead of \$7,000.
  
- Street Maintenance a reduction
  
- CHIPS Program the same
  
- Bridge Maintenance a reduction
  
- Machinery an increase
  
- Snow Removal a slight increase

Supervisor Wurtemberger stated that for Total Transportation there was a decrease from \$752,400 to \$698,141. Supervisor Wurtemberger also stated that there was a decrease in Employee Benefits from \$137,500 to \$111,700 a reduction of almost \$26,000

Salaries for Town Officials are all stated for a 4% increase

After reviewing the 1995 Tentative Budget in depth Supervisor Wurtemberger stated that other than the changes that he recited to his recollection there was some discussion on the Assessor's Contractual and Building & Zoning.

Councilman Baum stated unless there is more of a reason to give the Assessor \$24,500 than what he has heard he would eliminate it and look at it again next year and see who the Assessor will be for the next six years after that and talk to them whether a reval is needed. There are other options, State Board is now paying \$10 a parcel to combine services with another municipality is always possibility. Might be able to get a reval out of it and get up to 100% without a lot of cost to the tax payers and maybe even reduce our assessment cost for the future. Supervisor Wurtemberger asked what figure did Councilman Baum suggest. Councilman Baum said he does not know what contractual expenses she usually spends \$1,000 to \$3,000 on education expenses but does not see that submitted in travel expense. Attorney

Brocks stated that there are challenges to commercial assessments (for instance Bon Acres have taken a tax certiorari.) requiring the need to hire an appraiser and certain recurring litigation related expenses (utilities, etc.) which have to be paid. Supervisor Wurtemberger offered \$10,000 as a suggestion for the Assessor's Contractual. Councilman Cybulski asked Attorney Brocks if he sees the utility litigation as a possible contingent for some of these expenses then perhaps the figure is appropriate as is. Attorney Brocks says he has not looked at the Assessor's estimates but there should definitely be some money in the contractual to cover certiorari costs. Councilman Baum asked Attorney Brocks if this type of expense comes out of the Attorney's Contractual. Supervisor Wurtemberger stated that in the past it has come out of both Assessor and Attorney. Councilman Baum expressed that he feels the Assessor should give an itemization of what she anticipates to spend the contractual on. Councilman Baum recommended \$5,000 would be more in line of past requests. Councilman Cybulski stated that you can't put money into the budget once it has been adopted.

Supervisor Wurtemberger said you can transfer money within the budget. Councilman Cybulski then stated that you can't take anything in from outside. Councilman Cybulski said he agrees with Supervisor Wurtemberger's recommended figure. Councilman Baum asked if they could ask the Assessor for a breakdown. Supervisor Wurtemberger said he has to have a figure down this evening because the Board is having a Public Hearing on November 9, 1994. Councilman Cybulski stated it could be amended at that time.

Board members were in favor of decreasing line item A-1355.4 from \$24,500 to \$10,000.

Councilman Cybulski asked Councilman Baum if Control of Dogs is a contracted service, salary or a submitted expense. Councilman Baum said he honestly does not know. To his knowledge after talking to Supervisor Wurtemberger it has been a salary paid position and he with the Dog Warden. Supervisor Wurtemberger said he does not have a problem keeping it in the 1 code but he thinks that the service should be provided by a contractual arrangement because otherwise if the Dog Warden is on the payroll then she is subject to certain benefits, disability etc. Councilman Cybulski said that the dog warden is not exactly a bonafide employee of the town but someone who works on behalf of the Town but it seems it would lend itself more to a contractual arrangement. Councilman Baum was in agreement with this. Supervisor Wurtemberger said the Consulting Auditor is paid by voucher not by payroll. Supervisor Wurtemberger stated that for budget purposes it can stay as is and be remedied between now and the end of the year.

Supervisor Wurtemberger asked Councilman Glasser if he is still suggesting to reduce the overtime for Building & Zoning. There is a figure of \$2,080 allocated for overtime. Last year there was \$2,000 and 4%

was tacked on by the Department and Supervisor Wurtemberger went along with their request. Councilman Glasser suggested that the Board decrease the overtime down to \$500 and use the overtime for fire inspections only. Both George and Ed have a 40 hour work week including Planning & Zoning meetings and court cases. Supervisor Wurtemberger stated this would be similar to the Justice & Planning Board Clerk's hours. The meetings they attend are deducted from the hours they work during the week. Councilman Cybulski directed his question toward both Councilman Glasser and George Wright asking approximately how many hours is spent per month at meetings. Mr. Wright said approximately 5 hours a month each but does vary. Supervisor Wurtemberger stated a 40 hour work week multiplied by 4 gives you 160 deduct 5 out of that is 155 for the office and the field and their time includes going to meetings. Comp time is not applicable. Harold Roder, Commissioner of Public Works, asked if they spend an hour at the meeting does that go toward an hour and half towards their work week. Councilman Cybulski told him no it is an hour for an hour. Supervisor Wurtemberger stated that it would be the same as the Justice or Planning Board Clerk. They do not receive time and a half for their time. George Wright wanted to know how overtime is handled with other departments. Councilman Glasser told him anything over 40 hours. Supervisor Wurtemberger stated that the Board is suggesting a different scheme. The background is Ed Martin started at 30 hours a week part-time and it keeps inching up. It was only suppose to be 40 hours as needed. Now he claims the need is every week and on top of that there is over-time. The Board feels that needs to be constrained and we would like to see it limited to 40 hours a week. Harold Roder stated that he has some concerns about this affecting the Highway Dept.'s work week. Supervisor Wurtemberger said that the Highway Dept. has a whole different compensation schedule. Councilman Glasser stated that the Board would like to see the Building Dept. work a 40 hour work week with over-time for fire inspections only. George Wright asked if the Building and Zoning Dept. fall under Public Works such as the Highway Dept. Supervisor Wurtemberger told him only administratively as a matter of convenience. George Wright said what he is trying to get at is that they are treated a little differently than his department Supervisor Wurtemberger said that the Highway Dept. got 5 cents an hour increments for each year they work. Ed Martin asked why they are not treated equally. Supervisor Wurtemberger stated that when you get into certain white collar jobs there is a distinction between hourly workers and administrative type jobs. Mr. Martin stated that Councilman Glasser pointed out to the Building Dept. that people are complaining because they see two representatives from the dept. at a meeting and asked the Board if they were aware of the fact that only one of them is getting paid and the other person comes gratis for that time. Councilman Glasser said he did not say meetings he said two people riding around in the same vehicle duplicating services where it is not needed. This is where the problem comes in. The Building Dept needs to manage the time so you can get more out of the Dept. All Councilman Glasser says he hears from them is that they are over worked. So if you are overworked Mr. Martin should do one project and Wright should do a project and if the other needs help as far as an inspection you have a Supervisor, Harold, who you can arrange to come with you. You do not have to pull the other person off of a building inspection. Ed Martin stated that they drive together in the same vehicle, because it is efficient for mileage purposes. Councilman Glasser said that meanwhile while your saving the Town a \$1.50 for driving 6 miles your costing us \$11 in time. It doesn't work out. Supervisor Wurtemberger stated that the Board is getting a lot of complaints from the public and they would like to see it stopped. Mr. Martin indicated that the Building

Dept. is not running a popularity contest. Mr. Martin expressed his dissatisfaction with the equal of the salary structure of the Town employees.

Councilman Glasser recommended 4% salary increases and \$500 overtime.

Supervisor Wurtemberger stated that what has normally been done during the budget process is to develop another employee compensation list and the 1995 Budget format will be different. Employees who attend night meetings will be indicated with an asterisk.

Supervisor Wurtemberger enumerated the following changes in addition to the previously recited recalculations:

Assessor- A Contractual decrease of \$14,500 Safety Inspections/Building & Zoning - A personnel decrease of \$1,582 (reflects the reduction of over-time plus \$2 salary recalculation)

Councilman Glasser asked if Councilman Primeau indicated any changes that he would like to see. Supervisor Wurtemberger said that Councilman Primeau has not had any discussion with him on the matter. Councilman Glasser asked if Councilman Primeau has any complaints. Supervisor Wurtemberger stated that he could not say.

Supervisor Wurtemberger said he would entertain a motion. Councilman Cybulski asked if the Board is moving on this or just suggesting this be done. Supervisor Wurtemberger stated that the Board is moving to incorporate these changes into the Preliminary Budget which will then be the subject for the Public Hearing. The Primeau Budget is not the final budget. Attorney Brocks asked if the last column is no longer the Supervisor's but is that the Town Board's. Supervisor Wurtemberger said yes. Attorney Brocks said if it is the Town Board's you would need a resolution. Councilman Glasser stated that it has not been past practice.

#### RESOLUTION #152

Establishment of the 1995 Preliminary Budget

Councilman Cybulski moved and Councilman Glasser seconded to establish the 1995 Preliminary Budget incorporating the listed changes (enumerated and recited by Supervisor Wurtemberger).

RESOLUTION ADOPTED BY THE FOLLOWING VOTE:

AYES - 3

NAYS - 1 (Baum)

Mary Hilt asked why the Supervisor's secretary is not listed under his personnel line item. Supervisor Wurtemberger stated that it was past practice and he understood it to be within Audit and Control guidelines.

A motion was made by Supervisor Wurtemberger and seconded by Councilman Baum to close the meeting at 9: 15 P.M. All in favor.

Respectfully submitted,

Colleen Regan Town Clerk

REGULAR MONTHLY MEETING

November 9, 1994

The regular monthly meeting of the Town Board of the Town of Sand Lake was called to order by Supervisor Wurtemberger at 7:33 P.M. at the Town Hall, Sand Lake, New York. The following answered roll call:

PRESENT: Supervisor Fred Wurtemberger

Councilman Joseph Baum

Councilman Paul Primeau

Councilman Joseph Cybulski

Councilman John Glasser

Attorney Kevin Brocks

RECORDING SECRETARY: Town Clerk Colleen Regan

OTHERS PRESENT: Gregory Benson; Harold Roder; Ed Martin; Art Mardon; Connie Burkart; John Kacharian; Mary Hilt Record; Frank Allen; John Stockman; Justin Schultz; Ken Van Pragg, Mr. Bolton and others.

PUBLIC HEARING:

LEGAL NOTICE NOTICE OF HEARING UPON PRELIMINARY BUDGET NOTICE IS HEREBY GIVEN,

that the preliminary budget for the fiscal year be January 1, 1995 has been completed and is on file in the office of the Town Clerk at Town Hall, Sand Lake, NY where it is available for the inspection by any interested person 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, Sand Lake, NY on the 9th day of November, 1994 at 7:30 P.M., and such item or items therein contained. Pursuant to Section 108 of the Town Law, the proposed salaries of the following Town Offices are hereby specified as follows:

Supervisor \$20,800.00

Town Clerk \$24,965.00

Council persons \$5,007.50

(Total Council salaries \$20,030.00)



/S/

Colleen Regan, Town Clerk

Supervisor Wurtemberger stated that discussion is to be limited to five (5) minutes per person but if time allows residents may address the Board a second time if they have additional questions or comments.

At this time Supervisor Wurtemberger opened the Public Hearing with an Introduction from a portion of the Supervisor's Report for the period of October 12, 1994 to November 9, 1994 stated as follows:

During October, I submitted my 1995 Tentative Budget to the Town Board. This Budget includes a 10% combined reduction in the tax rate from \$7.68 to \$6.91 per \$1,000 assessed value for the town wide funds of Highway, General and Library.

Several additional programs are proposed including codification of the Town's regulations/local laws and hiring a part-time assistant for planning/improvements. This person would be used in conjunction with capital improvement planning and updating the zoning and subdivision regulations to help implement the new Town Master Plan which is being finalized.

#### QUESTIONS AND COMMENTS FROM RESIDENTS:

John Stockman asked what the actual expenditures were for 1994 budget year. Supervisor Wurtemberger answered him by stating that the 1994 budget year has not yet ended so he does not have that figure but does have that figure for 1993. Mr. Stockman asked what the figure was for 1993. Mr. Stockman stated the reason he is asking is because Supervisor Wurtemberger is stating that there is a 10% reduction in taxes but upon review every single item has had an increase in spending. Spending; appears, to be up from the 1994 Modified Budget. "The only way your getting a 10% reduction is to spend \$300,000 of monies that are put into unexpended balances which is really the Towns savings account. Which was generated by the Landfill closure fund." Supervisor Wurtemberger compared the 1994 Budget with the 1995 Budget and stated that there is a decrease of 10% in the tax rate from '94 to

'95 and a summarization was given to the Board Members and to the press. Personnel costs will go up \$21,000 and includes 4% raises and if you apply 4% to the 1994 figure that would be \$30,000 and it has only gone up \$21,000 partly due to reduction in the mining reclamation code in 1994 which included a figure \$46,600. Mr. Stockman asked if actual spending is going down and how much. Supervisor Wurtemberger stated yes. Actual spending from 1994 to 1995 is going down in the General and Library Account - from \$1,160,000 to \$1,051,000; Highway Account - from \$889,500 to \$809,841; Sewer Account - about the same going up about \$500.00. A reduction of \$190,000.

John Stockman asked what the \$10,000 in the Assessors Contractual is for. Supervisor Wurtemberger stated that it is to retain any special services that might be required to bring property values up to date. Stockman said that his understanding that the Assessor was to evaluate each year 1/3 of the Town as part of her general duties and then at the time all the properties were reevaluated then to impose the new evaluations on the properties. Mr. Stockman wanted to know if his understanding is correct. Supervisor Wurtemberger stated that he does not have any information regarding previous Board plans regarding reevaluating of properties. Mr. Stockman wanted to know what the Assessor duties are concerning reevaluating. Supervisor Wurtemberger stated her duties are outlined in the Rules and Regulations set up by State Equalization and Assessment. Mr. Stockman wanted to know if the \$10,000 is enough for getting the revaluation done this year. Supervisor Wurtemberger stated it would not be enough to do the whole project. Mr. Stockman wanted to know how much would be enough to do the whole project. Supervisor Wurtemberger stated that he did not know at this time. Mr. Stockman commented that you would need to reevaluate the entire town that you can not reevaluate portions. Supervisor Wurtemberger stated that he understood that you can reevaluate portions. Mr. Stockman said absolutely not. Supervisor stated again that this was his understanding. John Stockman questioned the \$24,200 in the Research (A8030) budgeted line item on page 8 of the Budget. Supervisor Wurtemberger stated that in personnel services \$13,500 is salary for an assistant for Planning and Capital improvements. \$10,000 is for consulting work to upgrade the Zoning and Subdivision regulations. John Stockman questioned Environmental Control (A8090) stating that there is a savings of \$22,000 from last year and is this related to the landfill. Supervisor Wurtemberger stated that the original figure was \$53,500 to be used for joining the Eastern Rensselaer County Solid Waste Authority. The current Board decided that it was not the way to go because in addition to paying the \$53,500 in 1994 there would also be a buy in fee to join the authority in excess of \$200,000. A budget transfer was made from that line item.

Councilman Baum commented that many of the items of spending are up for the 1995 Budget and yet there is a reduction in the amount of the taxes to be raised. In the past year or two there were monies taken from unexpended balances or surplus and paid off existing town debts except sewer so the Town in effect had no debts. Spent monies to buy new equipment and paid cash instead of Bonding over long term because it was in the best interest of the people of the town. Set up several funds for the future one of which is the Contingency and Tax Stabilization Reserve Fund. What that provided was if the Town due to unexpected expenses or emergencies with space with a large deficit the Town Board could have resorted to this if there was going to be an increase in taxes amounting to 5% for the next fiscal year.

This wasn't dipped into in order for this administration to provide not only a tax reduction because the qualifications were not met. Basically what your doing is taking money from the Town's savings account- in order to reduce the budget for next year even though you increase the number of positions and increased spending in a lot of areas. So we are financing things on the fly here sounds like the State and Federal government rather than the sound basis that we were on before this budget came into effect.

Councilman Cybulski stated that it sounds like funding that was done in the past through monies from the landfill closures that were allowed to be used in General Fund purposes.

Councilman Primeau stated that there was never landfill closure money used.

Councilman Cybulski said that he did not mean to use closure. He miss-spoke by saying closure he meant funds from the landfill. The point that he does not understand is the Supervisor's Budget as presented and the Tentative Budget as offered is reducing Town taxes by a figure close to 10%. Councilman Cybulski stated that he did not have a problem with that.

Councilman Baum said that he does have a problem with the 10% tax reduction because it is eating up the surplus in order to do that and you can do it again next year and took great going into an election year but then the surplus is going to be gone if you do it to the same tune as what's being done this year. Councilman Baum stated that he is all for holding the line and keeping tax increases at zero if that is possible and believe it would be. Not reduce taxes and make your-self look good by dipping into surplus.

Council Cybulski stated that Councilman Baum is making a supposition by saying yourself look good." A Budget is presented as a fiscal plan for the town. If the town can save 10% off its tax rate the entire town benefits. That is the bottom fine.

Councilman Baum stated it benefits this year and next year but not in future years. Because your going to have a surplus that might be needed and it is going to be gone.

Councilman Cybulski stated that he does not have a crystal ball and can not predict what is coming up.

Councilman Baum stated that neither can he but again his point is that the Board should not empty its savings accounts in order to get a tax reduction but should be holding the line on taxes and keeping that savings account in tact until really needed.

Supervisor Wurtemberger stated that is a difference of philosophy.

Councilman Baum said that he understood that and that he is expressing his opinion.

Supervisor Wurtemberger said he would like to see taxes reduced and Councilman Baum would like to see them stay up where they are.

Councilman Baum stated that he felt that summarized it.

Supervisor Wurtemberger added that to balance the 1994 Budget, the previous board used \$300,000 of savings from the General Account.

Councilman Baum stated that some of those monies were used for long term purposes.

Supervisor Wurtemberger stated this was to balance the operating budget. \$300,000 of the fund balance to balance the 1994 Budget.

Councilman Primeau stated that it is similar to what Supervisor Wurtemberger is doing this year.

Supervisor Wurtemberger agreed and then stated that he was not using \$300,000 but using approximately \$190,000.

Councilman Primeau stated that he would disagree with Supervisor Wurtemberger in the fact that he is indicating \$194,000 in General; \$64,000 in Highway and your adding \$10,000 in Public Library Fund which you have indicated is \$268,000.

Supervisor Wurtemberger stated that the Library is their own money. That he is comparing \$300,000 in the General Account. He is using \$194,000 in the General Account.

Councilman Primeau stated that in the Highway Fund in last year's budget was zero. This year your using \$64,000.

Supervisor Wurtemberger stated that except last year there was a projected fund transfer of \$160,000 from General to Highway.

Councilman Primeau stated that this year moving money from sales tax and your also purchasing items that would have been purchased in the Highway Dept. under the Public Works which is in the General Fund. Councilman Primeau stated that what Councilman Baum was indicating is part of the reason why the Tax Reduction Fund was set up was so that the town would have a fund to draw on so that we know we are withdrawing tax reduction money.

Supervisor Wurtemberger stated that is why you create a Tax Stabilization Fund.

Councilman Primeau stated that if this unexpended balance is moved into that fund then it can be withdrawn out and we can have an accounting of how much moves in and out. Right now the Budget does not indicate how much additional unexpended balance is going to be what. Councilman Primeau stated that there should be a projection of that figure.

Supervisor Wurtemberger stated that you do not know that until the end of the year and repeated that the tax rate is proposed to be reduced by at least 10% and is proud of coming up with that arithmetic. It is just 6th grade arithmetic and hopefully will be continued.

Councilman Primeau stated that he is continuing what has been in effect for the last two years.

Councilman Primeau stated that in previous budgets salaries and pay schedules for all Town employees were listed but this information is not in the 1995 Preliminary Budget. Councilman Primeau asked Supervisor Wurtemberger if he is planning on putting that together for the Councilman.

Supervisor Wurtemberger stated that he was.

Councilman Primeau stated that on that item he would like to know if Supervisor Wurtemberger is planning to submit a relatively similar pay scale for both Code Enforcement Officers accounting for longevity. Both are now certified and doing the same job.

Supervisor Wurtemberger stated that was not in his Tentative Budget.

Councilman Primeau asked if Supervisor Wurtemberger was planning to keep them at a differential pay scale.

Supervisor Wurtemberger stated that would be his recommendation.

Supervisor Wurtemberger stated that upon further review of the budget he is suggesting:

\* Records Management Contractual line item A1460.4. - \$500 be added. The Town Clerk has indicated that she is working on a Grant for a Records Management Program through the State Archives Division and their desire is for the Town to show good faith by putting in a nominal amount in the budget.

\* Personnel A1430.1 - Secretary/bookkeeper - a reduction in the total salary of \$46.00 but an adjustment in the hours and the rate of pay. The new figure is \$20,020. In addition to that you have the part time person at \$7,500.

\* Town Attorney A1420.4 Contractual - Additional \$12,000 due to litigation matters.

CLOSING OF PUBLIC HEARING:

Councilman Glasser moved and Councilman Baum seconded the motion to close the Public Hearing.

MOTION CARRIED BY THE FOLLOWING VOTE: UNANIMOUS

APPROVAL OF MINUTES: Councilman Cybulski moved and Councilman Primeau seconded to approve the September 14, 1994, October 4, 1994 and October 12, 1994 Minutes as submitted.

MOTION CARRIED BY THE FOLLOWING VOTE:

AYES - 4

ABSTAIN - 1 (BAUM)

MONTHLY REPORTS:

Town Clerk - Colleen Regan

- \* Total fees submitted to the Supervisor \$1,089.49
- \* Copy on file in the Town Clerk's Office

Supervisor Report - Fred Wurtemberger

- \* Hereto attached

Dept. of Public Works - Harold Roder

- \* Copy of file in the Town Clerk's Office

Planning Board - Ken Van Pragg

- \* Copy on file in the Town Clerk's Office

Receiver of Taxes - Christine Kronau

- \* Copy on file in the Town Clerk's Office

Youth Committee - Connie Burkart

- \* Youth Commission hosted two roller-skating parties in September and a third one will be held on Friday, November 18, 1994
- \* October 28, 1994 haunted house & hay ride event for high school kids. Turn out was twenty (20) children. Poor attendance considering there is 900 attending students. Will continue to try and come up with some ideas that might entice the kids to attend. Tough age group.
- \* Offering Christmas craft classes for grades 2nd - 8th. on December 9, 1994. Offering 2 sessions, Friday evening 5:00 P.M. - 6:30 P.M. and 7:06 P.M. - 8:30 P.M. will be advertised in the Advertiser. Limited class.

Zoning Board of Appeals - Frank Allen

- \* Copy on file in the Town Clerk's Office

Assessor - Martha Senecal

- \* Copy of file in the Town Clerk's Office

Cable/Insurance/Library - Councilman Cybulski

- \* Copies of Insurance & Library reports on file in the Town Clerk's Office
- \* Cable - no report



Dog Control/Senior Citizens/Street Lights - Councilman Baum

- \* Copies of Senior Citizens and Dog Control on file in the Town Clerk's Office
- \* Street Lights - no report

Highway Department/Town Park/Town Beach - Councilman Glasser

- \* Recognized the Highway Dept. for a job well done for the resurfacing of over 22 miles of road for 1994. Plus all side jobs
- \* Thanked Frank Allen for being instrumental in the removal of the blinding street light at Butler Park
- \* Thanked the members of the Sand Lake Kiwanis Club and the Highway Dept. for their help in erecting the new basket ball hoops at Butler Park. The court has been painted and there is now an extra basket ball court for everyone's enjoyment.

Disaster Preparedness/Economic Development/911 - Councilman Primeau

- \* Copy of 911 Report on file in the Town Clerk's Office
- \* Disaster Preparedness/Economic Development - no report

Attorney - Kevin Brocks

- \* Requested an Executive Session for three litigation matters: landfill and two tax certiorari matters - Bon Acre and New York Telephone
- \* Faith Mills matter - Subsequent to last months Board Meeting Attorney Brocks has been advised by the Building Dept. that the owner of said property is not in compliance with the Board's Order and has prohibited the Town's representatives from entering the property. Last week Attorney Brocks drafted legal papers to seek an order to authorize the Town's duty appointed representatives to go on that property. The only item left to complete the package is to present to the court an affidavit from the Building Dept., which is being prepared by George Wright. The legal papers are not ready to go court yet so there is still some time for the Building Dept. and Attorney Brocks to meet with the Town Board since Attorney Brocks understands there has been a change in regards to said property.

QUESTIONS AND COMMENTS FROM RESIDENTS:

Frank Allen addressed the Board regarding his previous request asking for a light to be installed at the Corner of NYS Rt. 150, Millers Corners Road and County Rt. 55. Mr. Allen stated that he saw DOT doing a survey of that site two days later.

Town Clerk Regan addressed the Board to clarify communications between herself, Councilman Baum, and the Dog Warden in regards to dog summons for non compliance of dog renewal license notices.

Commissioner of Public Works, Harold Roder, brought to the attention of the Board that the Building Department Report had been overlooked. Building Inspector, Mr. Edward Martin presented the report at this time. Copy of the report is on file in the Town Clerk's Office.

John Stockman addressed the Board regarding articles in the newspapers (specifically mentioned the article in the Troy Record) relating to the Assessor and wanted to know what stance the Town Board will take on her behalf. Mr. Stockman asked each Councilman to state their position on the matter.

Supervisor Wurtemberger Stated the Assessor has furnished a written response to the Board Members regarding the articles and the Board should evaluate her response. The evaluation should be done in an Executive Board Session as it pertains to personnel matters.

Councilman Cybulski stated that currently what Mr. Stockman is asking pertains to information that is being reported by the media. Councilman Cybulski said that he does not know if anything that has been alleged is fully truthful or not and the response offered by the, Assessor is an alternate opinion as to what is being alleged. Councilman Cybulski also said that while he does not dispute what is being alleged raises a concern he does not think it is something that, at this moment is indictable.

Councilman Glasser stated he agrees with Councilman Cybulski and he has not read the article that Mr. Stockman is referring to in the Record but has read an article that Councilman Baum supplied to the Board from another newspaper. Councilman Glasser stated that he has not had the opportunity to read Mrs. Senecals report yet as he just picked it up this evening and he would like time to review her response.

Councilman Baum stated that he requested that the Board hold a hearing to determine whether the Allegations that have been thrown around in the press are true or not.

Councilman Primeau stated that he has learned over the years not to believe a lot of what you read in the press so he does not take a lot of credence to what is in the press. What he does take credence to and finds very serious is written complaints to the Board from residents. Councilman Primeau stated that he is in favor of a meeting, in an appropriate forum, to see if the problem can be corrected.

John Stockman asked Attorney Brocks if it was his position that this matter should be discussed in an Executive Session only or in a Public Hearing.

Attorney Brocks stated that he would need to think about it.

John Kacharian addressed the Board stating that for some time the flag outside of the Town Hall has been flying in the dark. He stated that this is not proper. Mr. Kachaiian requested that the flood light be restored that used to shine on the flag.

Councilman Cybulski thanked Mr. Kachatian for taking the time to come and inform the Board of proper protocol in regards to the flag.

#### AGENDA ADDITIONS:

Supervisor Wurtemberger moved and Councilman Cybulski seconded the motion to waive procedural rules to add the following items:

- \* An application for a mobile home placement
- \* Fees for the Solid Waste Facility
- \* Faith Mills matter

Councilman Primeau stated that in regards to the Faith Mills matter that Mr Bolton stopped into his office today to give him some photos that the Board can look at indicating his activity and attempt to comply with the request of the Building Department. Councilman Primeau stated that Mr. Bolton indicated to him that he had been in Town Hall and whom ever he spoke with indicated that he would not be on the agenda. Councilman Primeau stated that he showed Mr. Bolton the Agenda he had and he told Mr. Bolton that it was his understanding that he would not be on the agenda and he Councilman Primeau felt that it would be unfair to bring this item up on the agenda tonight if he is not present at the meeting. Councilman Primeau stated that Mr. Bolton was told two times, one from him and from someone at Town Hall that he would not be on the agenda.

Supervisor Wurtemberger stated that it was after the agenda was compiled that Mr. Bolton told him that he was coming to the meeting and wanted to be on the agenda. Supervisor Wurtemberger stated that he did not have a problem with that and was willing to add it to the agenda or as a question and comment item. Supervisor Wurtemberger had expected Mr. Bolton to be present at this meeting but in any event it should be added to the agenda and then the Board can discuss what they want to do.

MOTION CARRIED BY THE FOLLOWING VOTE:

AYES - 4

NAYS - 1 (PRIMEAU)

BUSINESS:

RESOLUTION #153

Commendation of Elmer Smith

Councilman Cybulski moved and Councilman Glasser seconded the following resolution:

RESOLUTION COMMENDING ELMER SMITH UPON HIS RETIREMENT AFTER TWENTY-TWO YEARS OF SERVICE TO THE TOWN OF SAND LAKE

WHEREAS, A Town is only as great as those individuals who give of themselves to its successes; and

WHEREAS, Elmer Smith, with his retirement from the Town of Sand Lake, brings to an end twenty-two years of dedicated service to the Town which began in November of 1972; and

WHEREAS, Elmer was technically employed as a truck driver for the Town of Sand Lake, however, like most employees of the Town Highway, Department, truck driving was only part of the job Elmer performed, he also could be found acting as a tree cutter, sweepers snow plow - operator, wingman, loader operator or any number of other equally important jobs for the Town; and

WHEREAS, Elmer Smith has always discharged his duties without hesitation and in a most positive manner, to wit: he was almost always the first one at the garage in the morning whether it was a normal work day or if he was called in the middle of the night for emergencies; and one could always count on Elmer to have a smile or a joke to keep everyone going; and

WHEREAS, As a major participant of the Town's Highway Department Elmer Smiths skill, dedication and resourcefulness will sorely be missed; now, therefore, be it

RESOLVED, That the members of the Highway Department the Town Board, and all employees of the Town of Sand Lake join together to wish Elmer Smith much health and happiness in his well-deserved retirement.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #154

1995 Town Budget - Set date for adoption

Supervisor Wurtemberger moved and Councilman Glasser seconded the following resolution:

Be it RESOLVED that a Special Meeting of the Town Board shall be held on November 19, 1994, at 9:00 A.M. for the purpose of adopting the Town Budget for 1995.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #155

Collection of Sand Lake Sewer District Sewer Rents

Supervisor Wurtemberger moved and Councilman Baum seconded the following resolution:

BE IT RESOLVED, that the order issued to Tax Collector Christine Kronau by resolution of this Board dated July 13, 1994 to correct \$255,348.32 for the Sand Lake Sewer Districts Sewer Rents is hereby amended to authorize the collection of a decrease of -\$420.00 to reflect the following amendments to the warrant:

BILL NUMBER    PREVIOUS AMOUNT    NEW AMOUNT

#3960    \$560.00    \$420.00

#5840    \$420.00    \$280.00

\*#7060    \$140.00    \$0

\*(Duplicate Billing)

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #156

Animal shelter services with Humane Society

Councilman Baum moved and Councilman Glasser seconded the following resolution:

BE IT RESOLVED, that the Supervisor is authorized to enter into the attached agreement for animal shelter services for 1995 with the Mohawk and Hudson River Humane Society

RESOLUTION ADOPTED BY THE FOLLOWING RESOLUTION: UNANIMOUS

RESOLUTION #157

Contract services to review utility bills

Supervisor Wurtemberger moved the following resolution:

BE IT RESOLVED, that the Supervisor is authorized to enter into the attached Utility Reduction Agreement with Cost Control Associates, Glen Falls, N.Y. regarding possible electric and telephone overcharges/cost saving actions.

\*Councilman Primeau requested time to review the agreement.

RESOLUTION WITHDRAWN BY SPONSOR

RESOLUTION #158

Agreement - Payment to Contracted Agencies

Councilman Cybulski moved and Councilman Glasser seconded the following resolution:

AGREEMENT BETWEEN TOWN OF SAND LAKE AND CONTRACTED AGENCIES

WHEREAS, The Town of Sand Lake desires to establish a standard procedure for the provision of services between the Town of Sand Lake and certain contracted agencies; now, therefore , be it

\*Amendment moved by Supervisor Wurtemberger and seconded by Councilman Glasser to delete the months of January and July from Section 4 of the agreement and to add the following language to the resolution. (Agreement here to attached)

RESOLVED, That the Town Board of the Town of Sand Lake hereby adopts the attached agreement  
\*where applicable.

AMENDMENT PASSED UNANIMOUSLY

RESOLUTION ADOPTED BY THE FOLLOWING VOTE:

AYES - 3

NAYS - 2 (BAUM, PRIMEAU)

RESOLUTION #159

Parking in Town Hall lot

Councilman Primeau moved and Councilman Glasser seconded the following resolution:

Be it RESOLVED that a Public Hearing be held at the next regularly scheduled Town Board Meeting December 14, 1994, at 7:30 P.M. at Town Hall.

RESOLUTION 160

Green Island - Garbage Incinerator

Councilman Baum moved and Councilman Primeau seconded the following resolution:

Resolution Against the Construction of the Proposed American Ref-Fuel Garbage Incinerator in the Village of Green Island

WHEREAS, communities in the Capital District are facing a solid waste disposal problem,

WHEREAS, waste reduction, recycling and composting of organic materials should be considered in the formulation of any solid waste program,

WHEREAS, American Ref-Fuel (parent company: Browning Ferris Industries) has proposed building a \$200 million garbage incinerator on the banks of the Hudson River in Green Island,

WHEREAS, the incinerator would reportedly burn 1,800 tons of garbage each day, 24 hours a day, 7 days a week,



WHEREAS, garbage incineration generally is the more expensive way to handle garbage,

BE IT RESOLVED, that the SAND LAKE TOWN BOARD opposes the construction of the Green Island garbage incinerator.

RESOLUTION TABLED: UNANIMOUS

RESOLUTION #161

Budget Transfer(s)

Supervisor Wurtemberger moved and Councilman Glasser seconded the following resolution:

BUDGET TRANSFERS

BE IT RESOLVED, the following transfers) shall be made in the 1994 budget:

FROM TO AMOUNT

H003-9901.9(landfill Reserve) H006-R5031 ([nterfund Transfer) \$120,000.00

H006-R5031(Interfund Transfer)H006-8160.2 (Landfill Closure) \$120000.00

Water Study

H011-8310.2040 (Other) H011-8310.2030 (Equipment) \$106.80

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #162

November 1994 Fund Warrant

Councilman Glasser moved and Councilman Baum seconded that the November 1994 Fund Warrant be paid as audited. General Fund: \$20,550.14; Highway: \$14,959.65; Landfill: \$45,633.84; Waterstudy Capital Fund: \$518.65; Sewer: \$682.27. Total Fund Warrant \$87,993.98.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #163

Application for mobile home placement - Maryanne & Donald Richards

Supervisor Wurtemberger moved and Councilman Glasser seconded the following resolution.

Be it RESOLVED that the mobile home placement application of Maryanne & Donald Richards be transmitted to the Planning Board.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #164

Fees - Solid Waste Facility

Supervisor Wurtemberger moved and Councilman Primeau seconded the motion to adopt the Solid Waste Facility Fee Schedule with a modification to exclude the acceptance of Refrigerators and air conditioners effective the start of business day, Saturday, November 12, 1994.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #165

Faith Mills

Councilman Primeau stated that since Mr. Bolton is in attendance at the meeting he is removing his objection to discussion of the Faith Mills matter.

Attorney Brocks stated that the Town Board has gone through the process that has been laid out by the State and Local Law with respect to unsafe building. Various findings and determinations have been made, and a resolution was made to try and get the matter resolved. Last week the Town had been advised that the work had not been done and the Town Representatives were prohibited to go on the property. Attorney Brocks stated that he has drafted the legal papers and is waiting for an affidavit from George Wright Building Inspector, and then he will be looking for a resolution by die Board to authorize him to go to court and get the necessary order. If the facts have changed the Board and Attorney Brocks need to be informed by the Building Inspectors.

Building Inspector, Ed Martin, addressed the Board stating that Mr. Bolton had stopped by their office today and informed them he has done some work but the Building Department does not have knowledge of that.

Supervisor Wurtemberger asked Mr. Bolton if he would like to address the Board. Mr. Bolton said he would. Mr. Bolton stated that he has some photos, and that the work has been completed on the 100-year old boiler room. There were some cracks in one of the existing exterior walls and at that ... they agreed whether it was safe or unsafe and he would knock them down. Mr. Bolton stated that he would take the boiler out and take care of debris. Mr. Bolton stated that they were in agreement as to what he did and did not have to do. He stated that he has lived up to his word for the last 1 1/2 as to what he should be doing. As to this meeting and previous meetings Mr. Bolton stated that he is not notified when the Town is discussing his property. Mr. Bolton stated that he stopped by the Town yesterday to ask what would be on this evening's agenda and he was told there might be some legal action taken. Mr. Bolton said he spoke to Mr. Wright and he did not have that much knowledge on it and informed Mr. Wright as to what he was doing and fixing. Mr. Wright told him that basically they were going to try and get this whole thing resolved. Mr. Bolton then went up to ask the Supervisor's Secretary to put him on the agenda and left it at that. Mr. Bolton said that he came to the Town Hall today, Supervisor Wurtemberger was not there, and Mr. Bolton asked the Supervisor's Secretary if he was put on the agenda and she told him no.

Supervisor Wurtemberger stated that the agenda was already made up when Mr. Bolton spoke to him. Mr. Bolton told him he was going to be at the meeting and that is how it was left. Supervisor Wurtemberger stated that Mr. Bolton could have brought it up during questions and comments or placed it on the agenda. The agenda had already been completed and distributed to the Councilmen. Mr. Bolton said he should have been added to the agenda because this is a major discussion and the

Board is taking legal action against his property. Supervisor Wurtemberger informed him that he has been added to the agenda.

Supervisor Wurtemberger stated that apparently Mr. Bolton is preventing the Building Department from entering his land to further inspect what he claimed he has done.

Mr. Bolton said he has refused them from coming on the property because every time ... they do not have the same ideas as he does about what .... it is his right.

Supervisor Wurtemberger asked him if it is his position now to continue to refuse the Building Department to enter his property. Mr. Bolton stated that he continues .... when the rest of the existing walls of the of the alleged violation of the exterior cracked walls are done, when it is all completed they will be allowed to come back on the property. "I do not feel they should just be able to come in and out every time they feel like it."

Supervisor Wurtemberger stated that they should be entitled to go in and make periodic inspections. Supervisor Wurtemberger asked Mr. Bolton if he had any further comments. Mr. Bolton asked Supervisor Wurtemberger if he would like to evaluate the progress. Supervisor Wurtemberger informed Mr. Bolton that it is not his purview but the Building Departments and apparently you're refusing the Building Department entry. That is their jurisdiction not the Supervisor's.

Councilman Primeau stated that the one resolution that was passed regarding this property at the October 12, 1994 meeting gave the Supervisor certain powers that authorizes at his discretion to secure services to demolish the building or secure it. Mr. Bolton has indicated that he has been making progress and has submitted some evidence, photographs, and that he has cleaned up significant portions of areas that were in question and is at the Supervisor's discretion as to how to proceed.

Councilman Cybulski stated that with all due respect to Mr. Bolton's efforts, a couple of snap shots, four pictures, in his mind does not substitute an on site inspection by the persons that the Town Board empowered with the responsibility of determining if there,has been any progress or is a safe or unsafe condition.

Councilman Primeau stated that he would like to work something out rather than just go in and spend a bunch of money and get more legal people involved in the matter. If we could work out a way to get all these problems corrected, let emotions cool down, and find a common ground and work things out.

Councilman Cybulski stated that he could agree with trying to work something out and cool things down and work toward an objective but Mr. Bolton does not to seem to want to move in that direction if he is still continuing to prohibit the Town's duly authorized representatives from entering the property.

Councilman Primeau asked Mr. Bolton if he had a compromise that he could offer the Board so they could make a way through this situation. Mr. Bolton said that if George Wright calls him and makes an appointment he will be more then happy to let him inspect but he does not want him to just come around whenever he feels like it.

Supervisor Wurtemberger stated that there should be some time of back up. He does not have objections with due notice but if things don't work out the Town should have a court order if . Bolton prohibits further inspections or is unreasonable in his schedule. There should be a back up.

Councilman Primeau stated that the resolution that was passed authorizes the Supervisor to go in and demolish the building if it's necessary at his desecration. Supervisor Wurtemberger stated that Mr. Bolton will not let the Building Inspectors in so he thinks a court order is necessary. Attorney Brocks stated that he believes that the Town Board should authorize the Town Attorney to get a court order. If a property owner forbids you from entering the property, for the protection of the people of the Building Department and the Town Board your better off getting a court order. The statute, the state law that governs this does not require a court order but it is silent as to the question as of what the Town's representatives are authorized to do in the event where they are forbidden to go on the property. In that circumstance he would rather get a judge to sign an order authorizing the Town's representatives to go on the property. Attorney Brocks stated that he had a sense that there is a way out of this. Attorney Brocks asked Mr. Bolton if he understood that the Town, the Building Department, and the Town Board made a determination that there is an unsafe condition. It puts the Town in an untenable position to then prohibit the Town's duty authorized representatives to go and check on that condition to actually figure out if that has been remedied, cured or secured so it no longer presents a hazard. This has been going on for a long time. This is not the first month that this has been discussed. You're saying that you don't want people just showing up and walking through the property. Attorney Brocks asked Mr. Bolton if he could go down to the property tomorrow and meet with the Town's Building Inspectors and let them inspect what is happening and then if there is something else that needs to be done to secure or cure the situation can you commit to have it done by what ever day is determined reasonable. Mr. Bolton said that is how it was left at the last inspection and stated that basically this is the whole problem. The existing out-building is a 100 year old boiler room. It is not even worth the amount of time we take up on it. The whole thing is exaggerated. It started off as exaggerations and half truths and I wasn't there to defend myself. That is why I am irate about the whole thing.

Attorney Brocks asked Mr. Bolton if he is saying that he never received notice of the Public Hearing. Mr. Bolton said he is not positive but that he saw it on TV rather than being at the meeting. Attorney Brocks asked Mr. Bolton if the situation is safe now or if it is secured now. Mr. Bolton said yes it is safe it is just not finished. It looks like a half-above-the-ground foundation without a roof on it and it is out of sight of the road .... it is just an old boiler room and a boiler was removed from the site that weighs 100 tons. Attorney Brocks asked when Mr. Bolton is going to finish making it safe. Mr. Bolton said it is safe now to walk around. It is in fact safe. It is everything as I agreed.

Attorney Brocks suggested that the Building Inspectors go down with Mr. Bolton to the property site within the next 24 hours and come up with what they consider to be a reasonable compliance period. At the end of that period they go back with Mr. Bolton and take a look at it and hopefully everything will be all done. If it is not done that is what Attorney Brocks' concern is. The Board heard and saw an impassioned presentation a month ago, a safety factor with respect with this facility, and the matter ought to be resolved, finally, one way or another, quickly.

Councilman Cybulski asked Attorney Brock, if he recommends two tracks of activity on the part of the Town Board if it was possible.

Attorney Brocks stated that once the legal track has started that is cost to Mr. Bolton and once we have done it that is it. Attorney Brocks suggested that they should try the above mentioned track but if the Board wants to be in a position to go and secure the property or to get it resolved finally there should be a resolution tonight authorizing the Building Inspectors to go to court with the Town Attorney and do that and the resolution should also direct them to meet with Mr. Bolton tomorrow to try and resolve the matter within "X" number of days and if that doesn't work then go to court.

Supervisor Wurtemberger reiterated with Attorney Brocks his suggestion that the Building Department do an inspection tomorrow, set up a schedule, and the Building Department should go back again within a short period of time and if the compliance schedule has not been adhered to then go to court.

Councilman Cybulski asked Mr. Bolton how he felt about the suggestion. Mr. Bolton stated. that there is not an unsafe condition, that is the big thing right here. If there is an unsafe condition I would like to ask (rest of sentence is inaudible).

Attorney Brocks stated that this is strictly an unsafe condition. We are not talking about the value of the property or the esthetics of the property. We are not stepping in on those grounds. We are stepping in on the one ground and one ground only. Mr. Bolton commented that it is an unsafe condition Mr. Bolton said he thinks that it is not an unsafe condition but he was going to try and be accommodating.

Attorney Brocks asked Building Inspector Ed Martin what he thinks about the suggestion on how to proceed. (Mr. Martin's comments are inaudible) Attorney Brocks asked Mr. Martin how he wanted to proceed. (Mr. Martin's comments are inaudible).

Councilman Cybulski asked Mr. Bolton what time was good for him tomorrow to meet Mr. Martin and Mr. Bolton were to work out a time that was convenient for both. Attorney Brocks asked the Board members if they had any thoughts.

Councilman Glasser stated that this line of action would be a quick way to work it out.

Supervisor Wurtemberger stated it sounded good to setting up an inspection, a compliance schedule, and a follow up inspection, and if things are not done satisfactorily then we take legal action.

Councilman Primeau asked Attorney Brocks if he is asking for just a little bit more language on the previous resolution. Because we have given the Supervisor the authority to go forward with demolition. Your asking for just a little bit clearer language.

Supervisor Wurtemberger stated that that resolution involved the demolition of security and Mr. Bolton is maintaining that we do not have to do that because he has already demolished whatever he has done

and he is maintaining pretty much compliance so now it should revert back to the Building Department who initiated the matter to see that it conforms to what their definition of what safe is.

Councilman Primeau stated that Mr. Bolton said that he would allow inspection of the property.

Attorney Brocks said that what he is looking for is that in terms of the substance of what is to be done with the property I think that is covered in the resolution. What is not covered in the resolution is the authorization for the start of legal action. The Legal action would be if the Building Inspectors believe something has to be done there that Mr. Bolton is not willing to do and he says no I am not letting you on the property to do that work. Attorney Brocks stated he would like a court order authorizing the Town (rest of sentence inaudible).

Councilman Primeau asked if this is going to turn into a generic type of operation. In the future it could be counted on as this is the procedure that we will follow in the event that access is denied for the Building Inspectors to go in and inspect property to verify whether or not the property is safe or unsafe? Councilman Primeau stated that it seems to him that if they have the right to go on there they have the right. All the other legal procedures are at their disposal. If they don't then they don't.

Attorney Brocks stated that with that clarification I guess the answer to your question genetically is yes. I believe that the Inspectors have the right to go on the property. I do not think that it is prudent for them or the Town under all circumstances where you have a property owner forbidding them from entering the property to go ahead and go on the property anyway. So I am drawing a distinction between having the right to do it and how do you exercise that right. Clearly they have the right to go up and knock on a door and all those kind of things but if somebody says no, absolutely not, your not allowed on my property, and if they can't observe what they need to observe by looking like everybody else and walk property then at least it is my tentative conclusion so far that you ought to go the extra mile of caution and get the court order to get entry to the property.

Councilman Primeau stated that in order to get a court order you suggest that an action be taken by the Town Board to authorize that acquisition of court order.

Attorney Brocks said precisely.

Councilman Primeau stated that he thought it was a good idea to take one step beyond the discretion of the Building Inspectors to bring it before the Board and then authorize an action before we (rest of sentence inaudible). I am not all together convinced that it is required in this case.

Attorney Brocks stated that what he is hearing it is not. His concern is that he does not think anybody, Mr. Bolton, the Building Inspectors, everybody at the table, everybody in the audience, everybody in the Town wants to hear about this in December. We ought to get it resolved and if there is not a resolution in the next few days then we ought to proceed to get it done. If indeed there is an unsafe situation that months ago was brought to the Boards attention and the Board made various findings, went through

the procedure that is laid out in the law, if that situation is not remedied, there is a time in which you have to call an end to the process.

Councilman Cybulski moved and Councilman Glasser seconded the following resolution:

WHEREAS, pursuant to a physical inspection of a certain property located at Faith Mills for the purposes of ascertaining the safety of the subject structure and

WHEREAS, in the event that in the opinion of the Building Department of the Town of Sand Lake that continues to be an unsafe condition at that location, now therefore be it

RESOLVED, \*that the representative of the Sand Lake Building Department meet on November 10, 1994 at 11:00 A.M. with Mr. Bolton, the owner of property known as the Faith Mills property that the structure be inspected at said time and that the Building Department in consultation with Mr. Bolton arrive at a compliance schedule to render the building safe. In the event that the compliance schedule is not complied with the the representatives of the Building Department are to notify the Town Attorney to make Application to the court in order to initiate necessary legal action to carry out the Town Boards determinations concerning the Faith Mills property pursuant to the Town's Unsafe Buildings Law.

Councilman Primeau asked Mr. Bolton if everything is completed. Mr. Bolton said no it is not. Councilman Primeau asked him if he is in progress of completing the work. Mr. Bolton stated yes. Mr. Primeau stated to the Board that the resolution being read is indicating that everything is to be in a safe condition immediately. is that Correct?

\*Amendment moved by Councilman Baum and seconded by Councilman Cybulski to add the preceding language.

Councilman Primeau asked Mr. Bolton if the Board and Mr. Bolton were coming into some common ground. Mr. Bolton stated that he believed so.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS



QUESTIONS & COMMENTS FROM RESIDENTS:

Supervisor Wurtemberger asked for questions and comments from the residents present. No response given.

EXECUTIVE SESSION

Supervisor Wurtemberger moved and Councilman Primeau seconded the motion to adjourn the Regular Town Board Meeting and move into Executive Session to discuss legal matters at 10:12 P.M.

MOTION CARRIED: UNANIMOUS

Councilman Primeau moved and Councilman Cybulski seconded the motion to adjourn the Executive Session and reconvene the Regular Board Meeting at 10:50 P.M.

RESOLUTION #166

New York Telephone Litigation

Councilman Glasser moved and Councilman Baum seconded the following resolution:

WHEREAS, the Town Board of assessment and review is a defendant in a tax certiorari lawsuit by New York Telephone, therefore be it

RESOLVED, that the Town Supervisor is authorized to retain outside counsel to assess the lawsuit and to advise the town. The amount of the engagement for now, is limited to \$2,000.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

ADJOURNMENT

Councilman Primeau moved and Councilman Cybulski seconded the motion to adjourn the Regular Board Meeting at 10:55 P.M.

MOTION CARRIED: UNANIMOUS

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

Respectfully submitted

Colleen Regan Town Clerk,

SPECIAL MONTHLY MEETING

November 19, 1994

The Special Board meeting of the Town Board of the Town of Sand Lake was called to order by Supervisor Wurtemberger at 9:00 A.M. at the Town Hall, Sand Lake, New York. The following answered roll call:

PRESENT: Supervisor Wurtemberger

Councilman Joseph Baum

Councilman Paul Primeau

Councilman Joseph Cybulski

Councilman John Glaser

Attorney Kevin Brocks

RECORDING SECRETARY: Town Clerk Colleen Regan

OTHERS PRESENT: Gene Levy, Echo; Mary Hilt, Record; Ed Martin; John Stockman; Frank Allen; Angelo Patti; Carol Cybulski; Martin Reid; Jim Nichols and others.

PUBLIC NOTICE

Please take notice that the Sand Lake Town Board will hold a Special Meeting at the Sand Lake Town Hall on Saturday, November 19, 1994 at 9:00 A.M. for the purpose of

- 1.) Adopting the 1995 Budget
- 2.) Considering 11/25/1994 as a non work day
- 3.) Considering pending legal matters.

/S/

Colleen Regan Town Clerk

Supervisor Wurtemberger reviewed the Calendar for Preparation and Adoption of the 1995 Budget.  
(Hereto attached)

Supervisor Wurtemberger stated that as a result of the Public Hearing on November 9, 1994, three changes were voted on to amend the 1995 Preliminary Budget and is reflected in the proposed 1995 Budget. Changes as follows:

1.) A1420.4 Town Attorney - Increase Contractual by \$12,000.00 2.) A1430.1 Personnel - Reduce Personal Services by \$46.00 3.) A1460.4 Records Mgmt Ofcr \$500.00

#### RESOLUTION #167

#### Adoption of the 1995 Budget

Supervisor Wurtemberger moved and Councilman Cybulski seconded the adoption of the 1995 Budget.

Supervisor Wurtemberger then asked for any discussion by the Councilmen.

Councilman Primeau commented on the Commissioner of Public Works line item A1490.1 in the 1995 Employee Town Employee Compensation document. Councilman Primeau stated the position was given a 4% increase along with everyone else and this increase is on top of the 25% increase received last year.

Supervisor Wurtemberger stated that last year the Commissioner of Public Works position was a part time position and it was made a full time job.

Councilman Primeau questioned why there is a differential in the pay scale and the difference in hours for the Deputy Commissioner for Bldg./Zoning fine item A3620.1. The two position titles list the same but have differing compensation. The first item is listed as 30 hours a week at \$12.17. The second item listed as 40 hours a week at \$10.71.

Supervisor Wurtemberger stated that the 30 hours position is occupied by George Wright and that is combined with SS8110.11 Deputy Commissioner for Sewer for 10 hours which add up to 40 listed with the same salary, which has been past practice. The Salaries for both line items A3620.1 listed were given a 4% increase, a differential that was there in 1993.

Councilman Primeau stated that one position was a Full time Building Inspector and an Assistant. Now they are both listed as Deputy Commissioner for Bldg./Zoning. Both are working 40 hours and both doing the same work essentially. No other positions through the budget are listed differential. Line Item A8010.1 Zoning Board of Appeals Members have 3 each same salary for those. The Highway Dept. if you have one classification, you get paid for that classification.

Supervisor Wurtemberger stated he understands that with the Highway Dept. that the Salaries have a differential based on longevity of 5 cents a year.

Councilman Primeau stated that this differential reflects a \$1.00 plus which is much more than a longevity differential.

Supervisor Wurtemberger stated that the basis was to provide a 4% increase.

Supervisor Wurtemberger asked if there were any more comments from the Board.

Councilman Baum renewed his comments on the Budget as a whole. To artificially provide a tax reduction by dipping into unexpended balances from previous years or surplus is not fiscally prudent. That is the same as dipping into your savings account in order to pay for expenses and the only time you do that is when you're in trouble. We are not in trouble. The Town Boards in the past have set up a Tax Contingency Reserve Account which is to be dipped into in the event for what ever reason there are going to be tax increases that would be of the magnitude that would cause problems for town residents. That wasn't dipped into because this budget doesn't meet the qualifications needed to dip into that tax reserve account. It is more a political move than anything else and I will vote against the budget on that basis.

Supervisor Wurtemberger stated that the previous Board, to balance the 1994 Budget dipped into that fund in the amount of \$300,000.00. This Board is going into that fund at a much lesser value. It is the tax payers money and a tax reduction is indicated and warranted and the excess money should be, at least in part sent back to the tax payers who paid for it in a form of a tax reduction.

Councilman Cybulski stated he wanted to explain his vote by saying that it is a good budget and it looks at the fiscal situation of the Town in a very responsible manner. Councilman Cybulski stated he believes that philosophically it is more in line with what the people of the Town are looking for and that is to allow them to have money in their pockets and in their savings account, if you will so that the town residents can expend that money in the manner that they see fit rather than entrusting all of those funds in the form of, at least in the looks of this budget over taxation so that the residents of the town

can expend that money in the Town, expend it to the business's of the Town, they can help the economy of the Town and I think that goes much more toward what the residents of the Town of Sand Lake are looking for rather than to entrust an overage in expenditures and overage in money to town government or any level of government and entrust to them to do with it as they will. Councilman Cybulski stated that this budget deals with that responsibly, and is happy to vote Aye on the budget.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE:

AYES - 3

NAYS - 2 (BAUM, PRIMEAU)

RESOLUTION #167

Adoption of the 1995 Employee Compensation Schedule

Supervisor Wurtemberger stated that it has been past practice to also adopt the compensation list along with the budget, which compliments the budget document.

Supervisor Wurtemberger moved and Councilman Glasser seconded the motion to adopt the 1995 Employee Compensation Schedule.

Councilman Primeau stated that he urges the Board to adopt the practice of paying equal pay for equal work and not setting up some kind of discriminatory compensation especially for Commissioner of Building and Zoning.

Supervisor Wurtemberger stated that both positions were given a 4% increase and the differential could have been addressed last year but apparently it was not.

Councilman Baum stated that the stated reason for the differential that was cost of living is just ludicrous. It reflects much more than 4 or 5% a year differential for the different periods of time the two individuals have been employed by the Town of Sand Lake and feels it is, definitely, inequitable. Councilman Baum stated that it is too bad that he is going to have to vote against the whole scheme just on that one item but thinks it is inequitable enough to do that and he has not heard a logical reason for the differential, it certainly is not based on longevity but something else.

Supervisor Wurtemberger stated he could give some additional reasons if the Board wanted to go into Executive Session.

Councilman Primeau stated that he would not mind going into Executive Session and wanted to know if charges have been brought against anybody.

Supervisor Wurtemberger stated no.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE:

AYES - 3

NAYS - 2 (BAUM, PRIMEAU)

RESOLUTION #168

Considering 11/25/1994 as a non work day

Councilman Cybulski moved and Supervisor Wurtemberger seconded the motion to add November 25, 1994 to the adopted Town of Sand Lake Appointed Employee Benefits - Paid Holiday Schedule which was effective January 1, 1990.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE:

AYES - 4

NAYS - 1 (PRIMEAU)

EXECUTIVE SESSION

Supervisor Wurtemberger moved and Councilman Glasser seconded the motion to adjourn the Special Board Meeting and move into Executive Session to discuss a tax certiorari matter regarding Bon Acre at 9:18 A.M.

MOTION CARRIED UNANIMOUS

Councilman Glasser moved and Councilman Baum seconded the motion to adjourn the Executive Session and reconvene the Special Board Meeting at 9:48 A.M.

RESOLUTION #169

Bon Acre Certiorari Matter

Councilman Glasser moved and Councilman Baum seconded the following resolution:

BE IT RESOLVED, that the Supervisor is authorized to retain an appraiser to do a preliminary valuation for the Town in the Bon Acre certiorari matter in an amount not to exceed \$900.00.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

ADJOURNMENT

Councilman Cybulski moved and Councilman Glasser seconded the motion to adjourn the Special Board Meeting at 9:50 A.M.

MOTION CARRIED: UNANIMOUS

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

Respectfully submitted,

Colleen Regan Town Clerk



REGULAR MONTHLY MEETING

December 14, 1994

The regular monthly meeting of the Town Board of the Town of Sand Lake was called to order by Supervisor Wurtemberger at 7:32 P.M., at the Town Hall, in Sand Lake New York after the Pledge of Allegiance. The following answered roll call:

PRESENT: Councilman Joseph Baum

Councilman Paul Primeau Arrived at 7:35 P.M.

Councilman Joseph Cybulski

Councilman John Glasser

Supervisor Fred Wurtemberger

Attorney Kevin Brocks

RECORDING SECRETARY: Town clerk Colleen Regan

OTHERS PRESENT: Gene Levy, Echo; Ken Van Pragg; Harold Roder; Gregory Benson; Frank Allen; Angelo Patti; John Stockman; Justin Schultz; Ed Martin; Sophie Butwell; Dan & Robin Langer; Terry Turner and others.

PUBLIC HEARING:

LEGAL NOTICE

Please take notice that a Public Hearing will be held by the town Board of Sand Lake at Town Hall located on Route 43 on Wednesday, December 14, 1994, at 7:30 P.M. to consider a proposed local law

regarding parking in the Town Hall parking lot. The regular Sand Lake Town Board Meeting will follow adjournment of the Public Hearing. By Order of the Town Board.

/S/

Colleen Regan, Town Clerk

Supervisor Wurtemberger opened the Public Hearing for Public comments.

#### QUESTIONS AND COMMENTS FROM RESIDENTS ON THE PUBLIC HEARING:

\* Justin Schultz addressed the Board asking if people will still be allowed to park their cars in the lot during the day who take the bus into Troy or Albany.

\* Supervisor Wurtemberger stated that as far as he knows.

\* Frank Allen addressed the Board asking if it will be allowed for those people who go away to park overnight and leave their cars in the lot.

\* Supervisor Wurtemberger stated that the way the local law reads the Town Board can establish regulations governing parking in the Town Hall lot.

#### CLOSING OF THE PUBLIC HEARING:

Councilman Glasser moved and Councilman Cybulski seconded the motion to close the Public Hearing.

MOTION CARRIED BY THE FOLLOWING VOTE: UNANIMOUS

At this time Supervisor Wurtemberger stated that he wanted to rearrange the Agenda to move the first item on the Business Agenda up before all other business because of Invited guests making a presentation. The Supervisor stated that they should not have to wait through all the Committee Reports and Board Reports.

Councilman Cybulski asked if this change needed to be done by motion to waive procedural rules.

Supervisor Wurtemberger stated no that the Board is not adding anything new to the Agenda and the Supervisor has the authority to rearrange the schedule.

#### RESOLUTION #170

Green Island Solid Waste Incinerator

Lou Wilkenson, Project Manager, for American Ref-Fuel gave a presentation in favor of the Green Island Solid Waste Incinerator stating reasons why he felt it would be beneficial to the Town of Sand Lake and the capital region. Presentation available on audio cassette).

Judy Enck, Representative of the New York Public Interest Research Group, and Kenneth Duffy, Executive Director, of the Rensselaer County Environmental Management Council, gave presentation in opposition of the Green Island Solid Waste Incinerator stating various reasons why the Incinerator would not be beneficial to the Town of Sand Lake or the capital region. Presentation hereto attached. (Presentation also available on audio cassette).

#### APPROVAL OF MINUTES:

Supervisor Wurtemberger moved and Councilman Cybulski seconded the motion to table November 9, 1994 and November 19, 1994 minutes and approve the November 1, 1994 minute.

MOTION CARRIED: 4 AYES, 1 ABSTAIN (PRIMEAU)

#### MONTHLY REPORTS:

Town Clerk - Colleen Regan

- \* Total fees submitted to the Supervisor for November 1994 - \$684.58
- \* Copy on file in the town Clerk's Office

Assessor - Martha Senecal

- \* Copy on file in the Town Clerk's Office

Building Department - Edward Martin

- \* Copy of fee in the Town Clerk's Office

Highway Department - Harold Roder

- \* Copy on file in the Town Clerk's Office

Planning Board - Ken Van Pragg

- \* Copy on file in the Town Clerk's Office

Receiver of Taxes - Christine Kronau

- \* Written report unavailable

Youth Committee - Connie Burkart

- \* No report - Not in attendance

Zoning Board of Appeals - Frank Allen

- \* Written report unavailable

Dog Control/Senior Citizens/Street lights - Councilman Baum

- \* Copy of Dog Control report on file in the Town Clerk's Office
- \* Senior Citizens and Street lights - no report given

Cable/Insurance/Library - Councilman Cybulski

- \* Copy of Cable and Library reports on file in the Town Clerk's Office
- \* Insurance - no report given

Highway Dept./Town Park/Town Beach - Councilman Glasser

- \* Connie Burkart relays her apology for not being able to attend the
- \* Board Meeting
- \* Craft fair held at school was a success
- \* Town Park - Several improvements to the park in the 1994 year with help from the Sand Lake Kiwanis Club
- \* Would like to continue improvements in 1995 and encourage anyone who has an idea of what they would like to see improved contact Councilman Glasser
- \* Town Beach - no report given

Disaster Preparedness/Economic Development/911 - Councilman Primeau

- \* Copy of 911 report on file in the Town Clerk's Office
- \* Disaster Preparedness and Economic Development - no report given

Attorney - K Brocks

- \* Requested an Executive Session

QUESTIONS AND COMMENTS FROM RESIDENTS:

John Stockman addressed Councilman Glasser regarding the status of the Sheriff Substation

Councilman Glasser stated that he has been trying to contact the Sheriff but has not received an answer from him. As far as he knows the Sheriff is still planning on moving into the town but things are moving slower than expected. Councilman Glasser stated that hopefully we will know by next month what the Sheriff intends on doing.

BUSINESS:

RESOLUTION 170 (Formerly Resolution #160)

Green Island Solid Waste Incinerator

NO ACTION TAKEN

RESOLUTION #171

Adoption of Local Law 3 - Parking In Town Hall Lot

Councilman Cybulski moved and Councilman Glasser seconded the motion to adopt proposed Local Law #3 entitled "Parking In Town Hall Lot" as presented. (Local Law Hereto attached)

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #172

Bid Award for Purchase of Truck

Councilman Glasser moved and Councilman Cybulski seconded the following resolution:

BE IT RESOLVED, upon the recommendation of the Commissioner of Public Works, that Johnson Ford-Lincoln-Mercury-Nissan, Inc. of Pittsfield is awarded the bid in the amount of \$44,639.00, as the lowest bidder , for furnishing a one ton dual rear wheel truck and accessories complying with technical specifications, pursuant to bids received on December 6, 1994.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #173

Engineering Services - Garner Rd. Bridge Rehabilitation/Replacement

Councilman Cybulski moved and Councilman Glasser seconded the following resolution:

BE IT RESOLVED, upon the recommendation of the Commissioner of Public Works, that Laberge Engineering and Consulting Group Ltd. of Albany be retained to provide Professional Engineering Services as outlined in its December 1, 1994 Scope of Services for design and construction observation of the proposed rehabilitation/replacement of the Garner Road Bridge in response to notices received from the New York Sate Department of Transportation.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #174

Appointment of Attendant for Solid Waste Facility

Supervisor Wurtemberger moved and Councilman Cybulski seconded the following resolution:

BE IT RESOLVED, that Harriet Groat is hereby appointed to the position of Attendant for Solid Waste Facility for an 18 hour work week at \$7.50 per hour.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 4

NAYS: 1 - (PRIMEAU)

RESOLUTION #175

Amend 19954 Employee Compensation Schedule (except Highway & Sewer Personnel)

Supervisor Wurtemberger moved and Councilman Cybulski seconded the following resolution:

BE IT RESOLVED, that the adopted 1995 Employee Compensation Schedule (except highway and sewer personnel) be amended to provide an annual compensation of \$3,214 instead of \$2,314 for the Sewer Billing Clerk- (Budget Code SS8110.1).

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #176

Adopt 1995 Salary Schedule for Highway & Sewer Personnel

Supervisor Wurtemberger moved and Councilman Glasser seconded the following resolution:

BE IT RESOLVED, that the attached 1995 Salary Schedule for Full Time Highway and Sewer Personnel is hereby adopted. (Hereto attached)

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #177

Abandonment of Road - Hillcrest Avenue

Councilman Primeau moved and Councilman/ Glasser seconded the following resolution:



BE IT RESOLVED, that the Commissioner of Public Works be directed to determine if Hillcrest Avenue can be abandoned and file the necessary papers with the Town Attorney to present to the Town Board.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #178

Special Meeting December 29, 1994 for Budgetary & Financial Matters

Supervisor Wurtemberger called a Special Meeting for December 29, 1994. The purpose of this special meeting is to take action on year end budgetary and financial matters and any other matters which may be appropriate.

MOTION CARRIED: UNANIMOUS

RESOLUTION #179

Budget Transfer(s)

Supervisor Wurtemberger moved and Councilman Glasser seconded the following resolution:

BE IT RESOLVED, that the following transfers shall be made in the 1994 Budget:

DA5120.4 Bridges(Contractual)	DA5110.4 General Repairs	\$28,000.00
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(Contractual)

DA5130.2 Machinery (Equip.)	DA5110.4 General Repairs	\$19,000.00
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(Contractual)

DA5142.1 Snow Removal (Pers.) DA5110.1 General Repairs \$1,093.35  
(Pers.)

DA5142.4 Snow Removal (Cont.) DA5110.1 General Repairs \$2,300.00  
(Pers.)

A1490.1 Public Works (Pers.) A1490.4 Public Works (Cont.) \$500.00

A8090.4 Envir. control (Cont.) A8160.1 Refuse & Garbage \$4,000.00  
(Pers.)

A8090.4 Envir. Control (Cont.) A8160.4 Refuse & Garbage \$16,000.00  
(Cont.)

A7140.2 Playgrd. & Rec. A7140.4 Playgrd. & Rec. \$300.00  
(Equip.) (Cont.)

A7140.2 Playgrd. & Rec. A7150.1 Spec. Rec. Fac. \$250.00  
(Equip.) (Cont.)

A7140.2 Playgrd. & Rec. A7150.4 Spec. Rec. Fac. \$70.00  
(Equip.) (Cont.)

A7140.2 Playgrd. & Rec. A7620.4 Adult Rec. \$20.00  
(Equip.) (Cont.)

A3620.4 Building Inspect A3310.4 Traffic Control \$525.00  
(Cont.) (Cont.)

A1450.1 Elections A1450.4 Elections \$23.00  
(cont.) (Cont.)

A1410.1 Town Clerk A1410.4 Town Clerk \$100.00

(Cont.) (Cont.)

A9060.8 Hosp & Med Ins.      A9010.8 State Retirement      \$3,522.00

A9060.8 Hosp & Med Ins.      A9015.8 Fire & Police      \$946.00

Retirement

BE IT RESOLVED, that the following amendment shall be made in the 1994 Budget:

Increase appropriations in account A 7620.4 Adult Recreation (Contractual) in the amount of \$325.00 to be funded by increasing estimated revenue (account A 3772) from NYS Parks and Recreation Grant.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #180

Amendment - Capital Project H009- Chamberlain Road Budget

BE IT RESOLVED, that the Capital Project H009 - Chamberlain Road Budget is amended to increase the appropriations account H009 - 5110.2 in the amount of \$ 1,143.21 to be funded by increasing estimated revenue by the following amounts:

\$846.59      H009 (2401) Interest

\$296.62      H009 (5031) Interfund Transfer

\$1,143.21

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #181

December 1994 Fund Warrant

Councilman Glasser moved and Councilman Cybulski seconded the motion that the December 1994 Fund Warrant be paid as audited. General Fund: \$25,814.60; Highway: \$101,100.43; Landfill: \$3,658.09; Water study Capital Fund: \$22516.93; Sewer: \$2,955.64. Total Fund Warrant \$136,045.69.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

QUESTIONS & COMMENTS FROM RESIDENTS:

Supervisor Wurtemberger asked for questions and comments. No response given.

EXECUTIVE SESSION

Supervisor Wurtemberger moved and Councilman Cybulski seconded the motion to adjourn the Regular Board Meeting and move into Executive Session to discuss legal matters at 9:25 P.M.

MOTION CARRIED: UNANIMOUS

Councilman Primeau moved and Supervisor Wurtemberger seconded the motion to adjourn the Executive Session and reconvene the Regular Board Meeting at 10:23 P.M.

MEETING ADJOURNMENT

Councilman Primeau moved and Supervisor Wurtemberger seconded the motion to adjourn the Regular Board Meeting at 10:23. P.M.

MOTION CARRIED: UNANIMOUS

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

Respectfully submitted,

Colleen Regan Town Clerk

SPECIAL MONTHLY MEETING

December 29, 1994

A Special Meeting of the Town Board of the Town of Sand Lake was called order by Supervisor Wurtemberger at 7:35 P.M. at the Town Hall, Sand Lake, New York. The following answered roll call:

PRESENT: Supervisor Fred Wurtemberger

Councilman Joseph Baum

Councilman Paul Primeau Arrived 7:37 P.M.

Councilman Joseph Cybulski

Councilman John glasser

Attorney Kevin Brooks Arrived 7:38 P.M.

RECORDING SECRETARYTown Clerk colleen Regan

OTHERS PRESENT: Gene Levy,Echo; John Stockman

PUBLIC NOTICE Please take notice that the Sand Lake Town Board will hold a Special Meeting at the Sand Lake Town Hall on Thursday, December 29, 1994 at 7:30 P.M. The purpose of this special meeting is to take action on year end budgetary and financial matters and any other matters which may be appropriate.

/S/

Colleen Regan Town Clerk/RMO

BUSINESS:

RESOLUTION #181

1994 Budget: Transfers

Supervisor Wurtemberger moved and Councilman Glasser seconded the following resolution:

BE IT RESOLVED, that the following transfers shall be made in the 1994 Budget:

A1110.4 Justice (Cont.) A1110.1 Justice (Pers.) \$882.56

A1220.4 Supervisor (cont.) A1220.4 (Equip.) \$200.00

A1330.2 Tax Collection A1330.1 Tax Collection \$.08

(Equip.)(Pers.)

A1355.4 Assessor (Cont.) A1355.2 Assessor (Equip.) \$500.00

A1410.2 Town Clerk (Equip.) A1410.4 Town Clerk (cont.) \$64.50

A1420.4 Attorney (Cont.) A1420.1 Attorney (Pers.) \$.12

A1430.1 Personnel (Cont.)	A1430.1 Personnel (Pers.)	\$3.36
A1490.1 Public Works (Pers)	A1490.4 Public Works (cont.)	\$1,000.00
A1990.4 Contingency	A1490.4 Public Works (cont.)	\$1,000.00
A1990.4 Contingency	A1320.4 Auditor (Cont.)	\$234.50
A1990.4 Contingency	A9060.8 Hosp. & Med Ins.	\$11,050.00
A3310.2 Traffic Control	A3310.4 Traffic Control	\$525.00
(Equip.)(Cont.)		
A3510.4 Control of Dogs	A3310.4 Traffic Control	\$42.00
(Cont.) (Cont.)		
A3510.4 Control of Dogs	A3510.1 Control of Dogs (Pers.)	\$.08
(Cont.)		
A3620.4 Building Inspectors	A3620.1 Building Inspectors	\$735.00
(Cont.) (Pers.)		
A7510.4 Historian (Cont.)	A7510.1 Historian (Pers.)	\$.08
A8020.4 Planning (Cont.)	A8020.2 Planning (Equip.)	\$440.00
A9030.8 Social Security	A9010.8 NYS Retirement	\$25.00
A9050.8 Unemployment Ins.	A9901.9 Interfund Transfer	\$6,000.00
DA5110.4 General Repairs	DA5110.1 General Repairs	\$1,300.00
(Cont.) (Pers.)		
DA5110.4 General Repairs	DA5142.1 Snow Removal (Pers.)	\$300.00
(Cont.)		
DA5130.4 Machinery (Cont.)	DA5110.1 General Repairs (Pers.)	\$15,000.00
DA5130.4 Machinery (cont.)	DA9030.8 Social Security	\$1,100.00
DA9040.8 Workman's Comp.	DA9030.8 Social Security	\$200.00
DA9040.8 Workman's Comp.	DA5142.4 Snow Removal (Cont.)	\$500.00

DA9055.8 Disability	DA9060.8 Hosp. & Med. Insurance	\$542.50
Insurance		
HO11 8310.2020 Water Study	HO11 8310.2040 Water Study	\$82.30
(Sec.) (Other)		
SS8110.2 Sewer Admin(Equip)	SS8110.4 Sewer Admin (Cont.)	\$200.00
SS8120.1 Sewer Collection	SS8120.4 Sewer Collection	\$4,000.00
(Pers.) (Cont.)		
SS9050.8 Unemployment Ins.	SS9901.9 Interfund Transfer	\$200.00

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #182

1994 Budget: Amendments

Supervisor Wurtemberger moved and Councilman Glasser seconded the following resolution:

BE IT RESOLVED, that the following fund transfer shall be made in the 1994 Budget:

Transfer \$160,000 from the General Fund (A9901.9) to the Highway Fund (DA5031) per the 1994 Adopted Budget.

BE IT Resolved, that the following budget amendment shall be made in the 1994 Budget: Establish the budget for the Unemployment Reserve Fund (CS) as follows:



Appropriations CS9050.8 (Interfund Transfer) \$19,200.00

Revenue Source CS 5031 (Interfund Transfer) 19,200.00

A Fund \$ 6,000.00

DA Fund \$13,000.00

SS Fund \$200.00

RESOLUTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 4

ABSTAIN: 1 (BAUM)

RESOLUTION #183

December 29, 1994 Fund Warrant

Councilman Glasser moved and Councilman Cybulski seconded the motion that the December 29, 1994 Fund Warrant be paid as audited. General Fund: \$6,179.01; Highway: \$7,537.87; Landfill: \$54,042.00; Street Lights: \$5,583.84; Sewer: \$694.49. Total Fund Warrant \$74,037.21.

Councilman Primeau stated that Mr. Justin Schultz was the Chairman of the Planning Board for three months and indicates he was not paid additionally.

Supervisor Wurtemberger stated that this is the first time that this has been brought to his attention.

Councilman Cybulski asked how the designation of Chairman of the Planning Board is made. Councilman Cybulski asked if it was something that the Town Board did by resolution or something the Town Supervisor would do by appointment.

Councilman Primeau stated that Mr. Schultz was designated by the Planning Board.

Councilman Glasser stated that Mr. Schultz was not appointed he was just acting Chairman.

Supervisor Wurtemberger stated that the Town Board never took any action. In the past when they had a situation like this, the Chairmanship rotated, as a Planning Board internal matter at no additional pay.

Councilman Primeau stated that he did know if it would be on an abstract or not.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #184

Modification of "1995 Schedule of Salaries of Elected Town Officials"

Supervisor Wurtemberger moved and Councilman Cybulski seconded the following resolution:

BE RESOLVED, that the 1995 Salary of the- Town Clerk shall be \$24,695.00 and that this salary be listed in the "1995 Schedule of Salaries of Elected Town Officials" (Page 17 of the adopted 1995 Budget) to correct an error of transposition (from \$24,965.00 to \$24,695.00).

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #185

Dispense with January 3, 1995 Workshop Meeting

Councilman Primeau moved and Councilman Baum seconded the motion to dispense with the January 3, 1995 Workshop Meeting.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

Supervisor Wurtemberger asked the Town Board Members if they had any questions.

Councilman Glasser requested that the "Association of Town Meeting be placed on the January 11, 1995 Agenda.

Councilman Baum stated that he would like to note his continuing objection to the lack of agendas for workshop meetings and proposed resolutions not being distributed to board members in a timely fashion prior to town board meetings.

Supervisor Wurtemberger stated that an attempt is made to do that but sometimes it is almost an impossibility.

Councilman Baum stated that the Town's procedural rules requires agendas to be distributed by a certain point and many times you come to Town Hall and they are not available. There really is no way to know what is on the business agenda until you get to the meeting.

Supervisor Wurtemberger stated that the Board could discuss this at some, point in time. Supervisor Wurtemberger stated that perhaps in some cases the rules are too rigid and perhaps the rules should be modified.

Councilman Baum stated that people should really have the opportunity to know what they are going to be asked to discuss and have the opportunity to investigate them at least a couple of days ahead of time which is all the rules provide for.

Councilman Cybulski asked how many items that end up on the agenda are, actually different than what is discussed at the workshop meetings. Seems that for the most part your talking probably over 90% of the items that are brought to the town board meetings are those items that have already been discussed at least eight days prior to that town board meeting at a town workshop meeting. If there were anything added to an agenda at a later date it would certainly be of a lessor percentage. It would be a minor percentage of the business that would come before the Board.

Councilman Baum stated that this points out his objection to workshops. There is no agenda for workshops so neither the public or the board members know what is going to be discussed at a workshop only the Supervisor and perhaps others on the Board that he may confide in. This keeps the public in the dark.

Councilman Glasser asked Councilman Baum when has this ever been in effect before, to get information ahead of time before town board meetings.

Councilman Baum stated they always did as far as he knew.

Councilman Glasser stated that perhaps Councilman Baum did but when Art Mardon was Town Supervisor he never received information until the day of the town board meeting and sometimes he would be at the Town Hall at noon time and information still wouldn't be there until that night. Councilman Glasser stated that this practice started right out at the beginning of the year starting with

the organizational meeting where he received nothing until the day of organizational meeting, then given something different that night with all the names and positions made already on the resolutions.

Councilman Glasser stated that this is nothing new to this Board.

Councilman Baum stated that this is politics as usual. Councilman Glasser asked Councilman Baum why he is complaining now about it.

Supervisor Wurtemberger stated that he makes his best attempt to provide the agendas and resolutions in a timely manner. It doesn't always happen and sometimes it is beyond his control. Sometimes last minute things come up.

Councilman Glasser stated that at least with Supervisor Wurtemberger you have the workshop meetings and you know what is going on.

Councilman Cybulski stated that items are discussed in a manner at least a week before a town board meeting. Members of the Board and any members of the public can including members of the press who are always present at the workshop meetings, have a week to at least have an idea of those items that are going to appear on the agenda. Also not having had the workshop sessions in the past no one knew the agenda until they walked into the room, the night of a board meeting.

Councilman Primeau stated that the dead lines were always the same and it had to be that the Supervisor was not doing his job the last time.

Councilman Cybulski stated that the dead lines are the same. This Supervisor and this Town Board is doing much more than had been done in the past to comply with the deadlines. Councilman Cybulski stated that the accusations or at least the indication that things aren't provided in a timely fashion and that the public is "kept in the dark" is a gross mis-statement.

Supervisor Wurtemberger stated that resolutions are not adopted at workshops and the general public is invited to come in and speak on any item they want to without prior notice. Supervisor Wurtemberger stated that he has heard from the general public that they prefer workshop meetings, in many cases, because they do not want to be subjected to television.

Gene Levy addressed the Board requested copies of resolutions before the meetings.

Supervisor Wurtemberger stated that the Town Board received comments from the Planning Board on the Master plan and requested the Board members to take a look at them. Supervisor Wurtemberger stated that from what he understands a lot of the comments were concerns of Councilman Primeau and some of the comments were left uncompleted with the idea that he would come up with the verbiage.

Supervisor Wurtemberger asked Councilman Primeau if he would like to come up with the verbiage that is missing.

Councilman Primeau agreed to do so.

#### EXECUTIVE SESSION

Supervisor Wurtemberger moved and Councilman Cybulski seconded the motion to adjourn the Special Meeting and move into Executive Session to discuss legal matters at 7:58 P.M.

MOTION CARRIED: UNANIMOUS

Councilman Baum moved and Councilman Cybulski seconded the motion to adjourn the Executive Session and reconvene the Special Board Meeting at 9:15 P.M.

#### RESOLUTION #186

Town Attorney to Seek to Obtain Counsel for ZBA & Planning Board - Ackner Fuel

Councilman Baum moved and Councilman Cybulski seconded the following resolution.

Be it RESOLVED, that the Town Attorney is directed to seek to obtain counsel to represent the ZBA and Planning Board in connection with the recent Article 78 proceedings.

RESOLUTION ADOPTED BY THE, FOLLOWING VOTE:

AYES: 3

NAYS: 1 - (GLASSER)

ABSTAIN: 1 - (WURTEMBERGER)

MEETING ADJOURNMENT

Councilman Cybulski moved and Councilman Primeau seconded the motion to adjourn the Special Board Meeting at 9:17 P.M.

MOTION CARRIED: UNANIMOUS

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

Respectfully submitted,

Colleen Regan

Town Clerk