

1997

REGULAR MONTHLY MEETING

January 11, 1997

The regular monthly meeting of the Town Board of the Town of Sand Lake was called to order by Supervisor Kelley at 7:31 P.M., at the Town Hall, in Sand Lake New York after the Pledge of Allegiance. The following answered roll call:

PRESENT: Councilwoman Nancy Dunn
Councilman C. Joseph Trupia
Councilwoman Flora Fasoldt
Councilman Jack Welcome
Supervisor Doug Kelley
Attorney John h. Stockman.

RECORDING SECRETARY: Town Clerk Christine M. Kronau

OTHERS PRESENT: Frank Allen, Bob Burrige, Ed Patanian, Justin Schultz, Steve Robelotta, Linda reynolds, Sean Maloney, Linda Weaver, Art & Bernie Mardon, Tami Thibeault, Pat Welcome, Timothy Fiato, Christine Perry, Denise King, Matt Sousa, May Roberts, Dave Fazioli, Fred Schreyer, Mr. & Mrs. Irv Sewell, Mrs. Hubbard, Frank Fleming, Paul Blanchett, Art Handley IV, Terry Turner, Betty Herman, Cheryl Foland and others.

APPROVAL OF MINUTES:

Supervisor Kelley moved that the minutes of the December 29, 1997 meeting be approved.

MOTION CARRIED: AYES: 5; NAYS 0

Supervisor Kelley moved that the minutes of the Organizational meeting be approved with the correction of Resolution # 17 to read that the appointment of Timothy Fiato to the Zoning Board be for a term of 5 years ending December 31, 2002.

MOTION CARRIED: AYES : 5; NAYS 0

TOWN CLERK'S REPORT: On file in the Clerk's Office as submitted

SUPERVISORS REPORT: Supervisor Kelley announced that volunteer Christine Perry would be office as submitted

COMMITTEE REPORTS: On file in the Clerk's Office as submitted

BOARD MEMBER REPORTS: On file in the Clerk's Office as submitted

QUESTIONS & COMMENTS FROM RESIDENTS:

- John Stockman addressed the Board 1) Requesting a status report on litigation matters. 2) Commenting that all Board Meetings should be televised. 3) Requesting a status report on the 43 Mall Bridge.

- Dan Holser addressed the Board regarding 1) The Town's decision to purchase a John Deere loader for \$98,766.00. 2) Status report on litigation matters. 3) A matter of Business needing clarification regarding an employee on payroll back in 1982.

BUSINESS:

RESOLUTION #1-97

Time & Place of Regular Board Meetings

Supervisor Wurtemberger moved and Councilman Trupia seconded the following resolution:

BE IT RESOLVED, that the time and place of the regular Sand Lake Town Board meetings shall be the second Wednesday of each month at the Town Hall, Route 43, Sand Lake, NY at 7:30 p.m.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #2-97

Workshop Sessions

Supervisor Wurtemberger moved and Councilwoman Dunn seconded the following resolution:

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.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 4; NAYS: 1 - (FASOLDT)

RESOLUTION #3-97

Salaries of Town Officers & Employees

Supervisor Wurtemberger moved and Councilman Glasser seconded the following resolution:

BE IT RESOLVED, that the salaries of Town Officers and employees shall be as set forth in the 1997 Town Budget except as otherwise set forth in the following schedule or as otherwise specified by resolution.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #4-97

Appointment of Trustees of the Sand Lake Town Library

Councilman Trupia moved and Councilwoman Dunn seconded the following resolution:

BE IT RESOLVED, that the following are appointed "Trustee of the Sand Lake Town Library":

Patty HasBrouck for a term ending December 31, 2002.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #5-97

Councilwoman Dunn moved and Councilman Trupia seconded the following resolution:

RESOLUTION ACKNOWLEDGING TOWN COUNCILMAN JOSEPH CYBULSKI

FOR HIS SERVICE TO THE TOWN OF SAND LAKE

WHEREAS, Joseph Cybulski served the community of Sand Lake with professionalism, integrity and commitment during his term as Sand Lake Town Councilman from January 1, 1994 to December 31, 1996; and

WHEREAS, His dedication to the concerns of his constituency has distinguished him as an outstanding leader, devoted to excellence; and

WHEREAS, Councilman Cybulski's responsibilities included work with the Town's Insurance Program, saving the Town many thousands of dollars in insurance costs; the Cable Commission, which expanded cable access to many of our neighborhoods; and the Town Library; and

WHEREAS, It is incumbent upon us, as the duly elected representatives of the people of Sand Lake, to bring to light the contributions and achievements of our citizens, particularly as they benefit our community; now, therefore, be it

RESOLVED, That public recognition and commendation be accorded Joseph Cybulski in appreciation of his dedication and service to the community most specifically during his tenure as Councilman for the Town of Sand Lake, but also for his current leadership and service as Deputy County Executive for Rensselaer County and Director of the Department of Health and Human Services for the County.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #6-97

Councilwoman Dunn moved and Councilman Glasser seconded the following resolution:

RESOLUTION ACKNOWLEDGING TOWN COUNCILPERSON

MARVIS "CRICKET" WARREN FOR HER SERVICE

TO THE TOWN OF SAND LAKE

WHEREAS, Marvis "Cricket" Warren has served the community of Sand Lake with professionalism, integrity and commitment during her term as Sand Lake Town Councilperson from January 1, 1996 to December 31, 1996; and

WHEREAS, Her dedication to the concerns of her constituency has distinguished her as a caring leader, devoted to excellence; and

WHEREAS, Councilperson Warren's responsibilities included work with the Cable Television Company, and the Town Insurance program; and

WHEREAS, It is incumbent upon us, as the duly elected representatives of the people of Sand Lake, to bring to light the contributions and achievements of our citizens, particularly as they benefit our community; now, therefore, be it

RESOLVED, That public recognition be accorded Marvis "Cricket" Warren in appreciation of her dedication and service to the community, most specifically during her tenure as Councilperson for the Town of Sand Lake.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #7-97

Travel Requests - Floodplain Workshops

Councilman Glasser moved and Councilwoman Dunn seconded the following resolution:

BE IT RESOLVED, that George Wright is authorized to attend the February 12th and 26th Floodplain Management Workshops, certified by the Federal Emergency Management Agency (FEMA) and the NYS Department of State for continuing education credit for building code enforcement officials, and that he be reimbursed for the \$100 registration fee and mileage expenses to the workshop location in Poestenkill.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #8-97

1997 Association of Towns Training School and Annual Meeting

Councilman Glasser moved and Councilwoman Dunn seconded the following resolution:

BE IT RESOLVED, that the following Town Officials are hereby authorized to attend the 1997 Annual Training School and Annual Meeting of the New York State Association of Towns in New York City February 16 - 19, 1997, and each shall be advanced or compensated up to \$500.00 for their documented actual and necessary expenses:

Councilwoman Fasoldt, Councilman Trupia, Councilman Glasser.

BE IT RESOLVED, that Councilman Trupia is appointed the Town's Official Delegate and that Councilwoman Fasoldt is appointed Alternate Delegate to the Association of Towns Annual Meeting.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #9-97

Wheel Loader

Councilman Glasser moved and Councilman Trupia seconded the following resolution:

WHEREAS, the Commissioner of Public Works has submitted the following information concerning wheel loaders:

- a) an opportunity presently exists to purchase a John Deere loader thru the State Contract process, which is not always available - the last opportunity being in 1993,
- b) the State Contract price is some \$25,000 less than the conventional retail price,

c) The Town's smaller John Deere loader was purchased for \$71,700 in 1989 for a capital cost of \$6,60 per hour based on 4575 hours used and a resale or trade-in value of at least \$41,500,

d) the Town would benefit by up-grading to a new and larger loader; and

WHEREAS, the Town wishes to continue the practice initiated sometime ago to finance from yearly operating funds, instead of more expensive borrowing, the purchase of equipment and vehicles to provide an efficient, modern, and responsive public works operation;

NOW THEREFORE, BE IT RESOLVED, that upon his recommendation, the Commissioner of Public Works is authorized to purchase from K.C. Canary, Inc. a John Deere 644G Wheel Loader with accessories for \$98,766.00 from State Contract and to sell the Town's used John Deere 624E Wheel Loader via advertised bids or trade-in whichever is the more favorable.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #10-97

Master Plan Implementation

Councilman Trupia moved and Councilman Glasser seconded the following resolution:

WHEREAS, the Town Board adopted a new Town Master Plan on May 10, 1995; and

WHEREAS, said plan addressed land use and other conditions and recommended that amendments be made to existing zoning and subdivision regulations; and

WHEREAS, by resolution dated August 9, 1995, the Town Board resolved to establish a Master Plan Implementation Advisory Committee to interact with a professional consultant to be retained by

the Town Board to develop amendments to existing zoning and subdivision regulations and to advise the Town Board of such amendments and other matters which may be forwarded to the Committee; and

WHEREAS, thereafter, the Town did hire a professional consultant who, in consultation with the Master Plan Advisory Committee, developed a draft of a proposed zoning law which was completed on August 14, 1996; and

WHEREAS, thereafter, the Master Plan Implementation Advisory Committee held a public information session to consider the views of the public with regard to the proposed zoning law; and

WHEREAS, thereafter the Master Plan Implementation Advisory Committee recorded and collated such comments; and

WHEREAS, the public has expressed considerable concern over various aspects of the proposed legislation regarding such issues as zoning choices, taking issues, frontage requirements, scenic vista protections and open space requirements, among other things, and

WHEREAS, the Town Board is ultimately charged with the authority and obligation to consider and adopt appropriate legislative amendments; and

WHEREAS, in view of the public commentary and controversy over various proposed components of the proposed zoning amendments, it is appropriate and timely for the Town Board itself to review the status of the amendments, hear directly the public views, objections to various components of the proposed legislation, and consider alternatives;

NOW, THEREFORE, BE IT RESOLVED,

1. That the Town Board expresses its appreciation for the efforts of the Master Plan Implementation Advisory Committee in carrying out its mandate to work with the professional consultant in preparing proposed amendments to the existing zoning law and subdivision regulations

and holding public information sessions and for undertaking the difficult task of considering and collating the strongly held and disparate views of the public regarding the draft proposed zoning law.

2. That the Town Board recognizes that it is timely for the Town Board to consider the proposed zoning law and the public commentary and to consider further amendments and public input in making the zoning amendments that it is charged with under the Town Law.

3. That the Master Plan Implementation Advisory Committee activities shall be held in abeyance pending further requests of the Town Board or its designee.

4. That the Town Board authorizes Board Member Charles J. Trupia in consultation with such persons he deems necessary to coordinate the Board's efforts in undertaking this next phase of the review, public participation and amendment process.

5. That to assist in this effort, the Town Board will consider and obtain the services of an additional expert in land use, taking issues, and the State Environmental Quality Review process to advise the Board in its consideration of alternatives, public involvement, and the implementation process.

6. That as part of the Town Board's review and to better determine public opinion regarding implementation of the Town Master Plan and rezoning issues, the Town Board will consider and obtain the services of a professional polling organization.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 4; ABSTAIN - 1 (FASOLDT)

RESOLUTION #11-97

January 1997 Fund Warrant

Councilman Glasser moved and Councilwoman Dunn seconded the motion to approve the January 1997 Fund Warrant as audited. General Fund: \$5,315.37; Highway Fund: \$3,982.72; H012: \$101,380.60; Sewer: \$163.43. Total Fund Warrant \$110,842.12.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 4; ABSTAIN: 1 - (FASOLDT)

RESOLUTION #12-97

Schedule Interviews

Supervisor Wurtemberger moved and Councilwoman Dunn seconded the motion to schedule interviews for the positions of Planning Board and Zoning Board of Appeals for Saturday, January 25, 1997, starting at 9:30 A.M.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

EXECUTIVE SESSION

Supervisor Wurtemberger moved and Councilman Glasser seconded the motion to adjourn the Board Meeting and move into Executive Session to discuss at 8:50 P.M. to discuss legal strategy pertaining to Hubbard vs. The Town of Sand Lake.

MOTION CARRIED: UNANIMOUS

Councilman Glasser moved and Councilwoman Dunn seconded the motion to adjourn the Executive Session and reconvene the Board Meeting at 9:08 P.M.

MOTION CARRIED: UNANIMOUS

MEETING ADJOURNMENT

Supervisor Wurtemberger moved and Councilman Trupia seconded the motion to adjourn the Board Meeting at 9:08 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,

Arthur Mardon

Deputy Town Clerk

REGULAR MONTHLY MEETING

February 12, 1997

The regular monthly meeting of the Town Board of the Town of Sand Lake was called to order by Supervisor Wurtemberger at P.M. 7:32 P.M., at the Town Hall, in Sand Lake New York after the Pledge of Allegiance. The following answered roll call:

PRESENT: Councilwoman Nancy Dunn

Councilwoman Flora Fasoldt

Councilman John Glasser

Councilman C. Joseph Trupia

Supervisor Fred Wurtemberger

Attorney John T. Casey, Jr.

RECORDING SECRETARY: Town Clerk Colleen Regan

OTHERS PRESENT: Frank Allen; Connie Burkart; William Burrige; Tom Cipperly; Don Clifford; Meg Distell; Carla Engwer; Al Hayner; Art Handley, Jr.; Nancy Kelly; Sue Larsen; Tom Lilly; Art Mardon; Barbara Martinage; Angelo Patti; Steve Quillinan; Justin Schultz; Garth Slocum; John Stockman; Terry Turner; Rosemary Brennan-Quinn; Donald Vosburgh and others.

APPROVAL OF MINUTES:

Councilman Trupia moved and Councilwoman Dunn seconded the motion to approve December 26, 1996 Minutes: MOTION CARRIED: UNANIMOUSLY

Councilman Trupia moved and Councilwoman Dunn seconded the motion to approve January 8, 1997 Minutes: MOTION CARRIED: UNANIMOUSLY

TOWN CLERK'S REPORT: On file in the Clerk's Office as submitted

SUPERVISORS REPORT: On file in the Clerk's Office as submitted

COMMITTEE REPORTS: On file in the Clerk's Office as submitted

BOARD MEMBER REPORTS: On file in the Clerk's Office as submitted

RESIDENTS WHO ADDRESSED THE BOARD FOR QUESTIONS & COMMENTS:

John Stockman Terry Turner Nancy Kelly

2 Anglers Court Route 43 Sheer Rd.

Wynantskill, NY Averill Park, NY Averill Park, NY

Sue Larsen Carla Engwer Tom Cipperly Meg Distell
Woodland Dr. Averill Park, NY Averill Park, NY Route 43
Averill Park, NY West Sand Lake, NY

BUSINESS:

RESOLUTION #13-97

Memorandum of Understanding with NYSDEC - Surface Waters

Councilwoman Dunn moved and Councilman Trupia seconded the following resolution:

WHEREAS, the Department of Environmental Conservation of the State of New York is responsible for the protection of the water resources of certain classified waters in New York State as set forth in Part III-A of Article V of the Conservation Law and,

WHEREAS, this Memorandum of Understanding between the Department of Environmental Conservation of the State of New York and town of Sand Lake established an agreement of cooperation between the parties hereinafter mentioned for the administration of this responsibility insofar as the Town is concerned,

THEREFORE BE IT RESOLVED, that the Town Supervisor is hereby empowered to sign the attached Memorandum of Understanding in behalf of the Town of Sand Lake, and

BE IT FURTHER RESOLVED, that this Memorandum of Understanding shall take effect immediately upon its acceptance by the Department of Environmental Conservation.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #14-97

Animal Shelter Agreement

Councilwoman Fasoldt moved and Councilwoman Dunn seconded the following resolution:

WHEREAS, the Animal Shelter Agreement with Mohawk and Hudson River Humane Society is due for annual renewal;

THEREFORE, BE IT RESOLVED, that the Supervisor, after review by the Town Attorney, is hereby directed to execute the appropriate agreement for the services and use of the facility of the Mohawk and Hudson River Humane Society.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #15-97

1997 Insurance Renewal

Councilwoman Fasoldt moved and Councilwoman Dunn seconded the following resolution:

WHEREAS, the Town's insurance is due for renewal on March 1, 1997; now therefore be it:

RESOLVED, that the Supervisor is authorized and directed to prepare and execute the necessary and proper documents to effect the renewal of the Town's insurance.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #16-97

Travel Request - Assessor

Councilman Glasser moved and Councilwoman Dunn seconded the following resolution:

BE IT RESOLVED, that the Assessor, Garth J. Slocum, is authorized to attend the Assessor Training School sponsored by the Association of Towns in New York City February 17 - 19, 1997 for continuing education credit for Assessors;

AND BE IT FURTHER RESOLVED, that in the event the State of New York's Office of Real property Services does not reimburse the Assessor for the necessary and proper expenses incurred for attendance, lodging, and transportation directly, the Town will so reimburse said expenses up to \$500.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #17-97

Travel Request - Book-Keeper

Councilman Glasser moved and Councilman Trupia seconded the following resolution:

BE IT RESOLVED, that Florence Slavin, is authorized to attend the NYS Government Finance Association Conference and Training Sessions in Albany on March 20, 1997 and that the \$80 registration fee and mileage be paid by the Town.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #18-97

Street Lighting

Councilman Glasser moved and Councilwoman Dunn seconded the following resolution:

WHEREAS, New York State Electric and Gas Corporation (NYSEG) is participating with the Town in a survey of street lighting needs; and

WHEREAS, it has been determined that some street lighting could be removed along certain streets;

THEREFORE, BE IT RESOLVED, that NYSEG be directed to remove lighting fixtures identified as follows:

Route 43 - Line 56, Pole 9

Route 43 - Line 59, Poles 18, 24, 47, 48, 61

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #19-97

Local Law to Increase the Maximum Allowable Alternative Veterans Exemption

Schedule Hearing and Introduce

Councilman Trupia moved and Councilwoman Dunn seconded the following resolution:

PROPOSED LOCAL LAW TO INCREASE THE MAXIMUM ALLOWABLE ALTERNATIVE VETERANS EXEMPTION

BE IT RESOLVED, that:

The Town Board shall hold a public hearing concerning the adoption of a local law that would increase the maximum allowable tax exemption for real property of taxpayers qualifying for an alternative veterans exemption; the public hearing to be held at the Town Hall, Route 43, Sand Lake, New York at 7:30 P.M., on February 27, 1997, and the Town Clerk is hereby directed to publish notice accordingly.

The proposed local law is introduced as follows:

LOCAL LAW TO INCREASE THE MAXIMUM ALLOWABLE ALTERNATIVE VETERANS EXEMPTION

WHEREAS, the State of New York has made amendments to Real Property Tax law Section 458-a(2)(d) effective January 1, 1997, and

WHEREAS, as a result of those amendments there will be an impact on the current level of exemptions granted to certain taxpayers qualifying for the alternative veterans partial property tax exemption, and

WHEREAS, the Town of Sand Lake desires to mitigate that impact to the greatest degree allowable pursuant to Real Property Tax Law Section 458-a(2)(d)(ii) as currently in effect, and

WHEREAS, a public hearing concerning the adoption of a local law that would increase the maximum allowable tax exemption for real property of taxpayers qualifying for an alternative veterans exemption; as described below, was held on February _____, 1997.

NOW, THEREFORE BE IT ENACTED by the Town Board of the Town of Sand Lake, Rensselaer County, New York, that:

1. The Town of Sand Lake, Rensselaer County, New York hereby enacts a Local Law, designated as Local law Number _____ and entitled "a Local Law to Increase the Maximum Allowable Alternative Veterans Exemption."

2. Pursuant to the authority granted in Real property Tax Law Section 458-a(2)(d)(ii) the maximum exemption allowable under Real Property Tax Law Section 458-a(2)(a),(b), and (c) is increased to eighteen thousand dollars, twelve thousand dollars, and sixty thousand dollars, respectively.

3. This Local law shall be effective immediately upon filing with the Secretary of State of the State of New York.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #20-97

Sand Lake Town Library Board of Trustees

Supervisor Wurtemberger moved and Councilman Glasser seconded the following resolution:

BE IT RESOLVED, that upon the recommendation of the Library Board of Trustees, Arthur Handley III is appointed a Trustee to the Sand lake Town Library Board of Trustees for a term ending December 31, 2002.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #21-97

Appointment to the Zoning Board of Appeals

Supervisor Wurtemberger moved and Councilman Trupia seconded the following resolution:

BE IT RESOLVED, that Geraldine Burger is appointed to the Zoning Board of Appeals effective March 1, 1997, for a term ending December 31, 2001.

RESOLUTON ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #22-97

Appointment To Planning Board

Supervisor Wurtemberger moved and Councilman Glasser seconded the following resolution:

BE IT RESOLVED, that Stephen Quillinan is appointed to the Planning Board effective March 1, 1997, for a term ending December 31, 2003.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE:

AYES - 4; NAYS - 1 (FASOLDT)

RESOLUTION #23-97

Planning Board Chairman

Supervisor Wurtemberger moved and Councilman Dunn seconded the following resolution:

WHEREAS, Arthur Handley, Jr. has indicated his desire to relinquish the post of Chairman of the Town Planning Board and to continue his term as a Planning Board member;

THEREFORE BE IT RESOLVED, that Donald Clifford, a member of the Planning Board since 1984, is appointed Chairman of the Planning Board effective March 1, 1997.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE:

AYES: - 4; NAYS - 1 (FASOLDT)

RESOLUTION #24

Proposed Amendment to Zoning Ordinance -

Personal Wireless Telecommunications Facilities

Determination of Non-Significance

Supervisor Wurtemberger moved and Councilman Trupia seconded the following resolution:

IT IS HEREBY RESOLVED AS FOLLOWS:

WHEREAS, this Board has heretofore approved for introduction an amendment to the Town Zoning Ordinance pertaining to construction of telecommunication facilities, and

WHEREAS, the State Environmental Quality Review Act requires that prior to final adoption of such amendment, a determination be made as to the existence of significant adverse environmental impacts associated with such action, and

WHEREAS, this Board has heretofore declared such action to be unlisted, determined that there were no other permit granting agencies, and that it would be lead agency and conduct an uncoordinated review of the proposal, and

WHEREAS, the Board held a public hearing on notice on February 4 of this year at which time many people spoke for and against the proposal, and

WHEREAS, the Board members have reviewed the short environmental assessment for (EAF) prepared by the Town Supervisor in this matter and have taken a hard look at same and at the proposal itself and the comments received from the public,

NOW THEREFORE, IT IS HEREBY RESOLVED, that there are no significant adverse environmental impacts associated with this proposal and the attached Notice of Determination of Non-Significance is hereby adopted.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #25

Proposed Amendment to Zoning Ordinance -

Personal Wireless Telecommunications Facilities

Supervisor Wurtemberger moved and Councilman Trupia seconded the following resolution:

WHEREAS, this Board has heretofore on December 26, 1996, approved for introduction an amendment to the Town's Zoning Ordinance pertaining to construction of telecommunications facilities, and

WHEREAS, on February 4, 1997, a public hearing in connection with such amendment was held at which a great number of comments were received both for and against various specific details of the proposal, and

WHEREAS, the telecommunications industry is growing rapidly and it is likely that in the near future application will be made to construct such a facility in the Town, which will undoubtedly invoke concern on the part of the Town's citizens and neighbors, and

WHEREAS, the current zoning ordinance does not specifically address the problems associated with siting and construction of such facilities, which leads to doubt and confusion as to the appropriate standards to be used in evaluating such a proposal,

NOW THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

1. The proposed amendment to the Town's Zoning Ordinance, identified as Article XIII thereof, pertaining to telecommunication facilities, and approved for introduction by this board as aforesaid, a copy of which is appended hereto, is hereby adopted without substantive change.

2. The Planning Board is hereby directed within 60 days hereof, to review the comments of the public made at the public hearing or otherwise, particularly those made with respect to the ownership of land upon which such facilities may be located, and to recommend to this Board within such time any changes to Article XIII of the Zoning Ordinance as hereby adopted, which in its estimation are advisable or necessary.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE:

AYES - 3; NAYS - 2 (FASOLDT & GLASSER)

RESOLUTION #26-97

Municipal Center

Councilwoman Fasoldt moved and Councilman Glasser seconded the following resolution:

WHEREAS, a significant number of residents have expressed concerns with regard to the siting, design and size of the proposed municipal center; and

WHEREAS, alternative siting, design and size considerations have been suggested which require significant review and evaluation,

THEREFORE, BE IT RESOLVED,

1. That the Supervisor hold in abeyance any further action concerning the proposed municipal center, including, but not limited to, expenditures, contractual obligations, and deeds, until further action by the Town Board.

2. That the Town Board hereby authorizes and directs the Supervisor to schedule and hold public information sessions with regard to alternative siting, design, and size specifications for the proposed municipal center.

3. Due to the immediate needs of the Library, the Supervisor shall expeditiously move forward with review of all alternatives.

RESOLUTION DEFEATED BY THE FOLLOWING VOTE:

NAYS: - 4; AYES: 1 - (FASOLDT)

RESOLUTION #28

February 1997 Fund Warrant:

Councilman Glasser moved and Councilwoman Dunn seconded the motion to approve the February 1997 Fund Warrant: General Fund: \$23,273.35; Highway Fund: \$34,668.06; H006 Fund: \$721.73; H008 Fund: \$3,987.00; H012 Fund: \$85,081.00; H014 Fund: \$38,804.40; Street Light Fund: \$11,277.12; Sewer Fund: \$6,895.43. Total Fund Warrant: \$204,708.09.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

EXECUTIVE SESSION:

Councilman Glasser moved and Councilwoman Dunn seconded the motion to adjourn the Regular Board Meeting and move into Executive Session at 9:27 P.M. to discuss a proposed settlement for a certiorari proceeding by Bon Acre Management Corp.

MOTION CARRIED: UNANIMOUS

RECONVENE REGULAR BOARD MEETING:

Supervisor Wurtemberger moved and Councilwoman Dunn seconded the motion to adjourn the Executive Session and reconvene the Regular Board meeting at 9:50 P.M.

MOTION CARRIED: UNANIMOUS

RESOLUTION #28

Bon Acre Vs. Town of Sand Lake -

Stipulation of Settlement

Councilman Trupia moved and Councilwoman Dunn seconded the following resolution:

WHEREAS, a stipulation of settlement has been proposed by the attorneys for the parties to pending litigation between Bon Acre Management Corp. and the Town of Sand Lake;

BE IT RESOLVED, that the stipulation of settlement of pending litigation between Bon Acre Management Corp. and the Town of Sand Lake be accepted by the Town Board and that the Supervisor is authorized to execute on its behalf.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #29

Special Meeting

Supervisor Wurtemberger moved and Councilwoman Dunn seconded the motion to schedule a Special Meeting on February 27, 1997, immediately following the Public Hearing concerning the adoption of a proposed local law to increase the Maximum Allowable Alternative Veterans Exemption, to consider the matter.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

MEETING ADJOURNMENT

Supervisor Wurtemberger moved and Councilman Glasser seconded the motion to adjourn the Regular Board Meeting at 9:55 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

February 27, 1997

The Special 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: Councilwoman Nancy Dunn
Councilwoman Flora Fasoldt
Councilman C. Joseph Trupia
Supervisor Fred Wurtemberger

ABSENT: Councilman John Glasser

Attorney John T. Casey, Jr.

RECORDING SECRETARY: Town Clerk Colleen Regan

OTHERS PRESENT: Frank Allen; Bob Carpenter; William Hoffay; Steve Luckow; Rudy Mayhew; Peter Prigge; Jack Reardon; Steve Sedgewick; Garth Slocum and others.

BUSINESS:

PUBLIC HEARING:

Proposed Local Law to Increase the Maximum

Allowable Alternative Veterans Exemption

NOTICE

PLEASE TAKE NOTICE that the Sand Lake Town Board will hold a public hearing concerning the adoption of a local law that would increase the maximum allowable tax exemption for real property of taxpayers qualifying for an alternative veterans exemption; the public hearing to be held at the Town Hall, Route 43, Sand Lake, New York at 7:30 P.M., on Thursday, February 27, 1997, where all interested parties will be heard.

Immediately following the public hearing the Sand Lake Town Board will hold a Special Meeting to consider the adoption of the proposed local law.

/S/

Colleen Regan, Town Clerk

Those speaking in favor of adopting the proposed Local Law to Increase the Maximum Allowable Alternative Veterans Exemption:

William Hoffay Steve Luckow Jack Reardon Steve Sedgewick

RD #1 Box 258 Burden Lake Rd Taborton Rd Route 150

Sheer Rd Averill Pk, NY Sand Lake, NY West Sand Lake, NY

Averill Pk, NY

Those speaking against adopting the proposed Local Law to Increase the Maximum Allowable Alternative Veterans Exemption: None

All persons desiring to be heard, having been heard, Councilman Trupia moved and Councilwoman Dunn seconded the motion to close the Hearing at 7:42 P.M.

RESOLUTION #30-97

Supervisor Wurtemberger moved and Councilwoman Dunn seconded the following resolution:

LOCAL LAW TO INCREASE THE MAXIMUM ALLOWABLE ALTERNATIVE VETERANS EXEMPTION

WHEREAS, the State of New York has made amendments to Real Property Tax law Section 458-a(2)(d) effective January 1, 1997, and

WHEREAS, as a result of those amendments there will be an impact on the current level of exemptions granted to certain taxpayers qualifying for the alternative veterans partial property tax exemption, and

WHEREAS, the Town of Sand Lake desires to mitigate that impact to the greatest degree allowable pursuant to Real Property Tax Law Section 458-a(2)(d)(ii) as currently in effect, and

WHEREAS, a public hearing concerning the adoption of a local law that would increase the maximum allowable tax exemption for real property of taxpayers qualifying for an alternative veterans exemption; as described below, was held on February 27, 1997.

NOW, THEREFORE BE IT ENACTED by the Town Board of the Town of Sand Lake, Rensselaer County, New York, that:

1. The Town of Sand Lake, Rensselaer County, New York hereby enacts a Local Law, designated as Local law Number One (1) of 1997 and entitled "a Local Law to Increase the Maximum Allowable Alternative Veterans Exemption."
2. Pursuant to the authority granted in Real property Tax Law Section 458-a(2)(d)(ii) the maximum exemption allowable under Real Property Tax Law Section 458-a(2)(a),(b), and (c) is increased to eighteen thousand dollars, twelve thousand dollars, and sixty thousand dollars, respectively.
3. This Local law shall be effective immediately upon filing with the Secretary of State of the State of New York.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 3; ABSTAIN: 1 - (TRUPIA)

MEETING ADJOURNMENT

Councilman Trupia moved and Councilman Dunn seconded the motion to close the Special meeting at 7:46 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

REGULAR MONTHLY MEETING

March 12, 1997

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: Councilwoman Flora Fasoldt
Councilman John Glasser
Councilman C. Joseph Trupia
Supervisor Fred Wurtemberger
Attorney John T. Casey, Jr.

ABSENT: Councilwoman Nancy Dunn

RECORDING SECRETARY: Colleen Regan, Town Clerk

OTHERS PRESENT: Frank Allen; Connie Burkart; William Burrige; Tom Cipperly; Don Clifford; Carla Engwer; Frank Fleming; Denise King; Nancy Kelly; Ray Loveridge; Ed Martin; Ed Patanian; Angelo Patti;

Lee & Christine Perry; Peter Prigge; Harold Roder; Justin Schultz; John Stockman; Terry Turner and others.

APPROVAL OF MINUTES:

Councilman Glasser moved and Councilman Trupia seconded the motion to approve February 12, 1997 Minutes: MOTION CARRIED: UNANIMOUS

TOWN CLERK'S REPORT: On file in the Clerk's Office as submitted

SUPERVISORS REPORT: On file in the Clerk's Office as submitted

COMMITTEE REPORTS: On file in the Clerk's Office as submitted

BOARD MEMBER REPORTS: On file in the Clerk's Office as submitted

RESIDENTS WHO ADDRESSED THE BOARD DURING COMMENT PERIOD:

Connie Burkart Ken Gerke Debbie Jewell Denise King
Edgewood Dr. 11 Glenwood Terrace Crooked Lake Walk Rd.
Averill Park, NY Averill Pk, NY Averill Pk, NY Sand Lake, NY

Ed Patanian Christine Perry Paul Schroeder Justin Schultz
34 Garner Rd. 11 Pond Ridge Shaver Road 23 Clays Lane
Averill Pk, NY Averill Pk, NY Averill Pk, NY Averill Pk, NY

John Stockman Terry Turner Dick Wark
2 Anglers Court Route 43 Gettle Road
Wynantskill, NY Averill Pk, NY Averill Pk, NY

BUSINESS:

RESOLUTION #31

Supervisor Wurtemberger moved and Councilman Glasser seconded the following resolution:

RESOLUTION COMMENDING WALTER LUDEWIG

WHEREAS, Walter Ludewig has served the Town of Sand Lake for many years in his capacity as the first Legal Counsel to the Board of Trustees of the Sand lake Town Library; and

WHEREAS, Mr. Ludewig volunteered countless hours, offering fair-minded and just pro bono legal service in a professional manner to the Library's Board of Trustees; and

WHEREAS, Mr. Ludewig helped create a tax-exempt status to allow the Board of Trustees to accept gifts and donations on behalf of the Library; and

WHEREAS, Mr. Ludewig annually completed federal tax forms for the Library on a pro bono basis, representing considerable savings for the Town of Sand Lake; and

WHEREAS, Mr. Ludewig advised and consulted with the Board of Trustees on the development of the library's Policies and Procedures, which have become a model for New York State libraries; and

WHEREAS, Mr. Ludewig provided counsel to the Friends of the Library on their formation; and

WHEREAS, Mr. Ludewig provided guidance and support to the Board of Trustees in chartering the Sand Lake Town Library;

THEREFORE BE IT RESOLVED, that the Town of Sand Lake recognizes and appreciates Walter Ludewig's extraordinary service and dedication to the people of Sand Lake.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #32

Travel Request - Town Historian

Councilwoman Fasoldt moved and Councilman Trupia seconded the following resolution:

BE IT RESOLVED, that Mary French, Town Historian, is authorized to attend the joint meeting of the Association of Municipal Historians and County Historians Association of New York from March 16 through March 18, 1997 in Albany and that the Town reimburse her up to a maximum of \$105.00 for reasonable costs incurred for registration fees, meals, mileage, and parking fees.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #33

Senior Operator Position - Highway Department

Councilman Glasser moved and Councilman Trupia seconded the following resolution:

BE IT RESOLVED, that the position of Senior Operator is established in the Highway Department. The position will be filled by the Commissioner of Public Works upon the recommendation of the deputy Commissioner of Highways. The Senior Operator shall meet the requirements of the Mechanical Equipment Operator Heavy (MEOH) position and also shall be capable and accept the responsibility of overseeing Highway Department projects and personnel. Compensation is at the rate specified for the MEOH position plus an additional base hourly compensation of \$0.25.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #34

Implementation of the Town of Sand Lake Master Plan

Councilman Trupia moved and Councilman Glasser seconded the following resolution:

WHEREAS, the Town Board recently decided to be directly involved in the revision of the proposed zoning and subdivision regulations developed by the Master Plan Implementation Committee, and

WHEREAS, an essential step in this process is to assure that the revision process strictly follows the requirements set forth in the State environmental Quality Review Act (SEQRA), and

WHEREAS, the Town Board has by resolution authorized the retaining of an additional consultant to assist the Town Board in its deliberations and to advise on matters related to SEQRA regulations, and

WHEREAS, the Town Board has, after extensive review, recommended that the Town retain Mr. Douglas Ward to assist in the revisions of the proposed Town zoning and subdivision regulations developed by the Master Plan Implementation Committee and in the procedures to be followed to meet the requirements of SEQRA;

THEREFORE, BE IT RESOLVED, that Town Supervisor is authorized to enter into a contract with Mr. Douglas Ward, in an amount not to exceed \$5,000.00 for services to be rendered in assisting the Town Board with the revision of the proposed zoning and subdivision regulations and SEQRA provisions, in a form acceptable to the Town Attorney.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 3; NAYS: 1 - (FASOLDT)

RESOLUTION#35

Municipal Center Survey

Councilman Trupia moved and Councilman Glasser seconded the following resolution:

WHEREAS, the property currently owned by Mr. Edward Patanian on Route 43 next to the Bon Acre Trailer Park in the Town of Sand Lake was not available until one week before the October 22, 1996 referendum on the Proposed Municipal Center; and

WHEREAS, there has been considerable public debate and discussion on whether the Municipal Center should be constructed at the Eastern Union Turnpike site or at the site owned by Mr. Patanian; and

WHEREAS, the Patanian land is considerably more expensive than the Eastern Union Turnpike site; and

WHEREAS, the Town does not have sufficient funds to purchase the Patanian site without seriously jeopardizing the fiscal integrity of the Town; and

WHEREAS, the Town would have to borrow or otherwise provide sufficient funds in order to purchase the Patanian land and still maintain prudent fiscal control for the benefit of Town Residents; and

WHEREAS, the Town Board is reluctant to enter into any financial arrangement which would require increasing the taxes of Town residents without first determining whether the Town residents actually wish the Board to do so; and

WHEREAS, there is a sizable population in the Town, including senior citizens on fixed incomes and those living at or near the subsistence level for whom any increase in taxes would cause considerable difficulty,

NOW THEREFORE BE IT RESOLVED, that the Town of Sand Lake conduct an official survey of property owners in the Town of Sand Lake to determine whether or not the Town should make an offer to purchase the property, on Route 43 next to the Bon Acre Trailer Park, currently owned by Mr. Edward Patanian; and

BE IT FURTHER RESOLVED, that advertisements be placed in local newspapers alerting taxpayers to the impending Town survey; and

BE IT FURTHER RESOLVED, that the attached survey, similar to the attachments, be used for this purpose; and

BE IT FURTHER RESOLVED, that a two thirds majority of those property owners responding shall indicate their desire to build on the Bon Acre site in order for the Town to enter into serious negotiations with Mr. Patanian on the purchase of the land in preparation of a referendum regarding the additional funds needed for the purchase.

Councilwoman Fasoldt moved and Councilman Trupia seconded the motion to table resolution #35.

RESOLUTION TABLED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #36

Special Meeting and Establish a Survey Committee on
the Proposed Municipal Center

Councilman Trupia moved and Councilman Glasser seconded the following resolution:

BE IT RESOLVED, that a special Survey Committee is appointed By Supervisor Wurtemberger consisting of Councilman Joe Trupia, Chairman, Councilwoman Flora Fasoldt, Christine Perry, one other member to be designated by the Chairman, and a member of the Library, to work on revising a survey on the Proposed Municipal Center for submission to the Town Board; and

BE IT FURTHER RESOLVED, that the Town Board will hold a Special Meeting on April 1, 1997 at 7:30 P.M. to consider the revised survey on the Municipal Center and that upon approval by the Town Board said survey be mailed as soon as possible.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #37

March 1997 Fund Warrant

Councilman Glasser moved and Councilman Trupia seconded the motion to approve the March 1997 Fund Warrant as audited. General Fund: \$26,540.87; Highway Fund: \$36,099.81; H006: \$2,218.17; H011: \$93.75; H012: \$67,724.80 H014: \$9,064.32 Street Lights: \$5,476.13; Sewer: \$69,251.20. Total Fund Warrant \$216,469.05.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

MEETING ADJOURNMENT

Supervisor Wurtemberger moved and Councilman Glasser seconded the motion to adjourn the Board Meeting at 9:49 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

REGULAR MONTHLY MEETING

April 9, 1997

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: Councilwoman Nancy Dunn

Councilwoman Flora Fasoldt

Councilman John Glasser

Councilman C. Joseph Trupia

Supervisor Fred Wurtemberger

Attorney John T. Casey, Jr.

RECORDING SECRETARY: Colleen Regan, Town Clerk

OTHERS PRESENT: Harry Ackner; Frank Allen; Madeline Benson; Connie Burkart; Shophie Butwell; William Burrige; Tom Cipperly; Rosemary Cook; Don Clifford; Jim Dunn; Frank Fleming; Art Handley, Jr.; Al Hayner; Dan Holser; Nancy Kelly; Tom Lilly; Ed Martin; Bob Middleton; Ed Patanian; Ellie Pattison; Christine & Lee Perry; Mike Schaffer; Fred Schreyer; Justin Schultz; John Stockman; Terry Turner; Don Vozburgh; Rosemary Brenan-Quinn, Record; Paul Weiss.

APPROVAL OF MINUTES:

Councilman Trupia moved and Councilwoman Dunn seconded the motion to approve February 4, 1997 Minutes: MOTION CARRIED: UNANIMOUS

Councilman Trupia moved and Councilwoman Dunn seconded the motion to approve February 27, 1997 Minutes: MOTION CARRIED: UNANIMOUS

Councilman Glasser moved and Councilman Trupia seconded the motion to approve March 12, 1997 Minutes: MOTION CARRIED: UNANIMOUS

TOWN CLERK'S REPORT: On file in the Clerk's Office as submitted

SUPERVISORS REPORT: On file in the Clerk's Office as submitted

COMMITTEE REPORTS: On file in the Clerk's Office as submitted

BOARD MEMBER REPORTS: On file in the Clerk's Office as submitted

RESIDENTS WHO ADDRESSED THE BOARD DURING COMMENT PERIOD:

Al Hayner Dan Holser Tom Lilly Bob Middleton
Averill Park, NY Averill Park, NY Averill Park, NY Averill Park, NY

Ed Patanian Ellie Pattison Christine Perry John Stockman
Averill Park, NY WSL, NY Averill Park, NY WSL, NY

Justin Schultz
Averill Park, NY

BUSINESS:

RESOLUTION #40

Sale of Town's Used Wheel Loader

Councilman Glasser moved and Councilman Trupia seconded the following resolution:

BE IT RESOLVED, upon the recommendation of the Commissioner of Public Works, that K.C. Canary is awarded the bid in the amount of \$41,500 as high bidder for the purchase of used Town equipment specifically a 1989-624E John Deere Loader pursuant to bids received on April 8, 1997.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #41

Designation of Polling Places

Councilwoman Nancy Dunn moved and Councilman Trupia 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 42

Sewer Extension - Glass Lake Subdivision

Supervisor Wurtemberger moved and Councilwoman Dunn seconded the following resolution:

WHEREAS, Arthur E. Herman, Jr. has requested municipal sewer service to serve a proposed 3 lot subdivision known as Glass Lake Subdivision on Route 43 and 66; and

WHEREAS, said subdivision is within the Sewer District but the proposed lots do not abut a Town sewer and service therefore should be approved by the Town Board as the governing body of the Sewer District; and

WHEREAS, the Town Review Engineer, by letter dated February 25, 1997 recommended final approval with conditions concerning the installation of approximately 630 feet of 8 inch gravity sewers extending from manhole P 63.

WHEREAS, permanent rights-of-way and easements have been provided parallel to Routes 43 and 66 from manhole P 63 through the full width of lot number 3;

NOW THEREFORE BE IT RESOLVED, that the Town Board gives Conditional Final Approval for the installation of approximately 630 feet of 8" gravity sewers, to serve the proposed 3 lot Glass Lake Subdivision with a connection to an existing Town sewer at manhole P 63; conditioned upon approval of the County Health Department and Rensselaer County Sewer District No. 1, and NYS Department of Transportation, establishment of an Escrow Account in an amount set forth by the Town Review Engineer to guarantee completion and payment of associated review and inspection fees.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #43

GIS Needs Assessment and Conceptual Design

Councilman Trupia moved and Councilwoman Dunn seconded the following resolution:

WHEREAS, on March 24, 1997, the Town received an executed Agreement from the State Department of State pertaining to a Legislative member (Senator Joseph Bruno) Initiative Grant of \$15,000 for assessment and implementation of a geographic information system (GIS) for inter departmental use in the Town; and

WHEREAS, the Grant provided a sum of \$10,000 to perform a GIS Needs Assessment and Conceptual Design; and

WHEREAS, the Town of Sand Lake can take advantage of a great deal of GIS work already completed for Rensselaer County by the LA Group of Saratoga Springs;

NOW THEREFORE BE IT RESOLVED, that the Town retain the LA Group to perform a GIS Needs Assessment and Conceptual Design generally in accordance with the attached scope of services (5 pages) for a lump sum professional fee of \$10,000.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #44

Work Week - Building Department Employee

Councilman Trupia moved and Councilwoman Dunn seconded the following resolution:

WHEREAS, on August 12, 1996, the Town Board appointed James Spath to a vacant position in the Building Department; he has since completed his Code Certification and can independently conduct building code and fire inspections as required; and

WHEREAS, he has initiated computerization of certain Building Department functions and his expertise will be used to assist in the continuing implementation of a Town Geographic Information System (GIS) to be set forth under a recently received State Member Initiative Grant, said system addressing needs such as assessing, building, planning, public works and zoning; and

WHEREAS, his added duties and responsibilities will require additional time to perform;

NOW THEREFORE BE IT RESOLVED, that effective April 12, 1997 James Spath's work week be increased from 30 to 35 hours per week as needed and that \$2,102 be transferred from Budget item A1990 Contingency to A3620.1 Personal Services.

RESOLUTIO ADOPTED BY THE FOLLOWING VOTE:

AYES: 4; NAYS: 1 - (FASOLDT)

RESOLUTION #45

Appointment of Secretary to the Board

of Assessment Review

Councilwoman Dunn moved and Councilman Trupia seconded the following resolution:

BE IT RESOLVED, that Florence Slavin is appointed Secretary to the Board of Assessment Review for Grievance Day on May 20, 1997, and that she be reimbursed at her hourly rate not to exceed \$275.00.

RESOLUTION ADOPTED BY THE FOLLOWIN VOTE: UNANIMOUS

RESOLUTION #46

Dispensing of Alcoholic Beverages

at Butler Park - Rosemary and Hilton Perez

Councilman Glasser moved and Councilman Trupia seconded the following resolution:

BE IT RESOLVED, that Rosemary and Hilton Perez of West Sand lake are permitted to use Butler Park for a Family picnic on Saturday May 10, 1997, and to serve alcohol (beer and wine) upon evidence that the Town of Sand Lake is named "additional insured" on their Homeowners Insurance Policy for the event.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #47

Municipal Center - Exercise Site Option

Councilman Glasser moved and Councilwoman Dunn seconded the following resolution:

WHEREAS, on November 13, 1996 the Town Board authorized the Town Supervisor to exercise the Town's option, pursuant to an Agreement dated January 22, 1996 with the Averill Park and Sand Lake Volunteer Fire Company, to purchase land on Eastern Union Turnpike for a Municipal Center site; and

WHEREAS, exercising said option was dependent upon completion of a field survey (performed December 1996) based upon architectural and engineering site considerations and upon subdivision approval which was granted by the Town Planning Board on April 2, 1997; and

WHEREAS, after 5 months of efforts by the Town Board to secure additional funds have not been successful and other proposals presented to site the Municipal Center on land owned by Edward Patanian on Route 43 have not been viewed as fiscally prudent or in the best interest of the Town;

NOW THEREFORE BE IT RESOLVED, that the Town Supervisor is authorized and directed to exercise the Town's option pursuant to an Agreement, dated January 22, 1996, with the Averill Park and Sand Lake Volunteer Fire Co. Inc. duly recorded in the office of the Rensselaer County Clerk; and

FURTHER BE IT RESOLVED, that the Town Supervisor is authorized and directed to take the steps necessary to develop a water supply on said Eastern Union Turnpike Municipal Center site lands.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 4; NAYS: 1 - (FASOLDT)

RESOLUTION #48

Amendments to 1997 Budget and Capital Fund for Water Study

Supervisor Wurtemberger moved and Councilman Trupia seconded the following resolution:

BE IT RESOLVED, that the following amendments be made in the 1997 budget and the Capital Fund for Water Study (established on October 17, 1994):

1997 Budget

Create appropriation account A8989.2 (GIS Grant) Equipment \$ 5,000.00

Create appropriation account A8989.4 (GIS Grant) Contractual \$10,000.00

to be funded by State Legislative Member Initiative Appropriation No. C963262.

Capital Fund for Water Study

Create appropriation account H011-8310.2020 Contractual \$20,000.00

to be funded by State Legislative Member initiative Appropriation No. C963262.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #49

April 1997 Fund Warrant

Councilman Glasser moved and Councilman Trupia seconded the motion to approve the April 1997 Fund Warrant as audited. General Fund: \$27,411.68; Highway Fund: \$19,192.56; H006-Landfill Closing Capital: \$1,213.25; H008-Buildings Capital Project: \$301.00; H012: Highway Garage Capital Projects: \$75,868.29; H014 Municipal Center: \$321,150.08; Street Lights: \$5,639.68; Sewer: \$3,324.04. Total Fund Warrant \$154,100.58

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

MEETING ADJOURNMENT

Councilman Glasser moved and Councilman Trupia seconded the motion to close the 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

REGULAR MONTHLY MEETING

May 14, 1997

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: Councilwoman Nancy Dunn

Councilwoman Flora Fasoldt

Councilman John Glasser

Councilman C. Joseph Trupia

Supervisor Fred Wurtemberger

Attorney John T. Casey, Jr.

RECORDING SECRETARY: Colleen Regan, Town Clerk

OTHERS PRESENT: Frank Allen; Connie Burkart; William Burr ridge; Don Clifford; Frank Fleming; William Hoffay; Dan Holser; Doug & Nancy Kelly; Ed Patanian; Harold Roder; Mike Schaeffer; Justin Schultz; John Stockman; Terry Turner; Rosemary Brenan-Quinn and others.

APPROVAL OF MINUTES:

Councilman Glasser moved and Councilman Trupia seconded the motion to approve the April 1, 1997 Minutes: MOTION CARRIED: UNANIMOUSLY

TOWN CLERK'S REPORT: On file in the Clerk's Office as submitted

SUPERVISORS REPORT: On file in the Clerk's Office as submitted

COMMITTEE REPORTS: On file in the Clerk's Office as submitted

BOARD MEMBER REPORTS: On file in the Clerk's Office as submitted

RESIDENTS WHO ADDRESSED THE BOARD DURING COMMENT PERIOD:

Rick Iannello William Hoffay* Dan Holser

Garner Rd. WSL, NY Averill Park, NY

Averill Pk, NY *Submitted written statement

on file in Clerk's Office

Bob Middleton Ed Patanian* Justin Schultz

Averill Park, NY Garner Rd. Averill Park, NY

Averill Park, NY

*Submitted written statement on file in Clerk's Office

John Stockman Jeremy Vozburgh

WSL, NY Averill Park, NY

BUSINESS:

RESOLUTION #50

Summer Day Camp Personnel

Councilman Glasser moved and Councilman Trupia seconded the following resolution:

Appointment of 1997 Director for Summer Day Camp Session

BE IT RESOLVED, that Barbara Biittig is appointed Summer Camp Director at \$12.00/hr for a 40 hours week for 8 weeks up to a maximum of \$3,840.00.

Appointment of Health Director for 1997 Summer Day Camp Session

BE IT RESOLVED, that Brooke Wagner is appointed as Health Director at \$5.00/hr. for a 30 hour week for 6 weeks up to a maximum of \$900.00.

Appointment of Sport Instructor for 1997 Summer Day Camp Session

BE IT RESOLVED, that Kevin Earl is appointed as Sport Instructor at \$14.00/hr. for a 10 hour week for 6 weeks up to a maximum of \$840.00.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #51

Position of Assessor Clerk and Data Collector

Supervisor Wurtemberger moved and Councilman Trupia seconded the following resolution:

WHEREAS, there is a vacancy for the position of Assessor Clerk and Data Collector due to a resignation;

THEREFORE BE IT RESOLVED, that Nicole Reyome is appointed to the position of Assessor Clerk and Data Collector as provided in the adopted 1997 Budget, effective on a date acceptable to the Assessor.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 4; ABSTAIN: 1 - (GLASSER)

RESOLUTION #52

Compensation for Cable TV Technician

Councilwoman Dunn moved and Councilman Trupia seconded the following resolution:

BE IT RESOLVED, that the compensation for the Cable TV Technician be increased from \$5.00 to \$5.50 per hour effective June 1, 1997.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #53

Street Lighting

Councilman Glasser moved and Councilwoman Dunn seconded the following resolution:

WHEREAS, New York State Electric and Gas Corporation (NYSEG) is participating with the Town in a survey of street lighting needs; and

WHEREAS, it has been determined that some street lighting could be removed along certain streets;

THEREFORE, BE IT RESOLVED, that NYSEG be directed to remove lighting fixtures identified as follows:

Shaver Road - Line 894, Pole 18

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #54

Request for Traffic Light Modification

Intersection of State Route 43 and County Route 45

Councilman Glasser moved and Councilwoman Dunn seconded the following resolution:

WHEREAS, members of the Averill Park and Sand Lake Volunteer Fire Company and other residents of the Town have requested modifications to the traffic light at the intersection of State Route 43 and County Route 45 so that vehicles exiting County Route 51 (Burden Lake Road) and County Route 49 (Eastern Union Turnpike) have more time to react to vehicles proceeding in an easterly direction on Route 43;

NOW THEREFORE BE IT RESOLVED, THAT:

1.) The Town of Sand Lake, pursuant to Vehicle and Traffic Law, requests the State Department of Transportation and County Superintendent of Highways to modify the traffic light at the intersection of State Route 43 and County Route 45 such that it is red (or stop) for traffic proceeding in an easterly direction on Route 43.

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 #55

Collection of Water Samples

Councilwoman Trupia moved and Councilwoman Dunn seconded the following resolution:

WHEREAS, on April 12, 1995, the Town Board adopted Resolution 36 specifying that the collection of potable water samples for laboratory testing for purposes of qualifying for Certificates of Occupancy be conducted by and under the direction and supervision of a duly licensed engineer, architect or certified laboratory technician as a substitution for the Rensselaer County Department of Health which was no longer providing the service; and

WHEREAS, the Rensselaer County Department of Health is now providing this service;

NOW THEREFORE BE IT RESOLVED, that Resolution #36 of 1995 pertaining to the collection of potable water samples is hereby rescinded.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION 56

Water Aquifer Field Testing

Supervisor Wurtemberger moved and Councilman Trupia seconded the following resolution:

WHEREAS, Dr. Robert G. LaFleur, in conjunction with Spectra Environmental Group, Inc. directed and completed the November 1995 Study entitled "Public Water Supply Feasibility Study of the Town of Sand Lake - Hydrogeology"; and

WHEREAS, on March 24 1997, the Town received an executed Agreement from the State Department of State pertaining to a Legislative Member (Senator Joseph Bruno) Initiative Grant of \$20,000 for aquifer field testing and evaluation as a continuation of the Feasibility Study;

NOW THEREFORE BE IT RESOLVED, that the Town Supervisor, in consultation with the Town Attorney, is authorized to retain Spectra Environmental Group, Inc. to investigate subsurface conditions with geophysical surveys and test drilling at one or more potential public water supply sites for a professional fee not to exceed \$20,000.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #57

1997 Health Insurance Renewal

Councilwoman Fasoldt moved and Councilwoman Dunn seconded the following resolution:

WHEREAS, the Town's employee health insurance is due for renewal on June 1, 1997; now therefore be it:

RESOLVED, that the Supervisor is authorized and directed to prepare and execute the necessary and proper documents to effect the renewal of the Town's employee health insurance.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #58

Amendment to Article XIII of Zoning Ordinance

Personal Wireless Communication Facilities

Councilwoman Dunn moved and Councilman Trupia seconded the following resolution:

WHEREAS, this Board has heretofore on February 12, 1997, adopted an amendment to the Town's zoning ordinance pertaining to construction of telecommunications facilities identified as Article XIII thereof, and

WHEREAS, as directed, the Planning Board has considered and recommended to this Board Certain amendments thereof,

NOW THEREFORE IT IS HEREBY RESOLVED AS FOLLOWS:

1. The Amendments to Article XIII of Zoning Ordinance of the Town of Sand Lake attached hereto are approved for introduction.
2. This Action is declared to be an unlisted action under the State Environmental Quality Review Act, this Board will conduct an uncoordinated review of environmental significance of these amendments, and the attached short Environmental Assessment Form prepared by Supervisor Wurtemberger is accepted subject to review and correction, and completion of part II, by the full Board, prior to final action on these proposals.

3. A hearing on these amendments is scheduled for the 11th day of June, 1997, and the Clerk is directed to provide due notice thereof.

Article XIII of the Zoning Ordinance of the Town of Sand Lake is hereby amended as follows:

1. Amend section 1, definition of "Telecommunications Tower", to read as follows:

"Telecommunications Tower" means a tower greater than 35 feet in height and which does not exceed 300 feet in height, (including antenna) and which supports communications (transmission and/or receiving) equipment. The term telecommunications tower shall not include towers which do not exceed 100 feet in height used in association with amateur or commercial business radio operators' equipment for private or business operations and as licensed by the FCC. Design examples of telecommunications towers are described as follows: (a) self supporting lattices; (b) guyed; and (c) monopole;

2. Amend Section 3.A to read as follows:

3.A Siting. New telecommunications facilities may be located on public or private land, however, where technically* feasible, should be sited on existing telecommunications facilities or utility distribution lines or properties of the Town of Sand Lake designated for such use in order to preserve the aesthetic and scenic value of the Town.

*Councilwoman Fasoldt moved and Councilman Trupia seconded the motion to amend the wording in Section 3.A - (Siting) to add the word technically.

3. Add new section 3.F to read as follows:

3.F. A public hearing shall be held within sixty-two days of submission of a completed application hereunder, and a decision rendered within sixty-two days after the hearing is closed. Notice of the hearing shall be published in the official newspaper at least five days before the hearing is held. The Board shall also require the applicant to provide such other notice to adjoining and adjacent property

owners as it deems necessary under the circumstances, such as by first class mail, posting, or additional publication, provided that the only remedy for failure of such additional notice shall be delay or adjournment of the hearing upon majority vote of the Board. Notice of the hearing shall also be provided to the applicant and county in accordance with law.

AMENDMENT ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION ADOPTED AS AMENDMENT BY THE FOLLOWING VOTE:

UNANIMOUS

RESOLUTION #59

Master Plan Implementation

Councilman Trupia moved and Councilman Glasser seconded the following resolution:

WHEREAS, by resolution on January 8, 1997, the Town Board acted to directly consider the proposed zoning law developed by the Master Plan Implementation Committee and to consider further amendments and public input in making zoning amendments, and

WHEREAS, the Town Board authorized Charles J. Trupia to coordinate the Board's efforts in undertaking this next phase of the review, public participation and amendment process, and

WHEREAS, the Town Board by resolution on March 12, 1997 retained the services of Mr. Douglas Ward to assist the Board with the revision of the proposed zoning and subdivision regulations and the State Environmental Quality Review Act (SEQRA) provisions, and

WHEREAS, Councilman Trupia with the help of the Town's advisers Mr. Joel Russell and Mr. Douglas Ward has prepared an outline of a process designed to enable the Town Board to accomplish its public review of the proposed zoning amendments (see attachment).

NOW, THEREFORE , BE IT RESOLVED,

that the Town Board approves of the proposed plan of action with respect to the Board's review of the Town's zoning and subdivision regulation amendments and authorizes Councilman Trupia to move forward in implementing the plan as outlined in the attached memorandum dated April 30, 1997.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 4; NAYS: 1 - (FASOLDT)

RESOLUTION #60

Agenda Addition - "Sewer Extensions"

Supervisor Wurtemberger moved and Councilman Trupia seconded the motion to add an additional business item to the agenda regarding Sewer Extensions.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #61

Sewer Extensions

Supervisor Wurtemberger moved and Councilman Trupia seconded the following resolution:

WHEREAS, many Town residents have expressed a desire to have sewers extended to their properties to alleviate individuals septic system problems and to protect streams and lakes within the Town of Sand Lake, said sewer service desired to be provided without undue economic hardship; and

WHEREAS, the State of New York has made considerable funds available for clean water projects with the passage of the Clean Water/Clean Air Bond Act; and

WHEREAS, as part of the process for qualifying for project funds, applications and technical reports must be submitted to the NYS Department of Environmental Conservation (NYSDEC) and/or NYS Environmental Facilities Corporation (EFC); and

WHEREAS, said applications and reports should be submitted this summer for projects initiating construction during the state fiscal year April 1, 1997 through March 31, 1998; and

WHEREAS, the firm of Kestner Engineers designed the sewer system installed in the Town during the 1980's, is familiar with its needs, and can expedite the necessary applications and reports;

NOW THEREFORE BE IT RESOLVED, that the Town Supervisor, in consultation with the Town Attorney, is authorized to retain Kestner Engineers, P.C. for a professional fee not to exceed \$25,000, to assist in making applications(s) and to provide technical reports and preliminary plans in support of such application(s) for funds available from the Clean Water/Clean Air Bond Act to construct sewer extensions within the Town.

AND FURTHER BE IT RESOLVED, that the professional fee be financed via the following 1997 Budget Transfer and Amendment:

BUDGET TRANSFER

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

A1990 Contingency A1440.4 Engineering (Contractual) \$12,500

BUDGET AMENDMENT

Provide appropriations in Sewer Account SS1440.4 Engineering (Contractual) in the amount of \$12,500 to be funded by appropriating additional fund balance pursuant to Section 112 of Town Law.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION#62

Proposed Town Municipal Center

Eastern Union Turnpike Site

Determination of Non-Significance

Supervisor Wurtemberger moved and Councilman Trupia seconded the following resolution:

WHEREAS, the people of the Town of Sand Lake, through a Referendum held October 22, 1996, authorized the creation of a capital reserve fund to acquire the necessary realty and to finance construction costs for a Town of Sand Lake Municipal Center; and

WHEREAS, the Town Board on November 13, 1996 resolved that Architecture + be retained to design and provide construction representation of a new Municipal Center; and

WHEREAS, the Town Board on April 9, 1997 authorized and directed the Town Supervisor to exercise the Town's option to acquire the Eastern Union Turnpike parcel from the Averill Park and Sand lake Volunteer Fire Co. Inc. for a Municipal Center site; and

WHEREAS, the Town Board on August 14, 1996 designated itself to act as lead agency for purposes of State Environmental Quality Review Act (SEQRA) review and authorized the Town Supervisor to implement SEQRA regulations to the degree possible; and

WHEREAS, the Town Supervisor prepared an eleven page full Environmental Assessment Form (EAF), dated January 22, 1997, and transmitted same along with a December 23, 1996 boundary & topographic survey map for review and any objection to the Town Board assuming lead agency to possible involved/interested agencies, namely the Town Planning Board, the County Bureau of Planning, the County Public Health Director, the County Superintendent of Highways, the State Department of Transportation, and the State Department of Environmental Conservation; and

WHEREAS, the above possible involved/interested agencies have either indicated that they have no objections to the Town Board assuming lead agency status for the action of constructing a new Municipal Center at the Eastern Union Turnpike site or did not respond within the designated 30 day period; and

WHEREAS, the State Environmental Quality Review Act requires that a determination be made as to the existence of significant adverse environmental impacts associated with such action; and

WHEREAS, this Board has heretofore indicated such action to be unlisted, that it would be lead agency, and the Town Supervisor conducted a coordinated review of the proposal; and

WHEREAS, the board members have reviewed the full Environmental Assessment Form (EAF) prepared by the Town Supervisor in this matter and have taken a hard look at same and the proposal itself and the comments received from the public; and

WHEREAS, the board members have analyzed the proposal utilizing the criteria for determining significance of environmental impacts contained in the regulations of the New York State Department of Environmental Conservation found at 6 NYCRR Section 617.7 (c);

NOW THEREFORE BE IT RESOLVED, that there are no significant adverse environmental impacts associated with this proposal and the attached Notice of Determination of Non-Significance is hereby adopted and the minutes of the discussion hereon shall be appended to such Notice.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 4; NAYS: 1 - (FASOLDT)

RESOLUTION #63

Budget Transfers

Supervisor Wurtemberger moved and Councilman Glasser seconded the following resolution:

BE IT RESOLVED, that the following Transfers be made in the 1997 Budget;

FROM	TO	AMOUNT
A7140.2 Playgrounds (Equip.)	A7140.4 Playgrounds (Cont.)	\$5,500.00
DA5142.1 Snow Removal (Pers.)	DA 5142.4 Snow Removal (Cont.)	\$5,000.00
SS8120.4 Sewage Collection (Cont.)	SS8120.2 Sewage Collection (Equip.)	\$1,948.65

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #64

May 1997 Fund Warrant

Councilman Glasser moved and Councilman Trupia seconded the motion to approve the May 1997 Fund Warrant as audited. General Fund: \$68,534.71; Highway Fund: \$25,619.79; H006: \$463.84;

H012: \$960.00; H014: \$15,107.20; Street Lights: \$5,639.68; Sewer: \$18,893.19. Total Fund Warrant: \$135,218.41.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

MEETING ADJOURNMENT

Councilman Glasser moved and Councilman Trupia seconded the motion to close the Regular Meeting at 10:36 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

REGULAR MONTHLY MEETING

June 11, 1997

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, in Sand Lake New York after the Pledge of Allegiance. The following answered roll call:

PRESENT: Councilwoman Nancy Dunn
Councilwoman Flora Fasoldt
Councilman John Glasser
Councilman C. Joseph Trupia
Supervisor Fred Wurtemberger
Attorney John T. Casey, Jr.

RECORDING SECRETARY: Colleen Regan, Town Clerk

OTHERS PRESENT: Frank Allen; Connie Burkart; William Burr ridge; Tom Cipperly; Don Clifford; Frank Fleming; Davie Kinersen; Christine Perry; Rosemary Brennan-Quinn, Record and others.

PUBLIC HEARING:

Zoning Amendment - Personal Wireless Communications Facilities

NOTICE

PLEASE TAKE NOTICE Whereas on February 12, 1997, the Sand Lake Town Board approved an amendment to the Town Zoning Ordinance as Article XIII - Personal Wireless Telecommunications Facilities pertaining to the erection of telecommunications facilities; and

The Sand Lake Town Board on May 14, 1997, approved for introduction a Proposed Amendment to Article XIII of the Zoning Ordinance to amend - Section 1, the Definition of "Telecommunications Tower" to exempt certain amateur and business radio towers; amend Section 3.A Siting so as to permit such facilities on public or private land; and to add a new section 3.F clarifying the necessity for hearings upon due notice.

PLEASE TAKE NOTICE that a public hearing upon the said proposed amendments to Article III of the Zoning Ordinance will be held on June 11, 1997, at 7:30 P.M. at the Sand Lake Tow Hall located on Route 43 where all interested parties will be heard.

/S/

Colleen Regan, Town Clerk

Supervisor Wurtemberger read aloud Resolution #58 adopted at the May 14, 1997 Regular Board Meeting pertaining to the proposed amendments to Article XIII and reviewed background information on the adoption of Article XIII - Personal Wireless Communication Facilities of the Town's Zoning Ordinance.

Supervisor Wurtemberger read aloud the proposed amendments: amend section 1, definition of "Telecommunications Tower; amend section 3.A Siting - so as to permit such facilities on public or private land; amend by adding a new section 3.F clarifying the necessity for hearings upon due notice.

Supervisor Wurtemberger opened the public hearing to the general public for questions and comments at 7:35 P.M.

Those speaking in favor of the proposed amendments to Article III - Personal Wireless Communications Facilities of the Zoning Ordinance:

Dave Kinerson

100 Sheer Rd

Averill Park, NY 12018

Those speaking against the proposed amendments to Article III - Personal Wireless Communications Facilities of the Zoning Ordinance: None.

CLOSE OF PUBLIC HEARING:

All persons desiring to be heard, having been heard, Councilman Trupia moved and Councilwoman Dunn seconded the motion to close the public hearing at 7:38 P.M.

APPROVAL OF MINUTES:

Councilman Trupia moved and Councilman Dunn seconded the motion to approve the April 9, 1997 Minutes: MOTION CARRIED: UNANIMOUSLY

TOWN CLERK'S REPORT: On file in the Clerk's Office as submitted

SUPERVISORS REPORT: On file in the Clerk's Office as submitted

COMMITTEE REPORTS: On file in the Clerk's Office as submitted

BOARD MEMBER REPORTS: On file in the Clerk's Office as submitted

RESIDENTS WHO ADDRESSED THE BOARD DURING COMMENT PERIOD:

Kathleen Seror, Chaundray Lane, Averill Park - Addressed the Board regarding the property Mr. Patanian's owns on Route 43.

BUSINESS:

RESOLUTION #65

Summer Day Camp Personnel

Councilman Glasser moved and Councilman Trupia seconded the following resolution:

BE IT RESOLVED, that the following persons are authorized to be hired for the 1997 Summer Day Camp Session as follows:

NAME	POSITION	HOURLY WAGE
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Tracy Albanese	Senior Counselor	\$6.00	
Michael Albertson	Counselor	3.00	
Kaitlin Andrews	Counselor In Training	2.00	
Michelle Armsby	Experienced Counselor In Training		2.50
Jen Brown	Counselor	5.00	
Laura Burkart	Counselor	4.00	
Jennifer Clark	Counselor In Training	2.00	
Jen Dahl	Senior Counselor	6.00	
Jeremy Evans	Counselor In Training	2.00	
Mike Garcia	Counselor In Training	3.00	
Jeff Getbehead	Counselor	3.00	
Jessica Henchey	Senior Counselor	6.00	
Nicole Lape	Experienced Counselor In Training		2.50
Rebecca Lutringer	Senior Counselor	6.00	
Sarah Morris	Counselor In Training	2.00	
Sara Pawlowski	Counselor In Training	2.00	
Mathew Verini	Counselor	3.00	
Angela Work	Counselor	3.00	
Allen Willbrant	Counselor In Training	2.00	
Joe Willis	Counselor	5.00	

Councilman Glasser moved and Councilman Trupia seconded the motion to amend the hourly wage for Sarah Morris from \$3.00 to reflect the correct amount of \$2.00 per hour.

AMENDMENT UNANIMOUSLY CARRIED

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION # 66

Town Beach Personnel

Councilman Glasser moved and Councilman Dunn seconded the following resolution:

BE IT RESOLVED, that the following people are authorized to be hired for the 1997 Sand Lake Town Beach Program as follows:

NAME	POSITION	HOURLY WAGE
Amy Lawrence	Lifeguard	\$6.25
Jessica Gardner	Lifeguard	6.25
Jessica Smith	Lifeguard	6.25
Brenda Snyder	Lifeguard	6.25
Andrea Leigh	Lifeguard	6.25
Emily Will	Lifeguard	6.25
Barbara Wood	Beach Aid	4.25

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #67

Amendment to Article XIII of Zoning Ordinance

Personal Wireless Telecommunication Facilities

Determination of Non-Significance

Councilman Trupia moved and Councilwoman Dunn seconded the following resolution:

WHEREAS, upon recommendation of the Planning Board, this Board has heretofore amended the Town's Zoning Ordinance so as to establish regulations for construction of telecommunication facilities, and

WHEREAS, due to public comment at the time of such adoption, this Board sought the advice of the Planning Board with respect to possible amendment of such regulations and such Board has provided same to us, and

WHEREAS, on May 14, this Board approved for introduction certain amendments recommended by the Planning Board and set a public hearing on such amendments for this evening's meeting, and

WHEREAS, this Board at such meeting further determined under the State Environmental Quality Review Act that this action is unlisted, determined that there were no other permit granting agencies, and that it would be lead agency and conduct an uncoordinated review of the proposal, and

WHEREAS, the public hearing on such amendments has now concluded, and

WHEREAS, the board members have reviewed the short environmental assessment form (EAF) prepared by the Town Supervisor in this matter and have taken a hard look at same and at the proposal itself and the comments received from the public,

NOW THEREFORE BE IT RESOLVED, that there are no significant adverse environmental impacts associated with this proposal and the attached Notice of Determination of Non-Significance is hereby adopted

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #68

Amendment to Article XIII of Zoning Ordinance
Personal Wireless Telecommunications Facilities

Councilman Trupia moved and Councilwoman Dunn seconded the following resolution:

WHEREAS, on May 14, 1997 this Board approved for introduction several amendments to the Town's recently enacted telecommunications ordinance, and scheduled a hearing thereon for this evening's Town Board meeting, and

WHEREAS, said hearing has been concluded, and

WHEREAS, this Board has heretofore issued a declaration of non-significance under the State Environmental Quality Review Act,

NOW THEREFORE BE IT RESOLVED, as follows:

1. The Amendments to Article XIII of Zoning Ordinance of the Town of Sand lake attached hereto are hereby adopted.
2. The Town Clerk is directed to publish notice of such adoption in accordance with law.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #69

Records Management Program - Set Hearing

Councilwoman Dunn moved and Councilman Trupia seconded the following resolution:

RECORDS MANAGEMENT PROGRAM

The Town Board shall hold a public hearing concerning the adoption of a proposed Local Law entitled "A Local Law To Establish A Records Management Program". The public hearing to be held at the Town Hall, Route 43, Sand Lake, New York at 7:30 P.M., on July 9th, 1997, and the Town Clerk is hereby directed to publish notice accordingly.

The proposed Local Law is introduced as follows: (hereto attached)

RESOLUTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 4; NAYS 1 - (FASOLDT)

RESOLUTION #70

Memorandum of Understanding

NYS Division of State Police

Supervisor Wurtemberger moved and Councilman Trupia seconded the following resolution:

WHEREAS, the Town of Sand Lake is in the process of designing and constructing a Municipal Center and desires to maintain a safe environment within the community; and

WHEREAS, the New York State Division of State Police desires to maintain a police presence in the community and utilize the Municipal Center as a Satellite Office;

NOW THEREFORE BE IT RESOLVED, that the Town Supervisor is authorized to execute a Memorandum of Understanding, as approved by the Town Attorney and essentially as outlined in the attachment, setting forth the responsibilities of the parties relating to utilization of a Satellite Office for police services at the proposed Town Municipal Center.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #71

Travel Request - Assessor

Councilwoman Dunn moved and Councilman Trupia seconded the following resolution:

BE IT RESOLVED, that Assessor Garth J. Slocum is authorized to attend the Cornell Seminar on Appraising sponsored by the New York State Assessor's Association, to be held July 13 through 18, 1997, in Ithaca, for continuing education credit for Assessors;

AND BE IT FURTHER RESOLVED, that in the event the State of New York's Office of Real Property Services does not reimburse the Assessor for the necessary and proper expenses incurred for attendance, lodging, and transportation directly, the Town will so reimburse said expenses up to \$600.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #72

Travel Request - Assessor Clerk/Data Collector

Councilwoman Dunn moved and Councilman Glasser seconded the following resolution:

BE IT RESOLVED, that Nicole Reyome, Assessor Clerk/Data Collector, is authorized to participate in the Assessment Administration Course offered by the New York State Office of Real Property Services to be held September 22 through 26, 1997 and that the Town pay for the \$50 fee and mileage to and from Albany.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #73

Dispensing Alcoholic Beverages at Butler Park

Councilman Glasser moved and Councilman Trupia seconded the following resolution:

BE IT RESOLVED, that the dispensing of alcoholic beverages at a picnic sponsored by the Sand Lake Republican Committee at Butler Park on Saturday July 19, 1997 is permitted and that the Town of Sand Lake be named additional insured on the Committee's insurance policy for the event.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #74

June 1997 Fund Warrant

Councilman Glasser moved and Councilwoman Dunn seconded the motion to approve the June 1997 Fund Warrant as audited. General Fund \$21,300.65; Highway Fund: \$82,637.30; H006-Landfill Closing Capital: \$189.75; H012-Highway Garage Capital Project: \$6,585.40; H014-Municipal Center Project: \$9,064.32; Street Lights: \$5,624.82; Sewer: \$5,510.07. Total Fund Warrant: \$130,912.31.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

MEETING ADJOURNMENT

Councilman Glasser moved and Councilman Trupia seconded the motion to close the Regular Meeting at 8:38 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

REGULAR MONTHLY MEETING

July 9, 1997

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: Councilwoman Nancy Dunn
Councilwoman Flora Fasoldt
Councilman John Glasser
Councilman C. Joseph Trupia
Supervisor Fred Wurtemberger
Attorney John T. Casey, Jr.

RECORDING SECRETARY: Colleen Regan, Town Clerk

OTHERS PRESENT: Frank Allen; Connie Burkart; Don Chenot; Don Clifford; Carla Engwer; Frank Fleming; Mary & Ross French; Ed Patanian; Justin Schultz; John Stockman; Rosemary Brennan-Quinn, Record and others.

PUBLIC HEARING:

Records Management Program

NOTICE

PLEASE TAKE NOTICE that the Sand Lake Town Board shall hold a public hearing concerning the adoption of a proposed local law entitled "A Local Law to Establish A Records Management Program". The public hearing to be held at the Town Hall, Route 43, Sand Lake, New York at 7:30 P.M. on July 9th, 1997.

/S/

Colleen Regan, Town Clerk

138678-6/19/97

Supervisor Wurtemberger asked Councilman Trupia to read aloud the legislative intent; Section 3 Department staffing; and section titles of the proposed Local Law. Supervisor Wurtemberger informed the residents in attendance that copies of the proposed Local Law are presently available for their review.

Supervisor Wurtemberger stated that it was his understanding that the State Education Department suggested that the Town adopt legislation regarding records management and gave the Town Clerk model legislation which we are following, namely legislation from the Town of Nisqayuna and the Town of Schodack.

With those few introductory remarks, Supervisor Wurtemberger opened the public hearing for questions and comments from those present.

Those speaking against the proposed legislation:

Justin Schultz - stated that under Section 3 - Department Staffing; the Records Coordinator and Other Employees should be stricken from the proposed law because it makes allowance for additional staffing which he is not in favor of.

Those speaking in favor of proposed legislation:

Mary French spoke in favor of the proposed legislation later on the meeting (see section - residents who address the Board during comment period)

CLOSE OF PUBLIC HEARING:

Councilman Glasser moved and Councilman Trupia seconded the motion to close the public hearing at 7:42 P.M. MOTION CARRIED: UNANIMOUSLY

APPROVAL OF MINUTES:

Councilman Trupia moved and Councilman Dunn seconded the motion to approve the May 14, 1997 Minutes: MOTION CARRIED: UNANIMOUSLY

Councilman Glasser moved and Councilman Trupia seconded the motion to approve the June 11, 1997 Minutes: MOTION CARRIED: UNANIMOUSLY

TOWN CLERK'S REPORT: On file in the Clerk's Office as submitted

SUPERVISORS REPORT: On file in the Clerk's Office as submitted

COMMITTEE REPORTS: On file in the Clerk's Office as submitted

BOARD MEMBER REPORTS: On file in the Clerk's Office as submitted

RESIDENTS WHO ADDRESSED THE BOARD DURING COMMENT PERIOD:

Ed Patanian - Regarding the testing of zoning implementation process procedure. He suggested that more real alternatives need to be offered by the professional consultants before looking at the issues.

John Stockman - Regarding 1) the accuracy Joel Russell's comparisons of the existing and proposed Master Plan on the scenic overlay. 2) the purchase of the land for the Municipal Center. 3) when was the well drilled for the Municipal Center what was the flow and who did the drilling and were bids put out.

Mary French (Town Historian) - Stated that records management legislation is an excellent opportunity to tie all Town records (including historical records) under an advisory capacity and to bring questionable matters to the advisory board who could make policy decisions. She asked the Board to enact the proposed local law.

BUSINESS:

RESOLUTION #75-97

Averill Park Girls Cross Country Team

At a Regular Town Board meeting of the Town of Sand Lake, New York, held in the Town Hall on the 9th day of July, 1997, the following resolution was:

MOVED BY: Councilman John Glasser

Voted as follows:

SECONDED BY: Councilwoman Nancy Dunn

Dunn YES

Fasoldt YES

Glasser YES

Trupia YES

Wurtemberger YES

WHEREAS, on November 9, 1996 the New State Public High Schools Athletic Association held its annual Class B State Championship title for the Girls Cross County teams held at the St. Lawrence University, Canton, New York; and

WHEREAS, for the last four years the Averill Park High Schools Girls Cross Country Team has participated in the State meet; and

WHEREAS, through the tremendous efforts and great accomplishments of the team members: Jennifer Fazioli, Libby Phelps, Amanda Pollock, Mollie DeFrancesco, Suzie Snyder, Diane Leigh, Marion Collomer, Loren Fickies, encouragement and the superb coaching of Mark Mindel, Head Coach, and Joanne Richardson, Assistant Coach, the Averill Park Girls Cross Country Team was able to bring to their school the Class B State Championship title; and

WHEREAS, this great accomplishment constitutes the third State title in the Averill Park School history; and

WHEREAS, this outstanding team deserves the congratulations of each and every resident of the Averill Park School District which encompasses the towns of Sand Lake and Poestenkill and parts of the Town of Nassau, North Greenbush, East Greenbush, Schodack, Stephentown and Berlin; therefore

BE IT RESOLVED, that this Board extends its sincere congratulations to each and every member of this exceptional Girls Cross Country Team and to its coaches and dedicates a sign in honor to the team's commitment and great accomplishments.

RESOLUTION UNANIMOUSLY ADOPTED

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Sand Lake, this 10th day July, 1997.

Signed _____

Town Clerk

Seal

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #76-97

Town Beach Personnel

Councilman Glasser moved and Councilman Trupia seconded the following resolution:

BE IT RESOLVED, that the following people are authorized to be hired for the 1997 Sand Lake Town Beach Program as follows:

NAME	POSITION	HOURLY WAGE
Steve Grogan	Lifeguard	\$6.25
Nathan Gardner	Beach Aid	4.25
Alex Sella	Beach Aid	4.25

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #77-97

Summer Day Camp Personnel

Councilman Glasser moved and Councilman Trupia seconded the following resolution:

BE IT RESOLVED, that the following persons are authorized to be hired for the 1997 Summer Day Camp Session as follows:

NAME	POSITION	HOURLY WAGE
Trisha Campano	Counselor Substitute	\$6.00

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #78-97

Proposed Local Law to Codify Legislation - Set Public Hearing

Councilwoman Dunn moved and Councilman Trupia seconded the following resolution:

WHEREAS, the Town Board of the Town of Sand Lake has entered into a project for the codification of local laws, ordinances and certain resolutions of the Town of Sand Lake for the purposes of increasing the effectiveness of town governmental administration, providing for greater public awareness of and access to town legislation and protecting the health, safety and welfare of town inhabitants; and

WHEREAS, the proposed codification has been published in loose-leaf form and the Town Board now desires to formally effect the adoption of said codification by enactment of a local law;

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held by the Town Board with respect to enactment of a proposed law "entitled A LOCAL LAW TO PROVIDE FOR THE CODIFICATION OF THE LOCAL LAWS, ORDINANCES AND CERTAIN RESOLUTIONS OF THE TOWN OF SAND LAKE INTO A MUNICIPAL CODE TO BE DESIGNATED THE "CODE OF THE TOWN OF SAND LAKE". Such public hearing to be held on August 13, 1997, at 7:30 P.M., in the Town Hall, Sand Lake, New York.

AND BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to publish notice accordingly.

The proposed local law to be considered is as follows:

SEE ATTACHED PROPOSED LOCAL LAW

Copies of the text of the above-named local law shall be filed in the office of the Town Clerk.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #79-97

Sewer Extensions

Supervisor Wurtemberger moved and Councilwoman Dunn seconded the following resolution:

WHEREAS, on May 14, 1997 the Town Board authorized the Town Supervisor to retain Kestner Engineers to assist in making application(s) and to provide technical reports and preliminary plans in support of such application(s) for funds available from the Clean Water/Clean Air Bond Act to construct sewers extensions within the Town; and

WHEREAS, Kestner Engineers has been retained to prepare a concept plan showing suggested sewer route layouts, cost opinions, financing options, estimated annual user costs, said engineering services including presentations at public information meetings;

NOW THEREFORE, BE IT RESOLVED, that the Town Supervisor is authorized to implement public information meetings to present sewer extension information including the concept plan prepared by Kestner Engineers.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #80-97

Addition To Building within Sewer Easement - Jiffy Mart

Supervisor Wurtemberger moved and Councilwoman Fasoldt seconded the following resolution:

WHEREAS, Greenbush Tape & Label, Inc. is the owner of a lot, Tax Map No. 148.3-1-5 at the Intersection of State Route 43 and County Route 45 and said lot is improved by a commercial building known as Jiffy-Mart; and

WHEREAS, said lot is bisected by Sand Lake sewer easement No. 4-27-8; and

WHEREAS, the owner wishes to add to the building such that piers are outside the easement and a new 8' x 30' cantilevered storage shed will project into the easement approximately 2 feet (approximately 8 feet from the existing sewer), as shown on plans dated June 6, 1997, revised June 26, 1997; and

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

WHEREAS, the Zoning Board of Appeals and Planning Board have given approvals conditioned upon the Town Board granting approval concerning construction within the sewer easement;

NOW THEREFORE BE IT RESOLVED, that Greenbush Tape & Label Inc. is granted permission to construct piers outside the easement and a new cantilevered storage shed which will project into the sewer easement approximately 2 feet (approximately 8 feet from the existing Town sewer), permission conditioned as follows:

1. Application and plans are approved by the Building Inspector.
2. The owner shall bear all risk involved with the project including but not limited to damage to the pipeline or the owner's property during or after construction, sewage overflow or leakage onto or within the owner's property resulting from the owners 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.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #81

Speed Limit Reduction Request

Councilwoman Dunn moved and Councilman Glasser seconded the following resolution:

WHEREAS, requests had been made to reduce speed limits on various roads with problems of sight distance, hills, curves, pedestrian traffic, existing and proposed housing density; and

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

THEREFORE, BE IT RESOLVED,

The Town of Sand Lake, pursuant to Vehicle and Traffic Law Section 1622, hereby requests the State Department of Transportation and County Superintendent of Highways to reduce the speed limit from 55 MPH to 40 MPH on County Route 45 from State Route 66 easterly toward the Hamlet of Averill Park to the existing 40 MPH zone.

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 #82-97

Travel Request

Councilman Trupia moved and Councilman Glasser seconded the following resolution:

BE IT RESOLVED, that James Spath is authorized to attend a comprehensive two day workshop, sponsored by Microsoft on Troubleshooting, Maintaining and Upgrading Computers on September 24 & 25, 1997, and that the Town pay for the \$395.00 tuition fee and mileage to and from Albany.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #83-97

Records Management Program

Councilman Trupia moved and Councilwoman Dunn seconded the following resolution:

WHEREAS, a public hearing was held on July 9, 1997 by the Town Board of the Town of Sand Lake, which was duly noticed; and

WHEREAS, at said public hearing the Town Board considered the enactment of proposed Local Law No. 2 of 1997 entitled A LOCAL LAW TO ESTABLISH A RECORDS MANAGEMENT PROGRAM; and

WHEREAS, all interested persons were given an opportunity to be heard with respect to the enactment of said local law;

NOW, THEREFORE, BE IT RESOLVED, that Local Law NO. 2 of 1997 is hereby adopted and is effective immediately upon filing with the Secretary of State.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 4; NAYS: 1 - (FASOLDT)

RESOLUTION #84-97

Budget Transfers/Amendments

Supervisor Wurtemberger moved and Councilman Glasser seconded the following resolution:

BUDGET AMENDMENTS

BE IT RESOLVED, that the following amendments be made in the 1997 Budget:

Increase appropriations A A7140.2 Playgrounds (Equipment) in the amount of \$612.44 to be funded by appropriating funds from A R 2680 for insurance compensation received on June 23, 1997 from Coregis Insurance Co. for damage to Butler Park.

Increase appropriations A A7140.4 Playgrounds (Contractual) in the amount of \$500.00 to be funded by appropriating funds from A R 2680 received from Kiwanis Club of Sand Lake as a donation for Butler Park Stage.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION # 85

Dispensing of Alcoholic Beverages

Brewers Softball Team Reunion

Councilman Glasser moved and Councilman Trupia seconded the following resolution:

BE IT RESOLVED, that Lakeview Inn on Crystal Lake, Inc. shall be permitted to dispense alcoholic beverages at the Butler Park for the reunion of the Averill Park Brewers Softball Team on August 30, 1997, in accordance with the provisions of Local Law No. 2 of 1980 and upon condition that appropriate permits are obtained from the State Liquor Authority and insurance coverage is provided satisfactory to the Town Attorney.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #86-97

Dispensing of Alcoholic Beverages

at Butler Park - Kiwanis Summerfest

Councilman Glasser moved and Councilwoman Dunn seconded the following resolution:

BE IT RESOLVED, that Kiwanis Club of Sand Lake or its designated vendor shall be permitted to dispense alcoholic beverages at the Butler Park for the Kiwanis Summerfest on July 25 through 27, 1997 (rain date August 1 through 3, 1997) , in accordance with the provisions of Local Law No. 2 of 1980 and upon condition that appropriate permits are obtained from the State Liquor Authority and insurance coverage is provided satisfactory to the Town Attorney.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #87-97

July 1997 Fund Warrant

Councilman Glasser moved and Councilman Dunn seconded the motion to approve the July 1997 Fund Warrant. General Fund: \$29,287.34; Highway Fund: \$65,256.77; H006-Landfill Closing Capital: \$92.00; H011- \$4,283.69; Street Lights: \$5,580.37; Sewer: \$2,690.92. Total Fund Warrant: \$107,191.09.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

EXECUTIVE SESSION:

Supervisor Wurtemberger moved and Councilwoman Dunn seconded the motion to move into Executive Session at 8:45 P.M. to discuss a legal matter "Steve Gordon et al vs. The Town of Sand Lake".

MOTION CARRIED: UNANIMOUSLY

REGULAR MEETING RECONVENED

Supervisor Wurtemberger moved and Councilman Glasser seconded the motion to close the Executive session and to reconvene the Regular Meeting at 8:58 P.M.

MOTION CARRIED: UNANIMOUSLY

RESOLUTION #88-97

Supervisor Wurtemberger moved and Councilwoman Dunn seconded the following resolution:

BE IT RESOLVED, that the Town of Sand Lake obtain Bond, Schoeneck & King to provide legal service on behalf of the Town in the proceeding of "Steve Gordon et al vs. The Town of Sand Lake" in an Article 78 proceeding, Index #191419 Rensselaer County Supreme Court and they be compensated at the quoted rate of \$150.00 an hour starting from the date papers were served.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

MEETING ADJOURNMENT

Supervisor Wurtemberger moved and Councilman Glasser seconded the motion to close the Regular Meeting at 9:01 P.M.

MOTION CARRIED: UNANIMOUSLY

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

August 13, 1997

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: Councilwoman Nancy Dunn
Councilwoman Flora Fasoldt
Councilman John Glasser
Councilman C. Joseph Trupia
Supervisor Fred Wurtemberger
Attorney John T. Casey, Jr.

RECORDING SECRETARY: Colleen Regan, Town Clerk

OTHERS PRESENT: Frank Allen; Barbara Biittig; Connie Burkart; William Burrige; Ed Bruce Cadman; Dale Hall; William Hoffay; Patanian; Christine Perry; Peter Priggie; Harold Roder; Justin Schultz; John Stockman; Rosemary Quinn; John Wright; Don Vozburgh and others.

PUBLIC HEARING:

NOTICE

PLEASE TAKE NOTICE that, for the purpose of adopting a codification of the local laws, ordinances and certain resolutions of the Town of Sand Lake, said codification to be known as the "Code of the Town of Sand Lake," a public hearing will be held by the Town Board at the Sand Lake Town Hall in the Town of Sand Lake, on the 13th day of August 1997, at 7:30 p.m. to consider the enactment of the proposed local law described and summarized below:

PROPOSED LOCAL LAW No. 3-1997

A local law to provide for the codification of the local laws, ordinances and certain resolutions of the Town of Sand Lake into a municipal code to be designated the "Code of the Town of Sand Lake".
(copy of notice and proposed local law hereto attached)

PLEASE TAKE FURTHER NOTICE that all interested persons will be given an opportunity to be heard on said proposed local law at the place and time aforesaid.

/S/

Colleen Regan, Town Clerk

142191 - 7/16/97

Supervisor Wurtemberger asked Councilwoman Dunn to read aloud the legislative intent. Supervisor Wurtemberger introduced Representative, Bruce Cadman, of General Code Publishers, the firm the Town retained to assist it in organizing the Code. Mr Cadman gave a brief overview of the significant points why it is beneficial to have the Town's legislation codified.

Those speaking in favor of proposed legislation: None

Those not in favor of the proposed legislation:

Justin Schultz Ed Patanian

23 Clays Lane Garner Rd.

Averill Park, NY 12153 Averill Park, NY 12018

CLOSE OF PUBLIC HEARING:

Councilman Trupia moved and Councilwoman Nancy Dunn seconded the motion to close the public hearing. MOTION CARRIED: UNANIMOUSLY

APPROVAL OF MINUTES:

Councilman Trupia moved and Councilwoman Dunn seconded the motion to approve the July 9, 1997 Minutes: MOTION CARRIED: UNANIMOUSLY

TOWN CLERK'S REPORT: On file in the Clerk's Office as submitted

SUPERVISORS REPORT: On file in the Clerk's Office as submitted

COMMITTEE REPORTS: On file in the Clerk's Office as submitted

BOARD MEMBER REPORTS: On file in the Clerk's Office as submitted

RESIDENTS WHO ADDRESSED THE BOARD DURING COMMENT PERIOD:

John Stockman Ed Patanian Frank Allen

2 Anglers Court Garner Rd. Taborton Rd.

Wynantskill, NY 12198 Averill Park, NY 12018 Sand Lake, NY 12153

William Hoffay Christine Perry Justin Schultz

Sheer Rd. 11 Pond Ridge Rd. 23 Clays Lane

Averill Park, NY 12018 Averill Park, NY 12018 Averill Park, NY 12018

BUSINESS:

Veterans Memorials

Accompanied by his fellow veterans, Mr. William Hoffay addressed the Board representing the veteran's community of the Town of Sand Lake, The Sgt. Walter Adams Americans Legion Post of Averill Park and the Lt. Perry Williams Veterans of Foreign Wars Post of West Sand Lake, to explore the possibility of making the Town of Sand Lake Veterans Memorial Park at the proposed site of the new municipal center, where ever that may be. This request is based upon a unanimous feel from the Town of Sand Lake Veterans.

It is the desire of the Sand Lake Veterans to move the monuments from their present locations. One monument is located in the Village of West Sand Lake, erected and dedicated by the VFW in 1947 and the other monument located in Sand Lake presented by the Town to its valiant World War I Veterans in 1920. Mr. Hoffay stated that by centralizing and adding the monuments to the proposed site, we can honor our veterans and educate all those unaware of the sacrifices these very great men and women made in service to their country and community.

If this proposal is accepted, the Veterans request to meet at the convenience of the Town Board and the landscape architect of the municipal center. The Veterans requirements are few. The Veterans community, at its own expense, will move the monuments and help prepare the new site. In order to maintain proper flag protocol, the United State Flag must be illuminated at night, therefore electricity would need to be supplied by the Town. Also the Veterans asked the Board to keep in mind that when ceremonies, example, Memorial Day and Veterans Day, where large crowds of people will assemble, parking and handicap accessibility should be available.

Mr. Hoffay stated that he will assume the responsibility of contacting William Glasser, Jr., Current member and past president of the Sand Lake Garden Club and he believes that the Garden Club will be as enthusiastic with this endeavor as the Veterans are, and with their talent and creative abilities he is confident that the Garden Club will make the Park for all to appreciate and enjoy.

Mr. Hoffay stated that he formed a preliminary committee to work on the project. The committee consists of both post commanders, William Woodcock, Edmund Wehnau, George Briegle, representing WWII era Veterans. Jack Welcome representing Korean War Veterans. Bill Hoffay, representing Vietnam era Veterans. Paul Glasser, Jr. representing the Gulf War Veterans.

In closing, the Veterans would appreciate the Town Board of Sand Lake's honest consideration and expedient decision on this proposal. The Veterans feel this is a positive community involved project that will enhance the grounds of the municipal center and give our veterans a permanent and well deserved place in our historic Town.

Supervisor Wurtemberger informed Mr. Hoffay that he has already forwarded the request to the architect.

NO ACTION TAKEN

RESOLUTION #89-97

Master Plan Implementation and Proposed Zoning Amendments

- Planning and Information Gathering

Councilman Trupia moved and Councilwoman Dunn seconded the following resolution:

WHEREAS, as part of the process of gathering information, public comment and expert advice on implementation of the new Town Master Plan and any amendments to the Town zoning and subdivision regulations necessary to such implementation, the Town Board adopted Resolution #10-97 on January 8, 1997, and

WHEREAS, pursuant to Resolution #10-97, the Town Board determined to review certain portions of a draft proposed zoning law, dated August 14, 1996, which were the subject of public interest or public controversy, and

WHEREAS, pursuant to Resolution #10-97, the Town Board now wishes to continue this process of information gathering, planning and study, and

WHEREAS, this process is necessary to enable the Town Board to determine whether amendments to the Draft Proposed Zoning Law and subdivision regulations are necessary and, if so, the nature of those amendments, but does not commit the Town Board to undertake or approve amendments to any portion of these regulations,

NOW, THEREFORE, BE IT RESOLVED,

1. That the Town Board has identified the issues related to the proposed draft zoning law which are of most interest to the Town Board and the public.

2. That individual issues or groups of issues will, upon written notice in the Sand Lake Advertiser, be discussed at a regularly scheduled public workshop of the Town Board, with the public invited to provide comment on these issues.

3. That following these workshops, the issues will be discussed at the next regularly scheduled meeting of the Town Board, and a non-binding "sense of the Board" will be determined.

4. That if the sense of the Board is that changes in the proposed draft zoning law are necessary, then the Town Board's zoning/land use consultant shall be directed to make such changes to the language of the draft.

5. That when all issues have been addressed in this manner, a complete revised draft zoning law shall be presented to the Town Board and the public for their consideration.

6. That any decision by the Town Board to undertake or approve the revised draft zoning law will be done in full compliance with applicable provisions of the State Environmental Quality Review Act (SEQRA).

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #90-97

Enactment of Proposed Local Law No. 3 of 1997

Codification of Local Laws, Ordinances & Certain Resolutions

Councilwoman Dunn moved and Councilman Trupia seconded the following resolution:

WHEREAS, a Public hearing was held the 13th day of August 1997 by the Town Board of the Town of Sand Lake, notice of which was given as required by the Municipal Home Rule Law, the Open Meetings Law and the Town Law of the State of New York;

WHEREAS, at said public hearing the Town Board considered the enactment of proposed Local Law No. 3-1997, entitled A LOCAL LAW TO PROVIDE FOR THE CODIFICATION OF THE LOCAL LAWS, ORDINANCES AND CERTAIN RESOLUTIONS OF THE TOWN OF SAND LAKE INTO A MUNICIPAL CODE TO BE DESIGNATED THE "CODE OF THE TOWN OF SAND LAKE"; and

WHEREAS, all interested persons were given an opportunity to be heard with respect to the enactment of said local law;

NOW, THEREFORE, BE IT RESOLVED, that Local Law NO. 3-1997 be enacted as follows:

(COPY OF LOCAL LAW ATTACHED)

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #91-97

Sale of the Code

Councilwoman Dunn moved and Councilman Trupia seconded the following resolution:

WHEREAS, the Town has recently completed a codification of its laws, to be known as the "Code of the Town of Sand Lake," and

WHEREAS, the Town, on August 13, 1997, adopted said codification, designating said Code of the Town of Sand Lake as the official body of general and permanent legislation of the Town, and

WHEREAS, the Town wishes to make such Code available to members of the public for sale, and

WHEREAS, the Town wishes to establish a price for the sale of copies of such Code,

NOW, THEREFORE, BE IT RESOLVED, that said Code of the Town of Sand Lake shall be available for sale to members of the general public at a price of \$100 per Code.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #91-A

Annual Supplementation Subscription

Councilwoman Dunn moved and Councilman Glasser seconded the following resolution:

WHEREAS, the Town has recently completed a codification of its laws, to be known as the "Code of the Town of Sand Lake," and

WHEREAS, the Town, on August 13, 1997, adopted said codification, designating said Code of the Town of Sand Lake as the official body of general and permanent legislation of the Town, and

WHEREAS, the Town has made such Code available to members of the public for sale, and

WHEREAS, the Town wishes to establish an annual subscription price for supplementation of such Code,

NOW, THEREFORE, BE IT RESOLVED, that supplementation of said Code of the Town of Sand Lake shall be available on a prepaid subscription basis to owners of copies of said Code at a price of \$25 per year, payable at the office of the Town Clerk prior to January 1st of each year.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #92-97

Code Memorandum of Receipt

Councilwoman Dunn moved and Councilman Trupia seconded the following resolution:

WHEREAS the Town on August 13, 1997 adopted the Code of the Town of Sand Lake and wishes to distribute said code to certain Town officials and Town employees, and

WHEREAS, the Town would like to ensure the proper maintenance of the Code Books distributed,

NOW THEREFORE, BE IT RESOLVED, that the following Code Memorandum of Receipt is hereby adopted for Town officials and Town employees to sign upon receipt of a Code Book.

Code Memorandum of Receipt

I hereby acknowledge that on this day I received from the Town Clerk of the Town of Sand Lake a copy of the Code of the Town of Sand Lake, Serial No. _____. I understand that this Code volume is not to be defaced in any way. I acknowledge my responsibility to maintain the Code volume by keeping it up-to-date as I receive supplements. Upon termination of my duties as _____, I agree to return the Code to the Town Clerk of the Town of sand Lake. I understand that my final paycheck will be withheld until the Code volume is returned. If the Code volume is lost or not returned in satisfactory condition, I understand that I may be held liable for a fee of \$100, which is the price members of the general public pay to purchase a copy of the Code. This fee will be paid to the Town of Sand Lake.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #93-97

Sale of Code Pamphlet Chapters

Councilwoman Dunn moved and Councilman Glasser seconded the following resolution:

WHEREAS, the Town recognizes that copies of certain chapters of the Code of Town of Sand Lake are desired for purchase by members of the general public, and

WHEREAS, the Town wishes to make copies of Chapter 225 SUBDIVISION OF LAND and Chapter 250 ZONING, of the Code of the Town of Sand Lake available to members of the general public for sale in pamphlet form, and

WHEREAS the Town wishes to establish a price for the sale of copies of such pamphlets,

NOW, THEREFORE, BE IT RESOLVED, that said pamphlet copies of Chapter 225 and 250, of the Code of Town of Sand Lake shall be available for sale to members of the general public at a price of \$7.00 per pamphlet

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #94-97

Speed Limit Reduction Request

Councilman Glasser moved and Councilwoman Dunn seconded the following resolution:

WHEREAS, requests had been made to reduce speed limits on various roads with problems of sight distance, hills, curves, pedestrian traffic, existing and proposed housing density; and

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

THEREFORE, BE IT RESOLVED,

The Town of Sand Lake, pursuant to Vehicle and Traffic Law Section 1622, hereby requests the State Department of Transportation and County Superintendent of Highways to reduce the speed limit on Orchard Lane from 35 MPH to 30 MPH, similar to the other roads in the Cobb Hill area.

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 #95-97

Budget Transfers/Amendments

Supervisor Wurtemberger moved and Councilman Glasser seconded the following resolution:

BUDGET TRANSFERS

BE IT RESOLVED, that the following transfers be made in the 1997 Budget:

FROM TO AMOUNT

A1460.2 Records Mngt. (Equip.)	A1460.4 Records Mngt. (Cont.)	\$ 550.00
A7140.1 Playgrounds (Pers. Serv.)	A7140.4 Playgrounds (Cont.)	400.00
A8020.4 Planning (Cont.)	A8020.2 Planning (Equip.)	525.00
DA5112.2 Permanent Improve.	DA 5110.4 Street Maint (Cont.)	6,712.55
DA5120.4 Bridge Maintenance	DA5110.4 Street Maint. (Cont.)	5,000.00
DA5130.2 Machinery (Capital Outlay)	DA5110.4 Street Maint. (Cont.)	1,557.67
DA5130.4 Machinery (Cont.)	DA5110.4 Street Maint. (Cont.)	5,000.00

BUDGET AMENDMENTS

Increase appropriations A7140.2 Playgrounds (Equipment) in the amount of \$363.36 to be funded by appropriating funds from A R 2680 for insurance compensation received on July 10, 1997 from Coregis Insurance Co. for damage to Butler Park.

Increase appropriations A7140.2 Playgrounds (Equipment) in the amount of \$1,547.33 and A7140.4 Playgrounds (Contractual) in the amount of \$1,547.00 by appropriating funds from T4000 Youth Gift and Donations for Park Equipment.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #96-97

AUGUST 1997 Fund Warrant

Councilman Glasser moved and Councilman Trupia seconded the motion to approve the August 1997 Fund Warrant.

A-General Fund: \$33,175.44; DA-Highway Fund: \$112,519.88; H006-Landfill Closing Capital: \$383.75; H011-Water Study Capital: \$91.96; H012-Highway Garage Capital Projects: \$19,282.00; H014-Municipal Center Project: \$4,834.30 \$SL1-Street Lights: \$5,571.45; SS-Sewer: \$4,649.48. Total Fund Warrant: \$180,508.26.

MOTION CARRIED: UNANIMOUSLY

EXECUTIVE SESSION:

Supervisor Wurtemberger moved and Councilman Glasser seconded the motion to move into Executive Session at 9:38 P.M. to discuss a legal matter "Steve Gordon Et al vs. The Town of Sand Lake."

MOTION CARRIED: UNANIMOUSLY

REGULAR MEETING RECONVENED:

Supervisor Wurtemberger moved and Councilman Trupia seconded the motion to reconvene the Regular Board Meeting at 9:57 P.M.: MOTION CARRIED UNANIMOUSLY

RESOLUTION #97-97

Municipal Center

Councilman Trupia moved and Councilwoman Dunn seconded the following resolution:

WHEREAS, the Town Board of Sand Lake ("Town Board") has been designated as lead agency for purposes of conducting the environmental review pursuant to the State Environmental Quality Review Act ("SEQRA") for the construction of a municipal center off of Eastern Union Turnpike in the hamlet of Averill Park, Town of Sand Lake, New York (the "Project");

WHEREAS, the Project will provide for new and modern space for the Town of Sand Lake Library and municipal offices, as well as meeting rooms for local community organizations;

WHEREAS, the Town Board has provided opportunities for extensive public input on the Project, including televised public meetings;

WHEREAS, the Town Board has previously reviewed a long form environmental assessment form that evaluated potential environmental impacts of the Project;

WHEREAS, the Town Board, at its meeting on May 14, 1997, determined that there are no significant adverse environmental impacts associated with the Project and adopted Resolution #62 of 1997 which included a Notice of Determination of Non-Significance;

WHEREAS, following the Town Board's action, legal action was commenced by five residents on Eastern Union Turnpike against the Project;

WHEREAS, notwithstanding that issues raised in the legal papers were addressed in the environmental assessment form and that three of the residents have, by affidavit, indicated that they never had any intention of becoming a party to a lawsuit against the Town of Sand Lake, the Town Board has determined that, to avoid the costs of prolonged litigation and to respond to the concerns raised in the legal papers of these residents, it will direct that an environmental impact statement be prepared on the Project;

WHEREAS, when an environmental impact statement is to be prepared, the SEQRA regulations require that a positive declaration must be issued and the Town Board has reviewed a positive declaration for the Project, a copy of which is attached to this resolution;

WHEREAS, the Town Board has reviewed a proposed contractual agreement with the LA Group, which provides engineering and other consulting services, for the preparation of an environmental impact statement, a copy of which is also attached to this resolution;

NOW, THEREFORE BE IT RESOLVED, that the Town Board directs that an environmental impact statement be prepared on the Project; and be it further

RESOLVED, that, pursuant to the SEQRA regulations, the Town Board adopts the positive declaration attached to this resolution (which supersedes the prior Notice of Determination of Non-Significance) and directs that a copy be filed with the Town Clerk and that the Town Supervisor transmit a copy to all interested and involved agencies for the Project; and be it further

RESOLVED, that the Town Board authorizes the Town Supervisor of the Town of Sand Lake to enter into a contract with the LA Group, in accordance with the attached agreement, for the preparation of a draft and final environmental impact statement, and, if necessary, to contract directly or through the LA Group with other consultants for the preparation of any additional studies for the environmental impact statement; and be it further

RESOLVED, that the Town Supervisor is directed to notify the various interested and involved agencies, and the residents who commenced the legal action, of the Town Board's determination to prepare an environmental impact statement on the Project; and be it further

RESOLVED, that the Town Supervisor is authorized to undertake whatever steps are necessary to carry out this resolution and the continued implementation of the SEQRA process.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 4; ABSTAIN: 1 - (FASOLDT)

MEETING ADJOURNMENT

Supervisor Wurtemberger moved and Councilman Trupia seconded the motion to close the Regular Meeting at 10:03 P.M.: MOTION CARRIED UNANIMOUSLY

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

September 10, 1997

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

PRESENT: Councilwoman Nancy Dunn
Councilwoman Flora Fasoldt
Councilman John Glasser
Councilman C. Joseph Trupia
Supervisor Fred Wurtemberger
Attorney John T. Casey, Jr.

RECORDING SECRETARY: Colleen Regan, Town Clerk

OTHERS PRESENT: Frank Allen; William Burrige; Don Clifford; Tom Cipperly; Frank Fleming; Nancy Kelley; Ed Patanian; Paul Planchet; Peter Priggi; Harold Roder; Justin Schultz; John Stockman; Rosemary Brennan-Quinn and others.

APPROVAL OF MINUTES:

Councilman Trupia moved and Councilman Glasser seconded the motion to approve the August 13, 1997 Minutes:

MOTION CARRIED: UNANIMOUSLY

TOWN CLERK'S REPORT: On file in the Clerk's Office as submitted

SUPERVISORS REPORT: On file in the Clerk's Office as submitted

COMMITTEE REPORTS: On file in the Clerk's Office as submitted

BOARD MEMBER REPORTS: On file in the Clerk's Office as submitted

RESIDENTS WHO ADDRESSED THE BOARD DURING COMMENT PERIOD:

Ed Patanian, Jr. Justin Schultz William Diehl

Garner Rd. Clays Lane Averill Park, NY

Averill Park, NY Averill Park, NY

BUSINESS:

RESOLUTION #98

Constitution Week

Councilman Trupia moved and Councilman Glasser seconded the following resolution:

WHEREAS, Our Founding Fathers, in order to secure the blessings of liberty for themselves and their posterity, did or ordain and establish a Constitution for the United States of America; and

WHEREAS, September 17, 1997 marks the two hundred tenth anniversary of the framing of the Constitution of the United States of America by the 1787 Constitutional Convention; and

WHEREAS, It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary and to the patriotic celebrations which will commemorate it; and

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Sand Lake does hereby proclaim the week of September 17 through 23 as

CONSTITUTION WEEK

and urges all citizens to reflect during the week on the many benefits of our Federal Constitution and the privileges and responsibilities of American Citizenship.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #99-97

Commending Twin Town Little League

9 & 10 Year Old Division on State Championship

Supervisor Wurtemberger moved and Councilman Glasser seconded the following resolution:

WHEREAS, the Twin Town Little League won the 1997 New York State Championship in the 9 and 10 year old Division of Little League Baseball; and

WHEREAS, the players of the team are David Casale, Nathan Fabiano, Robert Filuta, Rocco Fragomeni, Matthew Gnirke, Gregory Levings, David Lobdell, Lee Lobdell, Joseph Mahoney, Benjamin Sutphen, Nicholas Testo, and Joe Vandenburg; and

WHEREAS, the team was led through their outstanding season under the guidance of Manager Mike Filuta and Coaches Mack Casale, Rocco Fragomeni and Bill Mahoney; therefore

BE IT RESOLVED, that Town Board members and residents of the Town of Sand Lake acknowledge, congratulate and recognize the achievements of the New York State Champions of the 9 and 10 year old Division of Little League Baseball and additionally commend their coaches, parents, family and supporters on an outstanding 1997 season.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #100

Sand Lake Ambulance Volunteer Release Program Policy

Councilwoman Dunn moved and Councilman Glasser seconded the following resolution:

WHEREAS, the volunteers of the Town of Sand Lake Volunteer Ambulance have for many years selflessly served the people of the Town of Sand Lake, both within and without their area, saving lives.

WHEREAS, the Sand Lake Volunteer Ambulance is experiencing a manpower shortage during daytime hours and has appealed to the Town Board for assistance with this critical shortage.

WHEREAS, the Town of Sand Lake is an employer of persons qualified to operate said ambulance during the normal work day and is desirous of developing a policy whereby interested persons may respond to ambulance emergency calls.

NOW, THEREFORE BE IT RESOLVED, that the following policy be implemented:

Personnel who wish to be considered for the ambulance release program must be or wish to be active volunteer ambulance personnel with the Sand Lake Volunteer Ambulance and must indicate their desire in writing to be eligible for said release. Upon review by the appropriate department head and the Town Board, an employee may be approved to leave their work site for ambulance calls.

Prior to leaving a work site, the employee must obtain permission from the job site foreman or department head, who shall note the time of departure and return on the work report and/or time card, if applicable. The employee must return to the work site immediately in the event a call is completed, or if sufficient other personnel have responded. Said volunteers will be paid at their normal hourly rate while responding to appropriate ambulance calls.

Upon review by the department head and Town Board, the privilege to respond to said calls may be revoked if the intent of this policy has been circumvented.

This policy shall be reviewed quarterly for the first year and may be revised at any time.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #101-97

Speed Limit Reduction Request

State Route 351 (Reichard's Lake Road)

Councilman Glasser moved and Councilwoman Dunn seconded the following resolution:

WHEREAS, the Town, pursuant to a resolution adopted on July 13, 1994, requested that the speed limit on State Route 351 (Reichard's Lake Road) be reduced from 55 MPH to 45 MPH, which request was denied by NYSDOT;

WHEREAS, residents have expressed speeding concerns on Route 351 at road intersections and the Town Beach; and

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

NOW, THEREFORE BE IT RESOLVED, that the Town of Sand Lake, pursuant to applicable Vehicle and Traffic Laws, request the New York State Department of Transportation to reduce the speed limit on State Route 351 from 55 MPH to 45 MPH.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION # 102-97

1998 Tentative Budget

Supervisor Wurtemberger moved and Councilwoman Dunn seconded the following resolution:

BE IT RESOLVED, that a Special Meeting will be held at the Sand Lake Town Hall on Tuesday, September 30, 1997, after the Workshop Session for the purpose of presenting the Tentative Budget for Fiscal year 1998.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #103-97

Substitute Cable TV Technicians

Councilwoman Dunn moved and Councilman Trupia seconded the following resolution:

BE IT RESOLVED, that Justin Miller and Kim Vosburgh are appointed Substitute Cable TV Technicians at a compensation of \$5.15 per hour.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #104-97

Travel Request - Building's Inspectors

Councilman Glasser moved and Councilman Trupia seconded the following resolution:

BE IT RESOLVED, that Harold Roder, Jim Spath and George Wright are authorized to attend the Educational Conference of the NYS Building Officials Conference in Albany on October 20, 21 & 22, 1997 and that the Town pay the \$180 registration fee for each participant and mileage.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #105-97

Travel Request - Town Historian

Councilman Glasser moved and Councilwoman Fasoldt seconded the following resolution:

BE IT RESOLVED, that Mary French, Town Historian, is authorized to attend the NYS Association of Municipal Historians Fall Conference from September 18-20, 1997 in Ithaca and that the Town reimburse her up to a maximum of \$150.00 for reasonable costs incurred for registration fees, meals, and mileage.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #106-97

Budget Transfers/Amendments

Supervisor Wurtemberger moved and Councilman Glasser seconded the following resolution:

BUDGET TRANSFERS

FROM TO AMOUNT

A 7150.1 Special Rec. (Personnel)	A 7140.4 Playgrounds (Cont.)	266.90
DA 9050.8000 Unemployment Ins.	DA 5110.4 General Repairs	\$ 7,800.00
DA 9040.8000 Workmans Comp	DA5110.4 General Repairs	988.00

AMENDMENTS

Increase appropriations A1645.1 - SARA (State Archives and Records Administration) - Personnel, in the amount of \$3,217 and A1645.4 SARA - Contractual in the amount of \$595.00 to be funded by appropriating funds from AR 3685.0 for Sara Grant Funds received in the amount of \$3,812.00 on August 5, 1997.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #107-97

September 1997 Fund Warrant

Councilman Glasser moved and Councilwoman Dunn seconded the motion to approve the 1997 Fund Warrant as audited.

A-General Fund: \$13,902.89; DA-Highway Fund: \$25,139.65; H006-Landfill Closing Capital: \$6,947.30; H012-Highway Garage Capital Projects: \$36,619.00; H014-Municipal Center Project: \$17,937.85; SL1-Street Lights: \$5,571.45; SS-Sewer: \$245,915.30. Total Fund Warrant: \$352,033.44.

MOTION CARRIED: UNANIMOUSLY

MEETING ADJOURNMENT

Councilman Trupia moved and Councilman Glasser seconded the motion to close the meeting at 8:50 P.M. MOTION CARRIED: UNANIMOUSLY

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

October 8, 1997

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: Councilwoman Nancy Dunn

Councilwoman Flora Fasoldt

Councilman John Glasser

Councilman C. Joseph Trupia

Supervisor Fred Wurtemberger

Attorney John T. Casey, Jr.

RECORDING SECRETARY: Colleen Regan, Town Clerk

OTHERS PRESENT: Connie Burkart; Frank Allen; Mr. & Mrs. Charles Burrige; William Burrige; Don Clifford; Carla Engwer; Frank Fleming; Brian Hunt; Nancy Kelley; Ray Loveridge; Christine Perry; Peter Prigg; Harold Roder; John Stockman; Jack Welcome; Rosemary Brennan-Quinn, Record.

APPROVAL OF MINUTES:

Councilman Glasser moved and Councilman Trupia seconded the motion to approve the September 10, 1997 Minutes: MOTION CARRIED: UNANIMOUSLY

TOWN CLERK'S REPORT: On file in the Clerk's Office as submitted
SUPERVISORS REPORT: On file in the Clerk's Office as submitted
COMMITTEE REPORTS: On file in the Clerk's Office as submitted
BOARD MEMBER REPORTS: On file in the Clerk's Office as submitted

PRESENTATION - COUNTY BUY LOCALLY PROGRAM

Supervisor Wurtemberger offered the opportunity for two Representatives, Linda VonDenheider and John Bonesteel, from the Rensselaer County Economic Development and Planning Department to give a presentation.

John Bonesteel introduced himself and thanked the Board for the opportunity to present the latest and newest member initiative program that has been introduced by County Executive Henry Zwack, "The Buy Locally Program". What it is designed to do is help keep Rensselaer County Money here in Rensselaer County by promoting businesses in the county and asking residents to buy their goods and services from businesses within the county to the extent possible. It is in everybody's best interest, they believe, to keep money in Rensselaer County and to help us create jobs and promote employment opportunities. With that in mind, they have come up with the Buy Locally Program. Many businesses within the county have been enlisted and they plan to put together a directory of businesses that are participating in the program. How it is designed to help the county is to offer to purchasers who participate and buy from Rensselaer County Residents, a 10% discount from the businesses participating in the program. After the County creates the directory of participatory businesses they will make that list available to any resident who call 270-2914, Rensselaer County Economic Development & Planning Office, and the directory will be made available. One of the benefits is that the money that is spent here is circulated at least six times before it leaves the county. Mr. Bonesteel asked the communities' support for this project.

There is also another initiative, a Marketing Initiative. They are trying to market the county in a way that has never been done to get our share of employers here. Rensselaer County will compete more effectively with other counties. They have introduced an ad and are selling "T" shirts in Troy with a logo: - Buy Locally "See the Growth Through the Trees" Rensselaer County. Beth Whale was hired to help design the logo.

A drawing was held and Councilman Trupia, Peter Priggi, and Nancy Dunn won free "T" shirts.

RESIDENTS WHO ADDRESSED THE BOARD DURING COMMENT PERIOD:

Joe Podeszwa, Miller Hill Rd - addressed the Board requesting the state speed limit be reduced from 55 to 45 miles on Route 66 from the Poestenkill line to a point that is already a 45 MPH limit near the Miller Hill School, for safety reasons.

Christine Perry - addressed the Board regarding: municipal center funding, surplus funds/ accumulative and unappropriated fund balances for 1996, and the establishment of a Landfill fund for problems that may arise in the future.

John Stockman - addressed the Board regarding the test results, flow quality and size of storage tank of the well for the municipal center.

BUSINESS:

RESOLUTION #108-97

Authorization to Advertise for Insurance Bids

Councilwoman Fasoldt moved and Councilman Glasser seconded the following resolution:

BE IT RESOLVED, that the Town Clerk is authorized to advertise for the receipt of bids/quotations for insurance coverage beginning March 1, 1998.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #109-97

Use of a Portion of Butler Park

Councilman Glasser moved and Councilwoman Dunn seconded the following resolution:

BE IT RESOLVED, that Barry, Bette and Led Duke, Inc. is authorized to use and fence in a 60' x 100' area of Butler Park, where the extension of the Park driveway meets the lands of Averill Park School District, to site trailers used for construction of the school bus garage during the blacktop paving period ending December 1, 1997, upon receipt of insurance coverage, satisfactory to the Town Supervisor, protecting the Town of Sand Lake.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #110-97

Authorizations for State Assistance for Sewer Work

1996 Clean Water/Clean Air Bond Act

Water Quality Improvement Projects

Supervisor Wurtemberger moved and Councilman Trupia seconded the following resolution:

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 its application and attachments, herein called the "Project", is desirable, is in the public interest, and is required in order to implement the Project; and

WHEREAS, Article 56 of the Environmental Conservation Law authorizes State assistance to municipalities for environmental restoration projects by means of a contract and the Municipality 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 the Town of Sand Lake

1. That the Town Supervisor is the representative authorized to act in behalf of the Municipality's governing body in all matters related to State assistance under ECL Article 56, Title 3. The representative is also authorized to make application, execute the State Assistance Contract, submit Project documentation, and otherwise *act with approval of the Municipality's governing body in all matters related to the Project and to State assistance;

*Councilman Trupia moved and Councilwoman Fasoldt seconded the motion to strike the words "for the" and add the words "with the approval of the"

2. That the Municipality agrees that it will fund its portion of the cost of the Project and that funds will be available to initiate the Project's field work within twelve (12) months of written approval of its application by the Department of Environmental Conservation;

3. That one (1) certified copy of this Resolution be prepared and sent to the Albany office of the New York State Department of Environmental Conservation together with the Application for State Assistance Payments;

4. That this Resolution take effect immediately.

AMENDMENT ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #111-97

Special Meetings and Hearing - Pertaining to 1998 Budget

Councilwoman Dunn moved and Councilman Trupia seconded the following resolution:

BE IT RESOLVED, That

1. The Workshop Session scheduled for Tuesday, November 4, 1997 (Election Day) be rescheduled for Thursday, October 23, 1997 at 8:00 P.M. and that a Special Meeting be convened thereafter for the purpose of establishing a Preliminary Budget for 1998;

2. A Public Hearing on the established Preliminary Budget for 1998 be held on Thursday, November 6, 1997, at 7:30 P.M.;

3. A Special Meeting be convened on Thursday, November 20, 1997 at 7:00 P.M. for the purpose of adopting the Final Budget for 1998.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #112-97

Travel Request - Planning Board

Councilman Trupia moved and Councilwoman Dunn seconded the following resolution:

BE IT RESOLVED, that Planning Board members and staff are authorized to attend the 1997 New York Planning Federation Annual Conference Sessions on October 27, and 28, 1997 in Saratoga Springs and that the Town reimburse daily registration fees up to a total of \$385 and commuting car pooling mileage.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #113-97

Budget Transfers/Amendments

Supervisor Wurtemberger moved Councilman Glasser seconded the following resolution:

BUDGET TRANSFERS

FROM	TO	AMOUNT
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A1460.2 Records Mngt. (Equip.) A1460.4 Records Mngt. (Cont.) \$554.83

A1650.2 Cent. Commun. (Equip.) A1650.4 Cent. Commun. (Cont.) 52.00

A9055.8 Disability Insurance A1670.4 Print & Mail (Cont.) 745.18

A7140.2 Playgrounds (Equip.) A7140.4 Playgrounds (Cont.) 638.68

BUDGET AMENDMENTS

Increase appropriations DA 5110.4 General Repairs (Cont.) in the amount of \$13,732.00 to be funded by appropriating funds from DAR 3875 (Emergency Aid) received from the New York State Division of Military and Naval Affairs on February 4, 1997 for blizzard cost reimbursement.

Increase appropriations DA 5130.4 Machinery (Cont.) in the amount of \$14,945.51 to be funded by appropriating funds from DAR 2680 (Insurance Recovery) received from the Royal Insurance Company on September 9, 1997 for damage to a Town Highway Department gradall.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #115-97

Speed Limit Reduction Request

State Route 66

Supervisor Wurtemberger moved and Councilwoman Dunn seconded the following resolution:

BE IT RESOLVED, that the Town of Sand Lake, pursuant to applicable Vehicle and Traffic Laws, requests the New York State Department of Transportation to reduce the speed limit from 55 to 45 MPH on State Route 66 from the Poestenkill line to a point that is already established as a 45 MPH limit near the Miller Hill School (a distance of approximately 1 1/8 mile).

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #116-97

October 1997 Fund Warrant

Councilman Glasser moved and Councilwoman Dunn seconded the motion to approve the October 1997 Fund Warrant as audited.

A-General Fund: \$22,098.16; DA-Highway Fund: \$11,327.78; H006-Landfill Closing Capital: \$882.50; H011- Water Study Capital \$560.14; H014 - Municipal Center Project \$750.00; SL1-Street Lights: \$5,571.45; SS-Sewer: \$7,096.00. Total Fund Warrant: \$48,286.03.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

MEETING ADJOURNMENT

Councilman Glasser moved and Councilman Trupia seconded the motion to adjourn the meeting at 9:05 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

October 23, 1997

The Special Meeting of the Town Board of the Town of Sand Lake was called to order by Supervisor Wurtemberger at 8:50 P.M., at the Town Hall, in Sand Lake New York after the Pledge of Allegiance. The following answered roll call:

PRESENT: Councilwoman Nancy Dunn
Councilwoman Flora Fasoldt
Councilman John Glasser
Councilman C. Joseph Trupia
Supervisor Fred Wurtemberger

RECORDING SECRETARY: Colleen Regan, Town Clerk

OTHERS PRESENT: Frank Fleming; Nancy Kelley; Paul Blanchet; Brian Hunt; John Stockman and others.

NOTICE

PLEASE TAKE NOTICE the Workshop session scheduled for Tuesday, November 4, 1997, (Election day) be rescheduled for Thursday, October 23, 1997 at 8:00 P.M. and that a Special Meeting be convened thereafter for the purpose of establishing a Preliminary Budget for 1998; A Public Hearing on

the established Preliminary Budget for 1998 be held on Thursday, November 6, 1997, at 7:30 P.M.; A Special Meeting be convened on Thursday, November 20, 1997 at 7:00 P.M. for the purpose of adopting the Final Budget for 1998.

/S/

Colleen Regan, Town Clerk

INDRODUCTORY REMARKS

Supervisor Wurtemberger read aloud his budget message dated October 7, 1997 (hereto attached). Supervisor Wurtemberger stated that the Town continues to operate at a lower plateau of taxes - 14.4% lower than when he assumed office.

COMMENT AND QUESTION PERIOD

Supervisor Wurtemberger entertained suggestions for any changes. Supervisor Wurtemberger asked Councilwoman Fasoldt if she had any changes.

John Stockman - Questioned The amount budgeted of \$18,322 in the Town Attorney line item A1420.1 (Personal Services).

Supervisor Wurtemberger stated that two salaries are allocated in the amount, Town Attorney approx. \$10,000 and Deputy Town Attorney approximately \$8,000.

Mr. Stockman asked who the Deputy Town Attorney was. Supervisor Wurtemberger informed him that it was Fred Schreyer.

Mr. Stockman wanted to know where in the Budget the \$92,000 for building use and \$75,000 for a Road (grant funds) is allocated.

Supervisor Wurtemberger stated that they are not reflected in the Operating Budget, and are Capital items.

Mr. Stockman stated that 11.7% of surplus funds is being used to balance the 98 Budget, using the Town's savings, how much percentage wise did the Supervisor use last year.

Supervisor Wurtemberger stated that the growth of the surplus is approximately 11.7% since he has been in office so it is no additional tapping of the surplus before he assumed office.

Councilwoman Fasoldt - asked Supervisor Wurtemberger when the Salary Rate Schedule is attached to the Budget.

Supervisor Wurtemberger stated that the Employee Compensation Schedule is adopted when the final budget is adopted, as a separate resolution.

Councilwoman Fasoldt asked if raises were 4% across the Board for everyone.

Supervisor Wurtemberger stated yes.

Councilwoman Fasoldt - Questioned the Real Taxes Revenue line Item A-1001, which is zero in the Tentative Budget.

Supervisor Wurtemberger stated the final adopted budget will show whatever the tax amount to be raised by taxes would be which is on the first page.

Supervisor Wurtemberger asked for any other comments, upon hearing none:

RESOLUTION #117-97

Supervisor Wurtemberger moved and Councilman Trupia seconded that the Town Board establish the 1998 Preliminary Budget as that indicated in the 1998 Tentative Budget presented by the Supervisor on September 30, 1997.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

MEETING ADJOURNMENT

Councilman Glasser moved and Councilman Trupia seconded the motion to close the Special Meeting at 9:02 P.M.:

MOTION CARRIED: UNANIMOUSLY

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

November 12, 1997

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: Councilwoman Nancy Dunn
Councilwoman Flora Fasoldt
Councilman John Glasser
Councilman C. Joseph Trupia
Supervisor Fred Wurtemberger
Attorney John T. Casey, Jr.

RECORDING SECRETARY: Colleen Regan, Town Clerk

OTHERS PRESENT: Frank Allen; Paul Blanchet; Connie Burkart; Charles & Edna Burr ridge; William Burr ridge; Tom Cipperly; Don Clifford; Frank Fleming; Dave Gaskell; Al Hayner; Nancy Kelley; Denise King; Ed Patanian; Christine Perry; Justin Schultz; John Stockman; Rosemary Brennan-Quinn, Record.

APPROVAL OF MINUTES:

Councilman Trupia moved and Councilwoman Dunn seconded the motion to approve the September 30, 1997 Minutes. MOTION CARRIED: UNANIMOUS

Councilman Trupia moved and Councilwoman Dunn seconded the motion to approve the October 8, 1997 Minutes: MOTION CARRIED: UNANIMOUS

TOWN CLERK'S REPORT: On file in the Clerk's Office as submitted

SUPERVISORS REPORT: On file in the Clerk's Office as submitted

COMMITTEE REPORTS: On file in the Clerk's Office as submitted

BOARD MEMBER REPORTS: On file in the Clerk's Office as submitted

RESIDENTS WHO ADDRESSED THE BOARD DURING COMMENT PERIOD:

Ed Patanian - addressed the Board with concerns regarding certain aspects of the Code of Ethics the Planning Board adopted; The cost involved with the SEQRA process for the proposed municipal center.

John Stockman - addressed the Board regarding the furnishings of the new Town Garage.

Christine Perry - addressed the Board regarding her concerns of not having enough time to review the DEIS for the proposed municipal center.

Justin Schultz - addressed the Board regarding his concerns of the Board spending money on a SEQRA process as a new administration will be coming on board the first of the year.

BUSINESS:

RESOLUTION #124-97

Landfill Environmental Monitoring Services -

Smith & Mahoney Work Schedule #13

Councilman Glasser moved and Councilman Trupia seconded the following resolution:

BE IT RESOLVED, that Smith and Mahoney, P.C. is authorized under Work Schedule No. 13 to provide landfill environmental monitoring for a one year period starting with the fourth quarter of 1997 for a fee not to exceed \$13,500.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #125-97

Municipal Center

Draft Environmental Impact Statement

Councilman Trupia moved and Councilwoman Dunn seconded the following resolution:

WHEREAS, the Town Board of the Town of Sand Lake has been designated as lead agency for purposes of conducting the environmental review pursuant to the State Environmental Quality Review Act ("SEQRA") for the construction of a municipal center off of Eastern Union Turnpike in the hamlet of Averill Park, Town of Sand Lake, New York (the "Project");

WHEREAS, the Project will provide for new and modern space for the Town of Sand Lake Library and municipal offices, as well as meeting rooms for local community organizations;

WHEREAS, by Resolution No. 97 of 1997, adopted on August 13, 1997 the Town Board directed that an environmental impact statement be prepared on the Project;

WHEREAS, a Draft Environmental Impact Statement ("DEIS") has been prepared which the Town Board has determined is adequate for public review.

WHEREAS, it is desired at this time to schedule a public comment period on the DEIS (including a public hearing), to establish a timetable for certain events and to assign various tasks and duties in connection therewith;

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby determines that the DEIS is complete in scope and content and adequate for public review, and directs that it be circulated for public review and comment as provided in 6 NYCRR Part 617 (the "SEQRA Regulations"), and be it further

RESOLVED, that the Town Board fixes the public comment period on the DEIS to commence on November 13, 1997 and that all public comments are to be received on or before December 15, 1997, and be it further

RESOLVED, that all written comments on the DEIS shall be sent to the Town Board, in care of the Town Supervisor, and that a file shall be maintained of all such comments which shall be transmitted to the Town Board, and be it further

RESOLVED, that the Town Board determines that a public hearing on the DEIS should be held, and that the public hearing shall commence at 7:30 P.M. on December 2, 1997 at the Town Hall in Sand Lake, New York, and be it further

RESOLVED, that a combined "Notice of Completion of DEIS and Notice of SEQRA Hearing," shall be prepared, filed and published and copies of the DEIS filed and made available, as provided in the SEQRA Regulations, and be it further

RESOLVED, that the Town Supervisor shall coordinate the preparation of the Final Environmental Impact Statement, and be it further

RESOLVED, that the Town Supervisor shall make whatever arrangements are necessary for the conduct of the hearing, the distribution of the DEIS, and the filing of notices and related requirements.

Councilwoman Fasoldt moved to table the resolution. Upon hearing no second the following vote was cast on the initial resolution.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 4; NAYS - 1 (FASOLDT)

RESOLUTION #126-97

Budget Transfers/Amendments

BUDGET TRANSFERS

FROM TO AMOUNT

A1450.1 Elections (Pers. Services)	A1450.4 Elections (Cont.)	\$ 67.83
A7310.4 Youth Programs (Cont.)	A7140.2 Playgrounds (Equip.)	305.34
A7310.4 Youth Programs (Cont.)	A7140.4 Playgrounds (Cont.)	107.93
A8020.1 Planning (Pers. Services)	A8020.4 Planning (Cont.)	1,000.00
A9055.8 Disability Insurance	A1670.4 Print Mail (Cont.)	342.00
DA9010.8 Retirement	DA5110.1 Gen. Repair (Pers. Serv.)	2,071.56

DA9010.8 Retirement DA5112.2 Improvements 1,402.68
DA9055.8 Disability Insurance DA5110.4 Gen Repair (Cont.) 545.78

BUDGET AMENDMENTS

Increase appropriations DA 5110.4 (General Repairs) in the amount of \$505.25 to be funded by appropriating funds from DA 2680.0 (insurance recoveries) from Hanover Insurance Co. for reimbursement for repairs to 2nd Dyke Road.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #127-97

November 1997 Fund Warrant

Councilman Glasser moved and Councilman Trupia seconded the motion to approve the November 1997 Fund Warrant as audited.

A-General Fund: \$27,301.58; DA-Highway Fund: \$50,875.45; H006-Landfill Closing Capital: \$7,838.75; H011-Water Study Capital: \$3,515.28; H014-Municipal Center Project: \$16,007.36; SL1-Street Lights: \$5,572.57; SS-Sewer: \$5,528.34. Total Fund Warrant: \$116,639.33

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

MEETING ADJOURNMENT

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

November 20, 1997

The regular monthly meeting of the Town Board of the Town of Sand Lake was called to order by Supervisor Wurtemberger at 7:03 P.M., at the Town Hall, in Sand Lake New York after the Pledge of Allegiance. The following answered roll call:

PRESENT: Councilwoman Nancy Dunn
Councilwoman Flora Fasoldt
Councilman John Glasser
Councilman C. Joseph Trupia
Supervisor Fred Wurtemberger

RECORDING SECRETARY: Colleen Regan, Town Clerk

OTHERS PRESENT: Justin Schultz, John Stockman; Rosemary Brennan Quinn

RESIDENTS WHO ADDRESSED THE BOARD DURING COMMENT PERIOD:

No Comments

BUSINESS:

RESOLUTION #128-97

Adoption of 1998 Annual Budget

Supervisor Wurtemberger moved and Councilman Trupia seconded the following resolution:

WHEREAS, the Town Supervisor presented his 1998 Tentative Budget to the Town Board on September 30, 1997; and

WHEREAS, the Town Board established its 1998 Preliminary Budget on October 23, 1997 and conducted a Public Hearing on its Preliminary Budget on November 6, 1997;

NOW THEREFORE BE IT RESOLVED, that the 1998 Preliminary Budget, as revised to reflect the following amendments, is adopted as the 1998 Annual Budget.

AMENDMENTS

No. 1. Budget Summary

Special Districts Appropriations - Est. Revenue - Unexpended Balance Amt. Taxes

Taborton Fire	\$54,174	\$4,000	0	\$50,174
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Amount	Explanation
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No.2. Appropriations Increase Clerk's comp. from \$8.94 to

A - 1110 Justice \$10.00/hr (annual comp. from \$15,109 to

Personal services .1 \$35,836 \$16,900). Reduce contingency by \$1,791

No.3. Appropriations Increase Assessor's annual comp. from

A - 1355 Assessor \$28,003 to \$29,300. Reduce contingency

Personal Services .1 \$43,783 by \$1,297

No.4. Appropriations Increase Clerk's comp. from \$8.94 to

A - 8020 Planning \$10.00/hr(annual comp. from \$11,622 to

Personal Services .1 \$25,353 \$13,000). Reduce contingency by \$1,378

No.5. Appropriations

A - 4540 Ambulance Reserve Fund to be established for Town

Town Reserve Fund .2 \$19,000 purchase of ambulance. Increase

Contractual Expense .4 \$24,250 contingency by \$10,770.

\$43,250

No.6. Appropriations

A - 1990 Contingency \$26,304 Reflects amendment changes.

RESOLUTION #129-97

Adoption of 1998 Employee Compensation Schedule and

1998 Wage Schedule for Highway and Sewer Personnel

Supervisor Wurtemberger moved and Councilwoman Dunn seconded the following resolution:

BE IT RESOLVED, that the attached 1998 Wage Schedule for Highway and Sewer Personnel is adopted and the attached 1998 Employee Compensation Schedule, as amended below, is adopted.

AMENDMENTS

BUDGET CODE__	HRS. PER POSITION	RATE PER WEEK HOUR__	ANNUAL COMPENS.
A1110.1	Justice Clerk	Up to 32.5*	\$10.00 Up to \$16,900
A1355.1	Assessor		\$29,300
A8020.1	Planning Board Clerk	Up to 25*	\$10.00 Up to \$13,000

*Including evening meeting (s)/ sessions (s)

MEETING ADJOURNMENT

Councilman Trupia moved and Councilwoman Dunn seconded the motion to close the Special Meeting at 7:29 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 Submitted,

Colleen Regan

Town Clerk

SPECIAL MONTHLY MEETING

December 2, 1997

The Special Meeting of the Town Board of the Town of Sand Lake was called to order by Supervisor Wurtemberger at 7:31 P.M., at the Town Hall, in Sand Lake, New York after the Pledge of Allegiance. The following answered roll call:

PRESENT: Councilwoman Nancy Dunn
Councilwoman Flora Fasoldt
Councilman John Glasser
Councilman C. Joseph Trupia
Supervisor Fred Wurtemberger

RECORDING SECRETARY: Colleen Regan, Town Clerk

OTHERS PRESENT: Robert J. Martin, Tom Cipperly, Frank Allen, William Burr ridge, Robert St. Germain, Sean Mahoney, Stanley Supkis, Jr., Holly E. Elmer, Kim Parker, Peter Prigge, John Stockman, Paul Blanchet, Edward J. Patanian, Christine A. Perry, Paula M. Hernick, Justin Schultz, Christine M. Kronau, Frank P. Fleming, Mike Martin, Thomas R. Lilly, Charles Burr ridge, Edna Burr ridge, Denise King, Al Hayner.
(Sign in Sheet - hereto attached)

Supervisor Wurtemberger asked the Clerk to read the legal notice:

NOTICE

SAND LAKE MUNICIPAL CENTER

DRAFT ENVIRONMENT IMPACT STATEMENT

PLEASE TAKE NOTICE that on November 12, 1997 the Town of Sand Lake Town Board declared the Draft Environmental Impact Statement for the Town of Sand Lake Municipal Center complete for the public review. The Town of Sand Lake Town Board will hold a SEQRA Public Hearing on the Town of Sand Lake Municipal Center at 7:30 P.M. on December 2, 1997 at the Sand Lake Town Hall on NY Route 43, Sand Lake, NY. Written comments will be accepted until December 15, 1997 and can be sent to: Fred Wurtemberger, Town Supervisor, Sand Lake Town Hall, P.O. Box 273, Sand Lake, NY 12153. Locations where the DEIS is available for review include: Sand Lake Town Hall, NY Route 43, Sand Lake, New York and Sand Lake Library, 43 Mall, West Sand Lake, NY.

BY ORDER OF THE TOWN BOARD

/S/

Colleen Regan, Town Clerk

155830 - 11/18/97

Supervisor Wurtemberger introduced Exhibit A which is an Affidavit of Publication which is proof that the notice just read was published. Supervisor Wurtemberger also introduced for Exhibit B a copy of the publication of the Environmental Notice Bulletin, dated November 26, 1997.

Supervisor Wurtemberger stated that he would like to say a few preliminary words. The purpose of this hearing is to receive public statements on the project. It is not a question and answer period and it is not meant to be a debate. Responses to comments and questions will appear in the environmental impact statement's response to comments in the Final Environmental Impact Statement. All interested parties may submit written comments either at the hearing tonight or up until the end of the comment period, no later than December 15, 1997. Written statements will be given equal weight

with statements presented at this hearing. Supervisor Wurtemberger stated that he would like to point out that there is a notebook going around for people to indicate their attendance and informed the audience to pass it along.

Supervisor Wurtemberger stated that he would entertain comments at this time from the public and if they would come to the podium and state their name and if speaking for any organization please state the organization. When stating their name also indicate their address also.

Supervisor Wurtemberger stated that he would first entertain any written comments from anyone who wants to submit comments at this time, or they can wait until later, but residents have the opportunity to present them right now.

PUBLIC HEARING:

RESIDENTS WHO ADDRESSED THE BOARD DURING COMMENT PERIOD:

Supervisor Wurtemberger opened the meeting to the public for anyone who wished to speak:

Ed Patanian, Garner Rd, Averill Park - Stated "I did not have a real lot of time to look at the document, but both of my concerns are over water quality and quantity. I don't see in there, it doesn't describe in your impact statement, as far as what I see, a Part 5 (Five) inorganics water quality test was performed on the test well, maybe it was, but the way it is written in the Draft Environmental Impact Statement it says just water quality test, and I'm a developer and any time that you have any projects of any significance you have to go beyond just bacterial tests. You need to do a Part 5 (Five) inorganics test which tests for a much larger scope of contaminants, different types of problems that you can have with more than just bacterial, that's one of my concerns. I'd like you to have that test and see that it is negative.

Also as far as flow I don't, again in my business I get involved with this quite often, the flow test, I assume by the way it is written in there, that you should've had a full stabilized draw down flow test performed on the test well. Often times when, like in my business, it is required that you monitor adjacent wells for static level while you're pump testing the test wells. To make sure you're not pumping off the same aquifer that the neighbors are using the same body of water that you're pumping

off to get your test well because you could be lowering the static level of other people's well. I don't know if that was tested but that is normally what is required. This has enough impact where it should be required regarding static levels.

I don't know if we had any Health Department approval. Is it required? I know I'm not supposed to be asking questions but these are county requires this sort of thing to be done. If people are going to be using this as a public building. And you know that between the use this should be very important what the quality of the water is and you can address these issues. Normally the Health Department would require an applicant to perform this test....."

Christine Perry, 15 Glenwood Terrace, Averill Park, NY 12018 - "First off I'd like to say that I have not had time to go through this document but I did have time to direct my attention to my main concern over this project which is Traffic Impact. As I use Burden Lake Rd almost on a daily basis, I feel it has a direct impact on my life.

I would like to address some of my concerns regarding the traffic impact. The Draft Environmental Impact Study addresses two studies for the project related to traffic: One was the level of service and two was the Sight Distance.

Both of these studies were conducted for the intersection of Eastern Union Turnpike and Route 43. It was determined that the peak hour is between 4:30 and 5:30 P.M.

The Level of Service Study was conducted on August 26 between 4 and 6 P.M. It was determined to be operating at a Level B Service which is a delay per vehicle turning South ranging from 5.1 seconds to 15 seconds. A Level A Service is less than 5 seconds.

The Sight Distance Study for Eastern Union Turnpike and Route 43 was conducted on August 28. The sight distance looking left from Eastern Union Turnpike is 180 feet which is one-half the standard of 360 feet. The study states, however, that if parking were restricted by D.O.T. between Burden Lake Road and Eastern Union Turnpike the sight distance would increase to 405 feet and meet the standard.

In addition, I would like to refer to a letter dated August 5, 1997, from Mr. William Logan, the Regional Traffic Engineer, to Mr. Wurtemberger, in which Mr. Logan relays the results of a Speed Study conducted on July 28, 1997, between noon and 1 P.M. measuring the effectiveness of the speed reduction from 40 mph to 30 mph on Route 43 in the vicinity of Burden Lake Road. Mr. Logan states that the reduction in the speed had no significant impact on the speed of traffic and recommends regular police enforcement measures be undertaken.

He further states that the problem brought to his attention by Burden Lake Road motorists and Mr. Wurtemberger is one of Sight Distance caused by vehicles parked to the West in front of local businesses. Mr. Logan's solution is not to lower the speed limit or to install additional signing or make

adjustments to the flashing signal, but suggests that the Town work with the affected businesses to provide off-street parking and give consideration to constructing a sidewalk along Route 43 for pedestrian access to businesses.

The Environmental Impact Statement on page 27 also recommends that parking along Eastbound NY Route 43 should be restricted by D.O.T. between Eastern Union Turnpike and Burden Lake Road to provide adequate Sight Distance at Route 43 and Eastern Union Turnpike.”

“I would like to suggest that since number 1 - it is the policy of D.O.T. that traffic increases from a development should not cause degradation of level of service. Number 2 - sight distance at Eastern Union Turnpike and Route 43 is 180 feet or one-half the standard recommendation of 360 feet and that both the DEIS and the D.O.T. engineer, Mr. Logan, recommend restricted and off-street parking along Route 43. Number 3 - Since peak hours of traffic is between 4:30 and 5:30 P.M. and Number 4 - Since Burden Lake Road and Route 43 is approximately 150 feet from Eastern Union Turnpike and will, therefore, be directly impacted by and increased volume of traffic that One - The DEIS should have also evaluated the Level of Service and Sight Distance for Burden Lake Road and Route 43 not just Eastern Union Turnpike and Route 43 to provide the entire scope of the traffic consequences, Two - A Speed Study should be conducted at Burden Lake Road and Route 43 during peak hours of 4:30 - 5:30 P.M. not noon to 1 P.M. Number three - The Town should begin to remedy this stretch of Route 43 by engaging in negotiations with the business affected and developing some off-street parking (parallel parking may not be the solution either since it may encourage double parking).

All of the above should be endeavored before proceeding with the Municipal Center Project at Eastern Union Turnpike.”

Supervisor Wurtemberger asked for any more comments. Supervisor Wurtemberger asked for any written comments.

Supervisor Wurtemberger stated as a repeat the Town Board will be receiving written comments up to December 15, 1997, so the public will still have the opportunity to present them.

Supervisor Wurtemberger asked again if there were any more comments before the Board closed the hearing.

MEETING ADJOURNMENT

Upon hearing no additional comments, Supervisor Wurtemberger stated he would entertain a motion to close the hearing.

Councilman Trupia moved and Councilwoman Dunn seconded the motion to close the Public hearing at 7:45 P.M. Supervisor Wurtemberger asked for any discussion, upon hearing none, Supervisor Wurtemberger asked the Clerk to call the Roll.

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 6, 1997

The Special 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, in Sand Lake New York after the Pledge of Allegiance. The following answered roll call:

PRESENT: Councilwoman Nancy Dunn

Councilwoman Flora Fasoldt

Councilman John Glasser

Councilman C. Joseph Trupia

Supervisor Fred Wurtemberger

RECORDING SECRETARY: Colleen Regan, Town Clerk

OTHERS PRESENT: Sand Lake Ambulance Staff; Frank Allen; Charles & Edna Burr ridge; Tom Cipperly; Frank Fleming; Nancy Kelley; Justin Schultz and others.

NOTICE

NOTICE IS HEREBY GIVEN that the Preliminary Budget for the Town of Sand Lake for the Fiscal year beginning January 1, 1998 has been established and is on file in the Office of the Town Clerk at Town Hall, Sand Lake, New York where it is available for inspection at regular business hours.

FURTHER NOTICE IS GIVEN that the Town Board of the Town of Sand Lake will hold a public hearing thereon at the Sand Lake Town Hall, located on Route 43, Sand Lake, New York on Thursday, November 6, 1997, at 7:30 P.M., and such item or items therein contained. Pursuant to Section 10-8 of the Town Law, the proposed salaries of the following Town Officials are hereby specified as follows:

Supervisor: \$22,950

Council Persons - 4 @ 5,525 each: \$22,100

Town Clerk: \$27,544

Justices - 2 @ \$8,948 each: \$17,896

Receiver of Taxes \$ 6,483

/S/

Colleen Regan, Town Clerk

Supervisor Wurtemberger informed the Board that the Taborton Fire District submitted its 1998 Budget: Appropriations - \$54,174; Less Estimated Revenue - \$4,000; Less Unexpended Balance - 0; Amount to be raised by Taxes - \$50,174. A reduction from last year for Taborton Residents. Town wide percentage went up 2.2%.

Supervisor Wurtemberger stated that the Sand Lake Ambulance was in attendance of the Public Hearing and asked if they had any questions or comments regarding the 1998 Budget.

COMMENTS AND QUESTIONS PERIOD REGARDING THE BUDGET FOR THE AMBULANCE COMPANY

Sharon Cipollo - addressed the Board regarding the amount Supervisor Wurtemberger allocated in the Ambulance line item A-4540 in the 1998 Preliminary Budget. The submitted 1998 Ambulance Budget was \$70,911 and Supervisor Wurtemberger budgeted \$54,000. Ms. Cipollo informed the Board of the various expenses that occur and expenses that are not anticipated with regard to the operations of providing ambulance service to the residents, such as supplies, repairs, a new ambulance, drugs, training, etc. and expenses are going up. Ms. Cipollo reminded the Board that the Ambulance staff are volunteers and do not get paid nor have a retirement plan.

Supervisor Wurtemberger stated that for some background information on the budget submitted that he did not get any information with regard to projected revenue for 1998 but did get projected revenue for 1997 based on 6 months income for the Sand Lake Ambulance. But as far as expenses are concerned if you deduct depreciation, taken off the Ambulance financial statement done through the end of 1996, the first statement done to his knowledge by an outside auditor as the Town has had problems in the past, since he has been Supervisor, to find out what the income and expenses are, an ongoing problem for the Town because the Town has to contribute Town monies without knowing what your balance sheet is. Back in 1995 the expenses were \$69,582, the Town contributed \$76,000 based on the estimate of the previous year. In 1995 you started the insurance billing and received \$41,000 plus \$76,000 from the Town, so the Sand Lake Ambulance received \$117,000 and the expenses were \$69,000 leaving quite a surplus in 1995. In 1996 the Sand Lake Ambulance expenses were \$114,000. The Town contributed based on the Fire Districts estimate \$80,100. Insurance Billing was \$92,000 plus. Between the Insurance Billing and the Town's contribution, excluding miscellaneous sources of income, \$172,000 with expenses of \$114,000. (Figures taken from financial statement and ambulance fund being separate).

The Sand Lake Ambulance received approximately \$41,000 in 1995 and \$92,000 in 1996 from insurance Billing. Based on that information the Ambulance Company asked for a reduced contribution of \$23,200 which the Town did give. It is projected that in addition to that \$23,200 and \$69,000 which is projected

income, totaling \$92,200. The Sand Lake Ambulance had some cash and savings and checking accounts in addition to the monies in the Ambulance Fund and Building Fund, cash of \$45,000 which can be carried over, bringing the income figure to \$137,000 less estimated expenses of \$120,000, leaving an overage of \$16,000.

For 1998 the estimate submitted for expenses is \$170,000. If you add the \$54,020 the Town is giving you and the overage of approximately \$19,273, when figured more accurately, the Ambulance Co. will have \$73,293, which is more than your request of \$72,250. This is one way of looking at it. There is enough there if things go as the Ambulance Co. projects. The way the Town came up with the \$54,020 is that the Town contributed money for the Ambulance's insurance and sewer rents of \$24,250 and then the Ambulance Co. asked for \$19,000 for a reserve fund for a new ambulance truck and retirement, which the Ambulance Co. asked for \$21,000, but one-half of that was budgeted in.

The Town Attorney checked with the State Comptrollers Office and their advice is that anything that the Town gives you for the Ambulance should be done by contract amendment. Apparently there are some legal problems with just giving you the money, which has happened in the past. The money has to go into an allocated fund and that would have to be done by a contract amendment.

On the Retirement, there is according to General Municipal Law a provision for the Ambulance Company to get a retire system under a Service Award Program, which the Ambulance Company may be familiar with. All the people of the Town of Sand Lake would have to vote on the approval of a retirement system for the Ambulance Company. So based on that information Supervisor Wurtemberger made allowance for a half of year due to the all the various steps that will need to take place first, making allowance for the amount of time that should elapse, with a special referendum and so on.

Dr. Schraeder did not want to go with the route just mentioned and perhaps go with a private insurance company for a retirement plan, but checking with the State Comptroller they see a problem with that and suggest that your attorney look into it. There is problems with non for profit corporation law, wherein individuals may not be able to be compensated because they are part of a non for profit organization and then there is also internal revenue code, the Ambulance Company may have a problem maintaining there non for profit status.

Supervisor Wurtemberger stated he had questions on the Ambulance Company 1998 submitted Budget itself.

Under Mortgage there is a figure of \$25,000. But in the Financial Statement it has a listing of Long Term debt \$11,930 per year.

Uniforms - in 1997 the Ambulance Company budgeted \$1,000. In 1998 The Ambulance Co. budgeted \$8,000. (a member stated the increase is due to OSHA standards)

Training - In 1997 \$112 was budgeted for training. In 1998 \$1,500 for training. It is the Town's understanding that the State reimburses the Ambulance Company for training. (A member stated that the Ambulance Company is reimbursed for EMT training but not Advanced Life Support Training and training costs have increased.)

Intercepts - \$9,000 with a note stating that the insurance company should pay for that. (The members present said they were not aware of this and there is a certain procedure for billing that is presently being followed where the Ambulance Company pays charge backs.)

Reserve Account - Figure of \$11,000 for the Building Fund. Supervisor Wurtemberger stated that he assumed that is the payment for the mortgage. In 1997 you budgeted \$25,000 and \$25,00 for 1998. (ambulance member stated that there is interest and believed that there is a 2nd mortgage)

Supervisor Wurtemberger stated that this is the premise he came up with the figure of \$54,000, taking into account excess cash of \$45,000 that wasn't really shown any place and Supervisor Wurtemberger did not get any revenue figures for 1998 though he had asked for it. The budget is not adopted until November 20th so there is still time to get the figures in.

Supervisor Wurtemberger asked if anyone had any questions

Councilwoman Fasoldt asked to get a copy of the budget submissions.

George Kerns, resident of the Town of Sand Lake - Past Commissioner of the Averill Park Fire Department. Called to the Board's attention Resolution passed by the Town authorizing the

establishment of the Ambulance District could help with the Ambulance Company financial problems but the Ambulance Company, for some reason, did not elect to go that route.

Bob Wagner, Commissioner of Averill Park Fire District - Past Chief for four years and instrumental in starting the EMS Program for the Averill Park Fire Dept. involving the ambulance. His family had an unfortunate situation this year where his Aunt fell on the floor with a broken arm and pushed the first alert button to St. Peters Hospital requesting help and laid on the floor for over ½ hour waiting for help. With the various procedures involved with a call, my aunts care fell through the cracks.

The Ambulance Company is asking double the money then last year but the service is not there. By the year 2000 residents will not be able to afford to maintain ambulance costs and he understands that the insurance billing is not working out, however, the tax payer does not have a say in what the ambulance company is receiving and does not know what the cost is either. (Ambulance member wanted the residents to know that they service all three fire districts of the Town.)

GENERAL QUESTIONS & COMMENTS REGARDING THE 1998 BUDGET

Councilwoman Fasoldt - requested to get a copy of the original budget requests and also to get a copy of any department requests that have been modified.

Supervisor Wurtemberger asked if anyone else had any questions. Upon hearing none, Supervisor Wurtemberger introduced a memorandum to the Board Members from the Assessor concerning hours to peruse.

The Board has had several requests from departments such as the Justices where they have indicated that the Clerk in many neighboring jurisdictions is paid \$10 to \$12 an hour and in the Town of Sand Lake Budget, which reflects an across the Board increase for employees, the Court Clerk now is \$8.94. Supervisor Wurtemberger suggested that the Court Clerk's Salary be increased to \$10.00 an hour which is warranted based on the fact that it is a one person office and the volume has increased appreciably and it seems every year there is more and more violations. There is a lot of responsibility in that office. Salary would be \$16,900.

The Supervisor also suggested that the Assessors salary be raised to \$29,000. The Assessor is extremely fortunate to have the individual we have as he has challenged the State Equalization Rate two or three times and won each time and has brought back to the Town in a form of lower taxes of hundred of thousands dollars and in one case it amounted to \$250,000 savings between county tax and school tax

MEETING ADJOURNMENT

Councilman Glasser moved and Councilman Trupia seconded the motion to close the Special Meeting at 9:02 P.M.:

MOTION CARRIED: UNANIMOUSLY

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 10, 1997

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, in Sand Lake New York after the Pledge of Allegiance. The following answered roll call:

PRESENT: Councilwoman Nancy Dunn

Councilwoman Flora Fasoldt

Councilman C. Joseph Trupia

Supervisor Fred Wurtemberger

John T. Casey, Jr.

ABSENT: Councilman John Glasser

RECORDING SECRETARY: Colleen Regan, Town Clerk

OTHERS PRESENT: Frank Allen; Charles Burridge; William Burridge; Don Clifford; Tom Cipperly; Catherine Crawmer; Frank Fleming; James Finn; Nancy Kelley; Ray Loveridge; Ed Patanian; Christine Perry; Justin Schultz; John Stockman; Erin Wilbur; Rosemary Brennan-Quinn, Record.

APPROVAL OF MINUTES:

Councilman Trupia moved and Councilwoman Dunn seconded the motion to approve the October 23, 1997 Minutes:

MOTION CARRIED: UNANIMOUSLY

TOWN CLERK'S REPORT: On file in the Clerk's Office as submitted

SUPERVISORS REPORT: On file in the Clerk's Office as submitted

COMMITTEE REPORTS: On file in the Clerk's Office as submitted

BOARD MEMBER REPORTS: On file in the Clerk's Office as submitted

RESIDENTS WHO ADDRESSED THE BOARD DURING COMMENT PERIOD:

NONE

BUSINESS:

RESOLUTION #130-97

New Road - Morning Circle in Evening Ridge Estates Subdivision

Councilman Trupia moved and Councilwoman Dunn seconded the following resolution:

BE IT RESOLVED, that the Town of Sand Lake hereby accepts dedication of Morning Circle in the Evening Ridge Estates Subdivision, upon submission to the Town Attorney of a deed in proper form.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #131-97

Street Lighting

Councilman Trupia moved and Councilwoman Dunn seconded the following resolution:

WHEREAS, the New York State Electric and Gas Corporation (NYSEG) is in the process of conducting an updated inventory of existing street lighting and said inventory can be used to evaluate present facilities and future lighting needs within the Town; and

WHEREAS, the Town's Subdivision Regulations include provisions for the installation of electrical utilities but does not provide any specifics concerning street lighting;

NOW THEREFORE BE IT RESOLVED, that the Town Planning Board provide recommendations to the Town Board concerning possible amendments to the Subdivision Regulations or other ordinances(s) setting forth specifications for street lighting and special lighting district formation for requested enhanced services.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #132-97

Late Notice Fee - Unpaid Taxes

Councilwoman Fasoldt moved and Councilman Trupia seconded the following resolution:

WHEREAS, Chapter 440 of the New York Real Property Law, 1989, made it mandatory for the Receiver of Taxes to send a late notice to delinquent property owners; and

WHEREAS, Section 987 (1) of the New York Real Property Law of 1994 allows towns to set the amount of the charge up to \$2.00 to process the late notice; and

WHEREAS, it is now necessary for the Town Board to establish the Late Notice Fee by resolution;
now

THEREFORE, BE IT RESOLVED, that pursuant to Section 987 (1) of the Real Property Tax Law the Town of Sand Lake imposes a \$1.00 Late Notice Fee to cover the expense of processing a notice of delinquent taxes.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #133-97

Engineering Services For Sewer Projects

Supervisor Wurtemberger moved and Councilman Trupia seconded the following resolution:

WHEREAS, pursuant to Resolution No. 61 adopted on May 14, 1997, Kestner Engineers prepared a Concept Plan, showing schematic sewer route layouts, cost opinions, financing options and estimated annual user costs for several sewer extensions, which Plan was discussed at public information meetings held on August 27th and 28th; and

WHEREAS, pursuant to Resolution No. 110 adopted on October 8, 1997. Applications were made to the New York State Department of Environmental Conservation for design and construction funds which may be available from the Clean Water/Clear Air Bond Act for a sewer project around Crooked Lake and a sewer project along a portion of Burden Lake; and

WHEREAS, the next step in moving each project forward is the preparation of an Engineers Report, Map, Boundary Description and information necessary for petitions; and

WHEREAS, the New York State Department of Transportation (NYSDOT) has indicated that it will be receiving bids during 1998 to reconstruct a portion of state highway Route 43/66 which will also serve as a sewer route for the Crooked Lake project and construction must be coordinated in a timely fashion; and

WHEREAS, the State Legislature, as part of Senator Bruno's member item grant, has allocated \$25,000 for engineering studies and preliminary plans for Sand Lake sewer extensions, which amount has been partially committed by the deadline date of March 31, 1998;

THEREFORE BE IT RESOLVED, that Kestner Engineers, P.C. be retained to prepare Engineers Reports, Maps, Boundary Descriptions and information necessary for petitions for the Crooked Lake and Burden Lake sewer projects in accordance with the attached proposal dated December 5, 1997.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #134-97

Special Meeting's

Councilwoman Dunn moved and Councilman Trupia seconded the following resolution:

BE IT RESOLVED, that the Sand Lake Town Board convene Special Meetings on December 18, 1997 and December 29, 1997 for the purpose of conducting the environmental review pursuant to the State Environmental Quality Review Act (SEQRA) for the construction of a municipal center off of Eastern Union Turnpike and for the purpose of acting on budgetary and financial matters, and approval of minutes, said meetings to be held at Town Hall at 7:30 P.M.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #135-97

Budget Transfers and Amendments

Supervisor Wurtemberger moved and Councilman Trupia seconded the following resolution:

BUDGET TRANSFERS

BE IT RESOLVED, that the following transfers be made in the 1997 Budget;

FROM TO AMOUNT

A 7510.1 Historian (Pers. Serv.)	A 7510.4 Historian (Cont.)	\$ 59.18	
A 8160.4 Refuse & Garbage (Cont.)	A 8160.1 Refuse & Garbage (Pers Serv)		830.00
A 8020.1 Planning (Pers. Serv.)	A 8020.4 Planning (Cont.)	1,300.00	
A 8020.2 Planning (Equip.)	A 8020.4 Planning (Cont.)	300.00	
A 8030.4 Research (Cont.)	A 8020.4 Planning (Cont.)	2,700.00	

A 9050.8 Unemployment Insur. A 9060.8 Health Insurance 5,861.46

DA 5130.4 Machinery (Cont.) DA 9060.8 Health Insurance 5,916.74

SS 9010.8 State Retirement SS 8102.4 Sewer Collection (Cont.) 122.68

SS 9050.8 Unemployment Insur. SS 9060.8 Health Insurance 1,128.41

BUDGET AMENDMENTS

BE IT RESOLVED, that the following amendments be made in the 1997 Budget:

Increase appropriations in account DA 5142.1 (Snow Removal - Personal Services) in the amount of \$5,500 and in account DA 5142.4 (Snow Removal - Contractual Expense) in the amount of \$10,000 to be funded by appropriating additional highway fund balance in the amount of \$15,500 pursuant to Section 112 of Town Law.

Increase appropriations in account SL1 - 5182.4 (Street Lighting) in the amount of \$947.29 to be funded by appropriating additional Street Lighting fund balance in the amount of \$947.29 pursuant to Section 112 of Town Law.

Increase appropriations in account A7140.4 Playgrounds (Contractual) in the amount of \$625 to be funded by appropriating funds from AR 2705 Gifts and Donations received from the Sand Lake Kiwanis Club (\$525) toward construction of an ice rink and from Crawford Door and Window (\$100) for Christmas lights.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 3; ABSTAIN: 1 - (DUNN)

RESOLUTION #

December 1997 Fund Warrant

Supervisor Wurtemberger moved and Councilman Trupia seconded the motion to approve the December 1997 Fund Warrant as audited.

A-General Fund: \$33,826.78; DA-Highway Fund: \$33,623.58; H006-Landfill Closing Capital: \$7,291.40; H012-Highway Garage Capital Project: \$15,031.41; H014-Municipal Center Project: \$16,084.18; SL1-Street Lights: \$5,572.57; SS-Sewer: \$5,025.31; Total Fund Warrant: \$116,383.23.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

MEETING ADJOURNMENT

Meeting adjourned at 8:20 P.M.: ALL IN FAVOR

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 18, 1997

The Special Meeting of the Town Board of the Town of Sand Lake was called to order by Supervisor Wurtemberger at 7:38 P.M., at the Town Hall, in Sand Lake, New York after the Pledge of Allegiance. The following answered roll call:

PRESENT: Councilwoman Nancy Dunn
Councilwoman Flora Fasoldt
Councilman John Glasser
Councilman C. Joseph Trupia
Supervisor Fred Wurtemberger

RECORDING SECRETARY: Colleen Regan, Town Clerk

OTHERS PRESENT: Lou Alexander, Bond Schoeneck & King; Holly Elmer, LA Group; Frank Fleming; Justin Schultz; John Stockman.

Supervisor Wurtemberger asked the Clerk to read the legal notice:

NOTICE

SPECIAL MEETINGS

PLEASE TAKE NOTICE that the Town Board of Sand Lake will convene Special Meetings on December 18, 1997 and December 29, 1997 for the purpose of conducting the environmental review pursuant to the State Environmental Quality Review Act (SEQRA) for the construction of a municipal center off of Eastern Union Turnpike and for the purpose of acting on budgetary and financial matters, and approval of minutes, said meetings to be held at Town Hall at 7:30 P.M.

BY ORDER OF THE TOWN BOARD

/S/

Colleen Regan, Town Clerk

Supervisor Wurtemberger opened the Special Meeting with the following statement (hereto attached).

This meeting has been called for the purpose of considering the Final Environmental Impact Statement for the proposed Municipal Center Project.

The Final Environmental Impact Statement, or "FEIS", was distributed to members of the Town Board earlier this week. It incorporates by reference the Draft Environmental Impact Statement which was accepted by the Town Board on November 12, 1997.

This Final Environmental Impact Statement volume includes the comments received on the Draft Environmental Impact Statement, sets forth responses to those comments, and contains additional supporting documentation.

If the Town Board determines that the FEIS is complete, the FEIS will then be distributed to the other agencies that are involved or interested in this project, as well as being made available to the public.

If you look at your copy of the FEIS volume, you will note on the Table of Contents page that Section 1 of the volume contains the transcript of the December 2, 1997 public hearing held on the Draft Environmental Impact Statement, and photocopies of all written comments received on or before the deadline date of December 15, 1997. Section 2 of the FEIS volume contains responses to comments received. Section 3 notes a correction to one of the site location maps. The appendices to the FEIS volume contain additional supporting documentation received by the Town or otherwise referred to in the responses to comments.

I have asked Louis Alexander of Bond, Schoeneck & King, our environmental counsel for this environmental impact process, to provide a more detailed overview of the FEIS. Holly Elmer of the LA Group, the consultants retained by the Town to perform this environmental review, is also here to answer any questions you may have regarding the responses to comments. I would now like to ask Lou Alexander to address the Board on the FEIS.

Lou Alexander - Thank you Supervisor Wurtemberger. As indicated, I will be providing an overview of the Final Environmental Impact Statement. Holly Elmer of The LA Group is here with me to address any specific questions that you may have regarding the responses to comments.

As noted the Final Environmental Impact Statement incorporates the DEIS by reference. As reflected in the Table of Contents, the first section of the document contains the minutes of the December 2nd public hearing on the DEIS. To be added to the minutes, are two exhibits – proof of

publication of the meeting notice and the notice in the Environmental Notice Bulletin. Two individuals, Mr. Ed Patanian and Ms. Christine Perry, presented their comments to the Board at the Public hearing. Section 1 of the FEIS also includes comments received during the comment period from: New York State Department of Transportation; one of the members of the Town of Sand Lake Planning Board, with the support of the entire Planning Board, which presented comments relating to the archeological investigation, erosion control, stormwater and other water issues. Ms. Christine Perry, who in addition to the comments she presented at the December 2nd public hearing, submitted a letter on December 10, 1997 that focused on traffic-related issues. Mr. Doug Kelley who submitted a letter dated December 2, 1997. Mr. Paul Blanchet who submitted a letter that focused on pedestrian and bicycling issues; and a letter submitted on the last day of the comment period by Mr. W. Steven Gordon which set forth 55 comments.

Section 2 presents the responses to these comments. Holly Elmer is here to address specific questions that you may have regarding the issues raised and also to note certain typographical and wording changes to Section 2. However, I would like to note that the comments have been divided into various categories to aggregate, as best as possible, issues on one topic into one section. These include the following categories. Water source; traffic; municipal center project review; potential archaeological resources; construction design; erosion control plan; stormwater management report; library; Town of Sand Lake Master Plan; alternatives; general comments. This section addresses comments that were raised on various matters from questions relating to the general description in the DEIS on the Town of Sand Lake (telephone service, landfill use) to internal space designations for the municipal center to the scope of wetland delineations to lighting among others.

In Section 2 of the FEIS, each comment is either quoted verbatim or summarized under each heading and immediately following is the response. A number of comments could be answered by referring to specific sections of the DEIS where the information was presented. Even though, in the SEQRA process, only substantive SEQRA comments need to be addressed, this FEIS provided responses to a number of non-SEQRA comments. Before turning this over to Holly Elmer to address Section 2, I shall just finish by commenting briefly on the appendices.

Appendix 1 entitled "Letters of Record" includes the following: December 9, 1997 letter from the New York State Office of Parks, Recreation and Historic Preservation that states that the project "will have no impact upon cultural resources in or eligible for inclusion in the State and National Registers of Historic Places." October 16, 1997 letter from geologist Robert G. LaFleur on details relating to the well at the proposed site. November 25, 1997 letter from Creighton Manning Engineering reviewing traffic considerations. November 6, 1997 letter from the New York State Department of Transportation re sight distances at the intersection of Route 43 and Burden Lake Road; various letters dated May 15, 1995 requesting the owners of the various alternative sites under consideration for the municipal project concerning the availability of their property and the asking price per acre; letter dated November 6, 1996 from Architecture + regarding site acquisition and development cost to be considered; letter dated September 26, 1995 from the Lake Avenue Community Church regarding the sale price for its property.

Appendix 2 presents the Phase 1B Archeological Field Reconnaissance Report prepared by Hartgen Archeological Associates, Inc. It notes that no significant archeological sites were found in the project area and no further archeological investigation is recommended.

Appendix 3 presents figures on erosion control, layout and grading plans.

Appendix 4 presents the Stormwater Management Report for the proposed municipal center.

Appendix 5 presents the Memorandum of Understanding between the Town of Sand Lake and the New York State Division of State Police regarding a satellite office for the State Police at the site. Appendix 5, as you received it, also included a June 3, 1997 letter from the New York State Police agreeing to the layout for the State Police satellite office.

I should note that there is a couple minor collating changes for the FEIS that will be distributed to governmental agencies and the public. This June 3, 1997 letter agreeing to the layout for the State Police satellite office will be moved to Appendix 1, Letters of Record. In addition, in Section 1, two of the pages of the meeting minutes were inadvertently collated out of order and will be collated in proper order. The two Exhibits will be added immediately following the minutes. As mentioned previously, Section 1 contains a December 8, 1997 letter from the New York State Department of Transportation. A copy of that letter will also be included in Appendix 1. In Section 3, the corrected figure will be included as an attachment. At this point, I would like to distribute that attachment. Also, in terms of the appendices, there is an additional portion to the map attached to the NYSDOT letter dated November 6, 1997. These attachments and recollated items, together with the changes that Ms. Elmer will be discussing, are part of the FEIS to be considered by the Town Board.

Mr. Supervisor, that completes my presentation. Ms. Elmer will now discuss certain changes to Section 2 and then will be available to answer any specific questions that the Board may have with respect to the responses to comments. Thank you.

Holly Elmer, LA Group - A couple of items of clarification, will go through them page by page. (changes hereto attached)

First change: Section 2-3 Under response c the first sentence is going to read "Contrary to the Commentor's assertion, the water tests have not failed any required standard, except for slightly elevated levels of iron and manganese. Refer to Response F below."

Change: Page 2-6: second paragraph, second sentence: Strike the words: because this information is not pertinent to the project, and.

Change 2-9: Item D - after governmental add the word - community.

Change 2-9: Item G - second sentence: Add the words - as noted in the DEIS, before parking (parking in parentheses and parentheses ends after the word driveway.)

Change 2-10: Item J - after governmental add the word community.

Change 2-10: Item L, last sentence - after the word governmental add the word community.

Change 2-16 Response E - second sentence move the words - contrary to the Commentor's statement - after the community is growing and....

Change 2.11 Alternatives: - Comment A - The Commentor raises several questions regarding alternatives. insert - Response A in a Bold Heading.

Change 2-22: Add the Sentence Refer to Architecture + letter dated November 6, 1996, provided in Appendix 1 of this FEIS. - after the last sentence ending with Town at the top of the page

Change 2-23: Response C strike the last four words - as equally as possible.

Change 2-24: Response G: Quote after Layout Plan, needs to be changed to go the right way. Ms. Elmer stated that some of the changes are pretty minor but you should know everything changed.

Change 2-26: Response N: The very bottom - September 17, 1997 is actually September 19th, 1997 DEC letter.

Change 2-30: Response W: second sentence - remove the closed parenthesis to the end of the sentence instead of after the Supervisor).

That is all the changes and is there any questions about the document.

Supervisor Wurtemberger asked if there is any other questions.

Councilwoman Fasoldt - stated that her first general comment is that there has not been adequate time to read this document for herself and for the rest of the Board. Forty-eight hours to do an analysis is not a great deal of time. So I want to take issue with that. I don't understand what the rush is and I don't feel that it is fair to residents or to Board Members to force this along without permitting adequate time.

Supervisor Wurtemberger stated that the Board had thirty days to review the DEIS and this is now the response to the comments on the DEIS.

Councilwoman Fasoldt moved to table the DEIS to another meeting date of the December 29th to review and analyze the document. Upon hearing no second motion was defeated.

RESOLUTION #137

Supervisor Wurtemberger introduced and Councilman Trupia seconded the following resolution:

WHEREAS, the Town Board of the Town of Sand Lake (“Town Board”) has been designated as lead agency for purposes of conducting the environmental review pursuant to the State Environmental Quality Review Act (“SEQRA”) for the construction of a municipal center off of Eastern Union Turnpike in the hamlet of Averill Park, Town of Sand Lake, New York (the “Project”);

WHEREAS, the Project will provide for new and modern space for the Town of Sand Lake Library and municipal offices, as well as meeting rooms for local community organizations;

WHEREAS, by Resolution No. 97 of 1997 adopted on August 13, 1997, the Town Board directed that an environmental impact statement be prepared on the Project;

WHEREAS, a Draft Environmental Impact Statement (“DEIS”) was prepared and the Town Board, by Resolution No. 125 of 1997, adopted on November 12, 1997, determined that the DEIS was complete in scope and content and adequate for public review and directed that it be filed and circulated in accordance with the SEQRA requirements;

WHEREAS, a public hearing was held on the DEIS on December 2, 1997 at the Town Hall in Sand Lake, New York, and a period of public comment was provided until December 15, 1997;

WHEREAS, a Final Environmental Impact Statement (“FEIS”) has been prepared which incorporates the DEIS by reference, and includes all substantive comments presented at the public hearing or otherwise received; and

WHEREAS, the Town Board has reviewed the FEIS and considered the comments on the DEIS and the responses and reviewed the additions and revisions enumerated by counsel and the LA Group;

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby determines that the FEIS is complete which shall include the additions and revisions enumerated by counsel and the LA Group, and be it further

RESOLVED, that the Town Supervisor is hereby directed to file a "Notice of Completion", to file and make available copies of the FEIS in accordance with the SEQRA regulations, and be it further

RESOLVED, that the Town Supervisor shall make whatever arrangements are necessary for the distribution of the FEIS, and the filing of notices and related documents, and be it further

RESOLVED, that the Town Supervisor is hereby authorized, based on the FEIS and the SEQRA process, to direct the preparation of a draft Findings Statement for the review and consideration by the Town Board.

Supervisor asked for discussion. Councilwoman Fasoldt stated that she had some concerns regarding: Water Source - The DEIS indicated that because it was a public water supply that plans are to be reviewed by the Department of Health. That review is not included in this and the Town should not proceed until the Town hears from the DOH.

Holly Elmer stated that the Town is working with the Department of Health and final plans have not been submitted.

Councilwoman Fasoldt - Another Concern: Monitoring of existing wells. Holly Elmer stated that the DEIS response is that the well is so far away from other clustered wells.

Councilwoman Fasoldt - Traffic 2-5. Parking issues need to be resolved before the project proceeds and to her knowledge no one has approached the businesses in the area addressed in the DEIS. Traffic flow is a safety issue in that area.

Councilman John Glasser - stated that years ago the Town purchased a piece of property to build a parking lot and that was the plan years ago to have parallel parking and have the people park on that parcel of land. The Town has looked at for years and the land has been sitting there for years and no one has done anything with it. So if the Town wants more parking the Town owns a piece of land in Averill Park to put a parking lot in it.

John Stockman - addressed the Board regarding the various parking problems in the vicinity in question.

Justin Schultz - addressed the Board regarding the various parking problems at the Burden lake Road vicinity.

Councilwoman Fasoldt - Response D to 2-7 regarding traffic 2 % Growth, does not see any documentation on how the 2% growth per year will affect the level of service for the intersection. Holly Elmer stated that the 2% growth figure is a typical figure factored in.

Councilwoman Fasoldt - addressed Page 2-10 Response G - stating that the DEIS should address Economics and it should be included. Holly Elmer stated that this is a Town issue and not part of the project and DOT addressed the issue in 1985 before the DEIS was done.

Councilwoman Fasoldt - Page 2-11 Response J - Pedestrian & Bicycling. Has not seen any documentation on a bicycle path. Supervisor Wurtemberger stated that there is a 28 foot width sufficient for vehicles and pedestrians between Eastern Union Turnpike and the Building.

Councilwoman Fasoldt - Page 2-13 Archeological Report. Residents did not have an opportunity to review the report as it was not par of the Draft. Supervisor Wurtemberger stated that it had no adverse archeological impact.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 4; NAYS - 1 (FASOLDT)

John Stockman asked Supervisor Wurtemberger what was the reason for increasing the spending for the Highway Department at the last meeting. Supervisor Wurtemberger stated it was for snow removal, salt and overtime and any additional expenses that may come up between now and the end of the year.

MEETING ADJOURNMENT

Supervisor Wurtemberger made a motion to close the hearing at 8:30 P.M. ALL IN FAVOR.

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, 1997

The Special 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, in Sand Lake, New York after the Pledge of Allegiance. The following answered roll call:

PRESENT: Councilwoman Nancy Dunn
Councilwoman Flora Fasoldt
Councilman John Glasser
Councilman C. Joseph Trupia
Supervisor Fred Wurtemberger

RECORDING SECRETARY: Colleen Regan, Town Clerk

OTHERS PRESENT: Lou Alexander, Bond Schoeneck & King; Harry Ackner; Frank Allen; Charles Burrige; William Burrige; Frank Fleming; Woody Hacker; Dan Holser; Nancy Kelley; Kim Parker, Bond Schoeneck & King; Christine Perry; Paul Blanchet; Peter Priggie; Justin Schultz; John Stockman; Ed Martin; Archie Robinson.

Supervisor Wurtemberger asked the Clerk to read the legal notice:

NOTICE

SPECIAL MEETINGS

PLEASE TAKE NOTICE that the Town Board of Sand Lake will convene Special Meetings on December 18, 1997 and December 29, 1997 for the purpose of conducting the environmental review pursuant to the State Environmental Quality Review Act (SEQRA) for the construction of a municipal center off of Eastern Union Turnpike and for the purpose of acting on budgetary and financial matters, and approval of minutes, said meetings to be held at Town Hall at 7:30 P.M.

BY ORDER OF THE TOWN BOARD

/S/

Colleen Regan, Town Clerk

Supervisor Wurtemberger opened the meeting with the following statement (hereto attached). This meeting has been called for the purpose of completing the review of the proposed municipal center project.

Two proposed resolutions are on the agenda for this meeting. The first addresses the SEQRA Findings Statement. The second resolution would authorize certain activities relating to implementing the project.

The Final Environmental Impact Statement, which was previously approved by the Town Board, was filed with the Department of Environmental Conservation on December 19, 1997. It had been distributed to various local and State agencies. A copy is on file here at the Town office as well as at the Town of Sand Lake Library.

Courtesy copies of the Final Environmental Impact Statement were also delivered to the four individuals who made substantive environmental comments on the project - Christine Perry, Ed Patanian, Paul Blanchet and Steve Gordon.

The proposed Findings Statement and Findings Statement resolution have been distributed to the members of the Town Board.

I have asked Louis Alexander of Bond, Schoeneck & King, our environmental counsel for this impact process, to provide a review of the proposed Findings Statement. I would now like Mr. Alexander to address the Board on this document.

Louis Alexander addressed the Board with the following statement (hereto attached): Thank you Supervisor Wurtemberger. As indicated, I will be providing an overview of the Findings Statement. Adoption of the Findings Statement represents the concluding step in the SEQRA review process. As you know, this process has included the preparation of a draft environmental impact statement, a public comment period, a televised public hearing on the draft environmental impact statement, and the completion of a final environmental impact statement.

A findings statement is defined by the SEQRA regulations to be a written statement that is prepared after a final environmental impact statement has been filed. It considers the relevant environmental impacts in the environmental impact statement, weighs and balances these impacts and balances various considerations, provides a rationale for decision and certifies that the SEQRA requirements have been met.

The Department of Environmental Conservation has prepared a form for local and state agencies to use in preparing a Findings Statement and that form has been used for this project. The

form itself is quite straightforward. As you will note, on the front side of the form is an entry for Name of the Action, which is the construction of the new municipal center. There follows a line for a description of the action and a line for the project's location.

The next entry is for agency jurisdictions. This entry lists the various agencies which have permits, approvals or reviews of the project. These agencies are included in the attachment under agency jurisdictions. The next entry is for the filing date of the final environmental impact statement. As noted, the final environmental impact statement was filed on December 19th.

The last entry on the first page relates to the facts and conclusions relied upon to support the decision on the project. A comprehensive attachment has been prepared that provides a summary from the draft and environmental impact statement on the project. This attachment includes sections on: background, which delineates certain of the key dates in the SEQRA process, project description, purpose, need and benefits of the project, construction activities, environmental issues relating to geology, topography and soils, water resources, air quality, vegetation, wildlife and wetlands, soils and agricultural resources, traffic-related aspects, land use and zoning, community services, demographics, and historical, archeological and architectural resources, unavoidable impacts, alternatives, resource commitments and growth-inducing aspects.

These various sections track, in large part, the primary sections of the environmental impact statement and summarize their key facts and findings.

The Findings Statement also notes various mitigation measures that will be implemented for this project.

There are two minor clarifications that should be noted to the Findings Statement. On page 5, item #4, there is a reference to "Nationwide Permit". That is a permit issued by the Army Corps of Engineers. On page 7, under "Community Services", I would like to note that the new center would be handicapped accessible.

The back page of the Findings Statement form includes a Certification of Findings to Approve the Project. The proposed resolution before you today includes this certification language in the next to the last Resolved Clause.

Mr. Supervisor, this concludes my presentation. I would like to add that Kim Parker and I have enjoyed the opportunity to work with this Board on this process over the last few months and I would be happy to respond to any questions related to the Findings Statement Form the Board may have.

Supervisor Wurtemberger asked the Board if they had any questions of Lou Alexander.

Upon hearing no questions from the Board Members, Supervisor Wurtemberger introduced the following resolution.

RESOLUTION #138-97

Findings Statement - SEQRA

Proposed Municipal Center

Supervisor Wurtemberger moved and Councilman Trupia seconded the following resolution:

WHEREAS, the Town Board of the Town of Sand Lake ("Town Board") has been designated as lead agency for purposes of conducting the environmental review pursuant to the State Environmental Quality Review Act ("SEQRA") for the construction of a municipal center off of Eastern Union Turnpike in the hamlet of Averill Park, Town of Sand Lake, New York (the "Project");

WHEREAS, the Project will provide for new and modern space for the Town of Sand Lake Library and municipal offices, as well as meeting rooms for local community organizations;

WHEREAS, by Resolution No. 97 of 1997 adopted on August 13, 1997, the Town Board directed that an environmental impact statement be prepared on the Project;

WHEREAS, a Draft Environmental Impact Statement ("DEIS") was prepared and the Town Board, By Resolution No. 125 of 1997, adopted on November 12, 1997, determined that the DEIS was complete in scope and content and adequate for public review and directed that it be filed and circulated in accordance with the SEQRA requirements;

WHEREAS, a public hearing was held on the DEIS on December 2, 1997 at the Town Hall in Sand Lake, New York, and a period of public comment was provided until December 15, 1997;

WHEREAS, a Final Environmental Impact Statement ("FEIS) was prepared which incorporated the DEIS by reference, included the comments received on the DEIS and identified their sources,

contained responses to the substantive comments received, and included additional material on the Project, including modifications to the DEIS;

WHEREAS, the Town Board reviewed the FEIS and , by Resolution No. 137 of 1997, adopted on December 18, 1997, determined that the FEIS was complete, and authorized the filing of a Notice of Completion and the public distribution of the FEIS;

WHEREAS, in accordance with the SEQRA regulations, a proposed Findings Statement has been prepared for consideration by the Town Board for the Project; and

Supervisor Wurtemberger moved and Councilman Trupia seconded the motion to amend the resolution to add the following verbiage underlined:

WHEREAS, the Town Board has reviewed the Findings Statement, including the facts and conclusions in the FEIS that have been relied upon to support the Findings Statement and the comments that have been presented at the meeting of the Town Board of this date.

NOW THEREFORE BE IT RESOLVED, that the Town Board makes the findings set forth in the Findings Statement, which is attached to, and is part of, this resolution, and be it further

RESOLVED, that the Town Board, having considered the DEIS, the FEIS and the Findings Statement and public comment relating thereto has determined that (a) the requirements of SEQRA have been met; (b) consistent with the social, economic and other essential considerations from among the reasonable alternative thereto, the Project approved is one which minimizes or avoids adverse environmental effects to the maximum extent practicable, including the effects disclosed in the environmental impact statement; and (c) consistent with social, economic and other essential considerations, to the maximum extent practicable, adverse environmental effects revealed in the environmental impact statement process will be minimized or avoided by incorporating as conditions to the decision those mitigative measures which were identified as practicable, and be it further

RESOLVED, that the Town Board directs that the Findings Statement be signed by the Town Supervisor and that copies be filed in accordance with the SEQRA regulations.

AMENDMENT ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 4; NAYS - 1 (FASOLDT)

RESOLUTION #139-97

Proposed Municipal Center Project

Supervisor Wurtemberger moved and Councilman Trupia seconded the following resolution:

WHEREAS, the Town Board of the Town of Sand Lake ("Town Board") has been considering the construction of a municipal center off of Eastern Union Turnpike in Averill Park, Town of Sand Lake, New York (the "Project");

WHEREAS, the Project will provide for new and modern space for the Town of Sand Lake Library and municipal offices, as well as meeting rooms for local community organizations;

WHEREAS, the Town Board, as lead agency, has completed the environmental review on the Project pursuant to the New York State Environmental Quality Review Act, including the preparation of an Environmental Impact Statement and the adoption of a Findings Statement, and has directed that a Findings Statement be filed;

WHEREAS, the Project will provide significant benefits to the Town and its residents;

NOW, THEREFORE BE IT RESOLVED, that the Town Supervisor is authorized to direct the preparation and submission of all applications necessary for the Project and to undertake all other activities necessary to implement the Project.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 4; NAYS: 1 - (FASOLDT)

RESOLUTION #140-97

Budget Amendment and Transfer

Supervisor Wurtemberger moved and Councilwoman Dunn seconded the following resolution:

WHEREAS, it is desirous to earmark monies to pay for settlement and litigation costs associated with the current landfill lawsuit against the Town, for costs of landfill upgrade and post-closure care; and

WHEREAS, the State Comptroller's Office considers a surplus of over 10% in the General Fund as excessive; and

WHEREAS, it would be fiscally prudent to reduce monies in the General Fund and increase monies in the Capital Reserve for Landfill Closure;

NOW THEREFORE BE IT RESOLVED, that the 1997 Budget is amended in the General Fund to appropriate \$400,000 in account A9901.9 (Transfer to Other Funds) to be funded by appropriating additional fund balance in the amount of \$400,000 pursuant to section 112 of Town Law, and that a transfer of funds is authorized in the amount of \$400,000 from the General Fund to the Capital Reserve for Landfill Closure.

Councilwoman Fasoldt moved to table the resolution and upon receiving no second motion was defeated.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 4; NAYS: 1 - (FASOLDT)

RESOLUTION #141-97

Budget Transfers

Supervisor Wurtemberger moved and Councilwoman Dunn seconded the following resolution:

FROM TO AMOUNT

A1110.2 Justice (Equip.)	A1110.1 Justice (Pers. Serv.)	\$ 998.63
A1450.1 Elections (Pers. Serv.)	A1410.1 Town Clerk (Pers. Serv.)	1,549.62
A1430.2 Personnel (Equip.)	A1430.1 Personnel (Pers. Serv.)	600.00
A1430.4 Personnel (Cont.)	A1430.1 Personnel (Pers. Serv.)	436.91
A1450.1 Elections (Pers. Serv.)	A1430.1 Personnel (Pers. Serv.)	500.65
A1320.4 Auditing	A1490.1 Public Works (Pers. Serv.)	2,347.48
A1650.2 Central Comm. (Equip.)	A1650.4 Central Comm. (Cont.)	89.00
A1320.4 Auditing	A1670.4 Central Printing & Mailing	12.00
A1450.1 Elections (Pers. Serv.)	A3620.1 Safety Insp.	31.87
A9050.8 Unemployment Ins.	A3620.1 Safety Insp.	1,938.54
A7310.4 Youth Program (Cont.)	A7310.1 Youth Program (Pers. Serv.)	356.75
A8010.4 Zoning (Cont.)	A8010.1 Zoning (Pers. Serv.)	202.55
A8020.4 Planning (Cont.)	A8020.1 Planning (Pers. Serv.)	820.04
A8160.4 Refuse & Garbage (Cont.)	A8160.1 Refuse & Garbage (Pers. Serv.)	205.76
DA5130.4Machinery (Cont.)	DA5110.4 Street Maint. (Cont.)	9,932.44
DA5110.1Street Maint. (Pers Serv.)	DA5110.4 Street Maint. (Cont.)	772.12
DA5142.1Snow Removal (Pers Serv)	DA5110.4 Street Maint. (Cont.)	2,693.96

DA5142.1 Snow Removal (Pers Serv) DA5142.4 Snow Removal (Cont.) 3,453.13

SS8110.4 Administration (Cont.) SS8110.1 Administration (Pers. Serv.) 138.32

SS9050.8 Unemployment Ins. SS8120.4 Sewer Collect. (Cont.) 6,671.59

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESOLUTION #142-97

December 1997 Fund Warrant #2

Councilman Glasser moved and Councilman Trupia seconded the motion to approve the December 1997 Fund Warrant as audited.

A-General Fund: \$5359.94; DA-Highway Fund: \$6,078.13; H006-Landfill Closing Capital: \$140.00; H011-Water Study: \$10,851.43; H014-Municipal Center Project: \$13,242.86; SS-Sewer: \$5,730.00; Total Fund Warrant: \$41,402.36.

RESOLUTION ADOPTED BY THE FOLLOWING VOTE: UNANIMOUS

RESIDENTS WHO ADDRESSED THE BOARD DURING COMMENT PERIOD:

Christine Perry - addressed the Board requesting the members to reconsider passing any legislation regarding the proposed municipal center.

Justin Schultz - addressed the Board asking them to list all papers that need to be filed regarding the Findings Statement.

Woody Hacker - addressed the Board encouraging the members to move forward with any legislation necessary to build the proposed municipal center.

Nancy Kelley - addressed the Board asking if the Supervisor will be entering into any contracts regarding the proposed municipal center.

John Stockman - addressed the Board regarding the 1998 Budgeted line item for the Commissioner of Public Works pertaining to salaries and expenses in the 1996 Budgeted line item for engineering.

MEETING ADJOURNMENT

Councilman Trupia moved and Councilman Glasser seconded the motion to adjourn the Special Meeting at 8:20 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