

1998

ORGANIZATIONAL MEETING

January 1, 1998

An Organizational Meeting of the Sand Lake Town Board was held on January 1, 1998 at 12:00 noon at the Sand Lake Town Hall with the following members present:

PRESENT: Supervisor Douglas Kelley
 Councilwoman Nancy Dunn
 Councilman Joseph Trupia
 Councilwoman Flora Fasoldt
 Councilman Jack Welcome

OTHERS PRESENT: Christine M. Kronau, Town Clerk; Arthur Mardon, Bernie Mardon, John Stockman, Justin Schultz, Colleen Regan, Florence Slavin, Joyce Teal, Barbara Biittig, Pat Detmar, Bob Burr ridge, Linda Reynolds, Dave Reynolds, Ray Gaddor, Denise King, Linda Weaver, James Smyth, Harold Roder, Steve Robelotto, Jason Robelotto, Timothy Fiato, Fred Schreyer, Arleen Obermayer and others.

RESOLUTION 1: Supervisor Kelley moved and Councilwoman Fasoldt seconded the following resolution:

BE IT RESOLVED, THAT THE FOLLOWING Procedural Rules for the Town of Sand Lake Board meetings are hereby adopted.

Procedural Rules for Town of Sand Lake Board meetings;

1. Town residents shall be allowed up to (5) minutes to speak upon recognition of the supervisor. A period of up to one half-hour for such discussion shall precede and follow the general business agenda.

The supervisor, at his discretion, may limit discussion which is not relevant to Town business or is repetitive, abusive or tends to unduly or unfairly prolong the meeting.

2. No member of the public shall engage in any demonstration, booing, hand clapping or otherwise disrupt the formality of a Town Board meeting.

3. Any person wishing to speak, after being recognized by the supervisor, shall first state their name and address.

4. All questions from residents shall be directed to the supervisor who may either answer them, or refer them to a Town Board member or to the Town Attorney.

5. Agenda items may be rearranged, added or deleted at the discretion of the supervisor.

6. All reports submitted to the Town Board shall be in writing. A summary of each report may be made orally.

7. All matters or items to be placed on the agenda shall be submitted to the Town Clerk by noon Wednesday two weeks preceding the meeting.

8. Requests for local laws and resolutions requiring legal preparation shall be submitted, via the Town Clerk, to the Town Attorney by the close of business on the Wednesday two weeks preceding the meeting.

9. The Town Clerk shall prepare the agenda and distribute copies to each Board Member's mail slot in Town Hall by noon on the Saturday two weeks preceding the meeting. Town Clerk shall call in or fax the agenda to the official newspaper and The Advertiser by noon on the Tuesday one week preceding the meeting.

10. Local laws and resolutions prepared by the Town Attorney at the direction of the supervisor shall be distributed to each Board Member's mail slot in Town Hall by noon on the Tuesday one week preceding the meeting.

11. The privacy of employees, prospective employees and other persons is to be respected. Personal matters are to be addressed only in Executive Session.

ADOPTED= AYES 5 NAYS 0

RESOLUTION 2: Supervisor Kelley moved and Councilwoman Fasoldt 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, New York at 7:30 p.m.

ADOPTED= AYES 5 NAYS 0

RESOLUTION 3: Supervisor Kelley moved and Councilman Trupia seconded the following resolution:

BE IT RESOLVED, that THE RECORD is the official newspaper of the Town.

ADOPTED= AYES 5 NAYS 0

RESOLUTION 4: Supervisor Kelley moved and Councilman Welcome seconded the following resolution:

BE IT RESOLVED, that pursuant to Section 64 of the Town Law, the following institutions be and they hereby are designated depositories of all monies received:

Key Bank, Fleet Bank, OnBank & Trust, and Trustco.

ADOPTED= AYES 5 NAYS 0

RESOLUTION 5: Supervisor Kelley moved and Councilman Welcome Seconded the following resolution:

BE IT RESOLVED, that a fee of \$15.00 shall be charged for each check tendered to the Town or any of its Boards or Officers and returned for insufficient funds, closed account or stopped payment.

ADOPTED= AYES 5 NAYS 0

RESOLUTION 6: Supervisor Kelley moved and Councilwoman Fasoldt seconded the following resolution:

BE IT RESOLVED. That Town Supervisor Kelley may use a facsimile signature, such as in a rubber stamp, facsimile, or other device, to sign checks on behalf of the Town of Sand Lake.

ADOPTED= AYES 5 NAYS 0

RESOLUTION 7: Supervisor Kelley moved and Councilwoman Fasoldt seconded the following resolution:

BE IT RESOLVED, that the salaries of Town Officers and employees shall be as set forth in the 1998 Town Budget except as otherwise specified by resolution.

ADOPTED= AYES 5 NAYS 0

RESOLUTION 8: Supervisor Kelley moved and Councilman Welcome seconded the following resolution:

BE IT RESOLVED, that the rate for overtime pay for hourly paid highway and sewer employees is one and one-half (1 1/2) times the regular pay rate.

ADOPTED= AYES 5 NAYS 0

RESOLUTION 9: Supervisor Kelley moved and Councilwoman Dunn seconded the following resolution:

BE IT RESOLVED, that Town Officials and employees using their own vehicles for Town business shall be allowed the standard rate established by the Internal Revenue Service.

ADOPTED= AYES 5 NAYS 0

RESOLUTION 10: Supervisor Kelley moved and Councilman Welcome seconded the following resolution:

BE IT RESOLVED, that the following days are designated paid holidays: New Years Day, Martin Luther King, Jr. Day, Presidents Day, Good Friday, Memorial Day, Independence Day, Labor Day, Veterans' Day, Thanksgiving Day, day after Thanksgiving and Christmas.

ADOPTED= AYES 5 NAYS 0

RESOLUTION 11: Supervisor Kelley moved and Councilwoman Fasoldt seconded the following resolution:

BE IT RESOLVED, that John Stockman is appointed Town Attorney.

ADOPTED= AYES 5 NAYS 0

RESOLUTION 12: Supervisor Kelley moved and Councilwoman Dunn seconded the following resolution:

BE IT RESOLVED, that Fred Schreyer is appointed Deputy Town Attorney for Planning, Zoning and Sewers.

ADOPTED= AYES 5 NAYS 0

RESOLUTION 13: Supervisor Kelley moved and Councilwoman Fasoldt seconded the following resolution:

BE IT RESOLVED, that Chris Kronau is appointed Registrar of Vital Statistics.

ADOPTED= AYES 5 NAYS 0

RESOLUTION 14: Supervisor Kelley moved and Councilman Welcome seconded the following resolution:

BE IT RESOLVED, that Arleen Obermayer is appointed Deputy registrar of Vital Statistics.

ADOPTED= AYES 5 NAYS 0

RESOLUTION 15: Supervisor Kelley moved and Councilwoman Fasoldt seconded the following resolution:

BE IT RESOLVED, that Justin Schultz is appointed to the Planning Board for a term ending December 31, 2004.

ADOPTED= AYES 4 NAYS 0 ABSTENTION 1 (Councilwoman Dunn)

RESOLUTION 16: Supervisor Kelley moved and Councilwoman Fasoldt seconded the following resolution:

BE IT RESOLVED, That Justin Schultz is appointed Chairman of the Planning Board.

ADOPTED= AYES 4 NAYS 0 ABSTENTION 1 (Councilwoman Dunn)

RESOLUTION 17: Supervisor Kelley moved and Councilwoman Fasoldt seconded the following resolution:

BE IT RESOLVED, that Tim Fiato is appointed to the Zoning Board of Appeals for a term ending December 31, 2002.

ADOPTED= AYES 3 NAYS 2 (Councilwoman Dunn and Councilman Trupia voting Nay)

RESOLUTION 18: Supervisor Kelley moved And Councilwoman Fasoldt seconded the following resolution:

BE IT RESOLVED, that Tim Fiato is appointed Chairman of the Zoning Board of Appeals.

ADOPTED= AYES 3 NAYS 2 (Councilwoman Dunn and Councilman Trupia voting Nay)

RESOLUTION 19: Supervisor Kelley moved and Councilwoman Dunn seconded the following resolution:

BE IT RESOLVED, that Frank Allen is appointed the Clerk to the Zoning Board of Appeals.

ADOPTED= AYES 5 NAYS 0

RESOLUTION 20: Supervisor Kelley moved and Councilwoman Fasoldt seconded the, following resolution:

BE IT RESOLVED, that Tami Thibeault is appointed Clerk/Data Collector for the Assessor

Colleen Regan objected to this appointment stating Local Law 3 which is in the books.

ADOPTED= AYES 3 NAYS, 0 ABSTENTION 2 (Councilwoman Dunn and Councilman Trupia)

RESOLUTION 21: Supervisor Kelley moved and Councilwoman Fasoldt seconded the following resolution:

BE IT RESOLVED, that Peggy Burkart is appointed the Court Clerk of the Town of Sand Lake and that the Town Clerk is directed to solicit the advice and consent of the Town Justices to the appointment.

ADOPTED= AYES 5 NAYS 0

RESOLUTION 22: Supervisor Kelley moved and Councilman Welcome seconded the following resolution:

BE IT RESOLVED, that Jason Robelotto is appointed Court officer, and that the Town Clerk is requested to solicit the advice and consent of the Town Justices to this appointment.

ADOPTED= AYES 5 NAYS 0

RESOLUTION 23: Supervisor Kelley moved and Councilman Welcome seconded the following resolution:

BE IT RESOLVED: that Steve Robelotto is appointed Public Works Commissioner, and it is further resolved that such position shall include the duties of a Deputy Commissioner of Building, Zoning and Code Enforcement, as well as a Sewer Inspector. It is further resolved that the salary of the position of Public Works Commissioner shall be \$31,494.00 per year.

ADOPTED= AYES 3 NAYS 0 ABSTENTION 2 (Councilwoman Dunn and Councilman Trupia)

RESOLUTION 24: Supervisor Kelley moved and Councilwoman Fasoldt seconded the following resolution:

BE IT RESOLVED, that Joel Hunt is appointed Deputy Commissioner of Highways.

ADOPTED= AYES 5 NAYS 0

RESOLUTION 25: Supervisor Kelley moved and Councilwoman Fasoldt seconded the following resolution:

BE IT RESOLVED, that Raymond Hernick is appointed Deputy Commissioner of Sewers.

ADOPTED= AYES 5 NAYS 0

RESOLUTION 26: Supervisor Kelley moved and Councilman Welcome seconded the following resolution.

BE IT RESOLVED, that in lieu of the filing and publishing requirements set forth in Town Law 29 (10), the Supervisor shall submit to the Town Clerk within 60 days after the close of the fiscal year, a copy of his report to the State Comptroller, and that the Town Clerk shall publish a summary of such report within 10 days in the official newspaper of the town as permitted by Town Law 29 (10-a). In the event the filing of the annual report is extended by the State Comptroller, the Supervisor's time for filing a copy of the report with the Town Clerk is likewise extended.

ADOPTED= AYES 5 NAYS 0

RESOLUTION 27: Supervisor Kelley moved and Councilwoman Fasoldt seconded the following Resolution:

BE IT RESOLVED, that Mark Petrone is appointed Public Works Maintenance Worker.

ADOPTED= AYES 5 NAYS 0

RESOLUTION 28: Supervisor Kelley moved and Councilman Welcome seconded the following resolution:

BE IT RESOLVED, that the position of Secretary to the Highway Department and Sewer Department is created to carry out such duties as the Commissioner of Public Works, Deputy Commissioner of Highways, or the Deputy Commissioner of Sewers may direct, and be it further resolved that Linda Reynolds is appointed to the position of Secretary to the Highway Department and Sewer Department to serve at the pleasure of the Town Board at an hourly rate of \$8.57/hr.

ADOPTED= AYES 5 NAYS 0

RESOLUTION 29: Supervisor Kelley moved and Councilwoman Fasoldt seconded the following resolution:

BE IT RESOLVED, that Yvonne Gannon is appointed Cable TV Camera Operator.

ADOPTED= AYES 5 NAYS 0

RESOLUTION 30: Supervisor Kelley moved and Councilwoman Fasoldt seconded the following resolution:

BE IT RESOLVED, that Barbara Biittig is appointed Receiver of Taxes.

ADOPTED= AYES 5 NAYS 0

RESOLUTION 31: Supervisor Kelley moved and Councilwoman Fasoldt seconded the following resolution:

BE IT RESOLVED, that Catherine Crawmer is appointed Animal Control Officer.

ADOPTED= AYES 5 NAYS 0

RESOLUTION 32: Supervisor Kelley moved and Councilman Welcome seconded the following resolution:

BE IT RESOLVED, that Charles Smyth is appointed Convenience Facility Attendant, and er be it resolved that the Town Convenience Facility on Chamberlin Road shall be open on Wednesdays from noon to 7 p.m.; and Saturdays from 7 a.m. to 3 p.m.

ADOPTED= AYES 5 NAYS 0

RESOLUTION 33: Supervisor Kelley moved and Councilman Welcome seconded the following resolution:

BE IT RESOLVED, that George Wright is appointed a Deputy Commissioner of Building, Zoning and Code Enforcement, and a Sewer Inspector.

ADOPTED= AYES 5 NAYS 0

RESOLUTION 34: Supervisor Kelley moved and Councilwoman Fasoldt seconded the following resolution:

BE IT RESOLVED, that Chris Kronau is appointed Freedom of Information Officer.

ADOPTED= AYES 5 NAYS 0

RESOLUTION 35: Supervisor Kelley moved and Councilwoman Fasoldt seconded the following resolution;

BE IT RESOLVED: that the sum of \$3,000.00 is transferred from A-1420.1 Personnel to A-1320.4 Auditor; and the sum of \$21,494.00 is transferred from A-3620.1 Safety Inspection to A-1490 1. Public Works Administration.

ADOPTED= AYES 5 NAYS 0

RESOLUTION 36: Supervisor Kelley moved and Councilwoman Fasoldt seconded the following resolution:

BE IT RESOLVED: that the following individuals are hereby authorized to attend a conference scheduled for January 5th and 6th, 1998, in Albany held by the Association of Towns for new Town Officers, and that all actual & necessary expenses shall be paid by the Town. Chris Kronau, Arleen Obermayer, Steve Robelotto and John Stockman

ADOPTED= AYES 5 NAYS 0

RESOLUTION 37: Supervisor Kelley moved and Councilman Welcome seconded the following resolution:

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

ADOPTED= AYES 5 NAYS 0

COMMITTEE ASSIGNMENTS

COUNCILWOMAN DUNN Cable TV

Street Lighting

COUNCILMAN TRUPIA Insurance Animal

Control

COUNCILWOMAN FASOLDT Youth and Recreation

Library

COUNCILMAN WELCOME Emergency Services

Senior Citizens

SUPERVISOR KELLEY Grants Public Works

SUPERVISOR'S APPOINTMENTS

Secretary/Bookkeeper Denise King/Linda Weaver

Clerk/Typist Vacant

Auditor Mark Wittman

Historian Judy Rowe

Deputy Historian Vacant

Deputy Supervisor Steve Robelotto

TOWN CLERK'S APPOINTMENTS

Deputy Town Clerk Arleen Obermayer

RECEIVER OF TAXES APPOINTMENTS

Deputy Receiver of Taxes Patricia Detmar

On the motion of Supervisor Kelley the meeting was adjourned.

Respectfully submitted,

Christine M. Kronau

Town Clerk

REGULAR MONTHLY MEETING

January 14, 1998

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 Dunn
 Councilman Trupia
 Councilwoman Fasoldt
 Councilman Welcome
 Supervisor Kelley
 Attorney John H. Stockman

RECORDING SECRETARY: Town Clerk Christine M. Kronau

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

APPROVAL OF MINUTES: Supervisor Kelley moved that the minutes from the December 29, 1997 be approved.

MOTION CARRIED: Ayes 5 = Nays 0

Supervisor Kelley moved that the minutes from the Organizational Meeting of January 1st, 1998 be approved as amended. Resolution # 17 should read a term of five years ending December 31, 2002.

MOTION CARRIED: Ayes 5 = Nays 0

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

SUPERVISOR'S REPORT: Supervisor Kelley announced that Christine Perry has volunteered to investigate alternative's and alternative sites concerning the municipal center. The 1997 year end balances have yet to be determined. Our auditor is preparing the annual audit which is required by Town Law. He states that sales tax revenues will be less this year. At this time Supervisor Kelley read a letter concerning zoning which he will be sending to various organizations and business people in town. This is on file in the Town Clerk's office. Supervisor Kelley received a report from Smith & Mahoney, Engineers in charge of monitoring the landfill. Every one of the wells at the landfill show contamination. The Engineers will be advising the Town Board as to this matter. He also apologized for the problem with the phones.

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

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

BUSINESS:

RESOLUTION #38

1998 Association of Towns Training School and Annual Meeting

Supervisor Kelley moved and Councilwoman Fasoldt seconded the following resolution:

BE IT RESOLVED, that the following Town Officials are hereby authorized to attend the 1998 Annual Training School and Annual Meeting of the New York State Association of Towns in New York City February 15 - 18, 1998, and each shall be advanced or compensated up to \$500.00 for their documented actual and necessary expenses. Councilwoman Flora Fasoldt; Town Attorney John H. Stockman; and Commissioner of Public Works Steve Robelotto.

BE IT RESOLVED, that Councilwoman Flora Fasoldt is appointed the Town's official Delegate and that Steve Robelotto is appointed Alternate Delegate to the Association of Towns Annual Meeting.

ADOPTED= AYES 5 NAYS 0

RESOLUTION #39

ANIMAL SHELTER AGREEMENT

Councilwoman Flora Fasoldt moved and Councilman C, Joseph Trupia 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.

ADOPTED= AYES 5 NAYS 0

RESOLUTION #40

ACKNOWLEDGEMENT OF LIBRARY TRUSTEE BARBARA MARTINAGE

Councilman C. Joseph Trupia moved and Councilwoman Nancy Dunn seconded the following resolution:

WHEREAS, Barbara Martinage has served the Town of Sand lake for eleven years in her capacity as a Trustee for the Sand Lake Town Library; and

WHEREAS, Ms. Martinage is one of the Founding Trustees for the Sand Lake Town Library and the last Founding Trustee to serve as a member of the Library's Board of Trustees; and

WHEREAS, at various times during her tenure as Trustee, Ms. Martinage has served as Secretary, Treasurer, Vice President, and President of the Board of Trustees; and

WHEREAS, as a Library Trustee, Ms. Martinage has been a moving force in maintaining the Sand Lake Town Library's professional standards at the highest levels; and

WHEREAS, Ms. Martinage was instrumental in helping the Library meet New York State Library standards and, in so doing, helped the Library receive its New York State permanent library charter; and

WHEREAS, Ms. Martinage has volunteered countless hours representing the Sand Lake Town Library on other professional boards, committees, and workshops including the Upper Hudson Library System board, the Central Library Advisory board, and the Trustees' Institute; and

WHEREAS, through her determination to computerize the Sand Lake Town Library, Ms. Martinage helped the Library become one of the first small libraries in the area to be tied into an on-line network; and

WHEREAS, throughout her years of service as a Trustee, Ms. Martinage has unfailingly worked for the future growth and continued success of the Sand Lake Town library in a tireless, committed, and professional manner, and as such, has been always responsive to the needs of the people of Sand lake;

THEREFORE, be it resolved, that with appreciation, respect, and wholehearted gratitude the Town of Sand lake recognizes Barbara Martinage's years of dedication and service to the Sand Lake Town Library and to the people of Sand Lake.

ADOPTED= AYES 5 NAYS 0

At this point in the meeting of the Town Board, Insurance bids were received and opened by the Town Clerk and presented to each of the Board Members

JANUARY 1998 FUND WARRANT

Supervisor Kelley moved and Councilman Jack Welcome seconded the motion to approve the January 1998 Fund Warrant as audited General Fund of December 1997 \$5,908.65; Highway Fund of December 1997 \$7,989.96; Sewer Fund of December 1997 \$1,049.35; Sand Lake Lighting Fund of December 1997 \$5,572.57 and General Fund of January 1998 \$8,098.50 for a Total Fund Warrant of \$28,619.03.

At this time Supervisor Kelley again opened the meeting to Town residents. Frank Allen introduced Timothy Fiato, the new member of the Zoning Board and Mr. Allen thanked the Board for allowing him to continue his service to the Town as clerk to the Zoning Board. Mr. Ed Patanian also addressed the Board concerning the Insurance process.

EXECUTIVE SESSION

Supervisor Kelley moved to adjourn the Board Meeting and move into Executive Session at 8:25p.m. to discuss negotiations on Hubbard vs. The Town of Sand Lake.

MOTION CARRIED: UNANIMOUS

Supervisor Kelley moved and Councilman Welcome seconded the motion to adjourn the Executive Session and reconvene the Board meeting at 8:40 p.m..

MOTION CARRIED: UNANIMOUS

MEETING ADJOURNMENT

Supervisor Kelley moved and Councilman C. Joseph Trupia seconded the motion to adjourn the Board meeting at 8:41 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,

Christine M. Kronau

Town Clerk

REGULAR MONTHLY MEETING

February 11, 1998

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 Dunn

 Councilman Trupia

 Councilwoman Fasoldt

 Councilman Welcome

 Supervisor Kelley

 Attorney Stockman

RECORDING SECRETARY: Town Clerk, Christine M. Kronau

OTHERS PRESENT: Paul Blanchet, Justin Schultz, Lois Schultz, Linda Reynolds, Tom Cipperly, Rosemary Brennan Quinn, May Roberts, Bob Burridge, Frank Fleming, Christine Perry, Nancy Kelley, Dave Fazioli, Dana Luste, Sean Maloney, Steve Robelotto, Frank Allen, Sophie Butwell, Ed Patanian, Mrs. Fiato, Cheryl Foland, Ed Martin, Denise King, Harry Ackner, Fred Schreyer and others.

APPROVAL OF MINUTES: Councilman Trupia moved and Councilwoman Dunn seconded that the minutes from the January 14, 1998 meeting be approved.

MOTION CARRIED: AYES 5 NAYS 0

TOWN CLERK'S REPORT: On file in the Clerk's Office as submitted. SUPERVISOR'S REPORT: Supervisor Kelley announced that we are now using PAYCHEX, a company located in New York State. It will be handling our payroll and payroll related reporting services. The cost is comparable to the company we were formally using. Shaker Computer will continue to handle our municipal bookkeeping needs. On February 9th, 1998 the State Comptroller's office visited the town and set up the program for reporting the annual financial report. We have requested and received an extension to May for filing the annual report. This is a common practice for new administrations. I have met with other individuals, town residents and a company called MBIA. This is a financial investment program which gives some flexibility

in using our funds. It is a nice financial tool. I have also asked the State Police to patrol Gettle Road in order to protect the children and residents and to make sure they are off the road and in a safe area.

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

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

COMMENTS FROM RESIDENTS:

Rosemary Brennan Quinn, The Record;

The Supervisor opened his phone lines for calls from residents at home. He received about six phone calls.

Ed Patanian, Garner Road, Averill Park, New York 12018 commented about the Planning Board Committee regarding the review of the street light policy.

Sean Maloney, Sand Lake Town Library Trustee had questions regarding the status of the Library Building.

Christine Perry, Municipal Center Volunteer gave a status report on her review of alternative sites.

BUSINESS:

RESOLUTION #41

Insurance Coverage Award

Councilwoman Fasoldt moved and Councilman Trupia seconded the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Sand Lake hereby awards the quotation for insurance to the below named insurance agency, said agency having fulfilled all of the requirements set forth by the Town to produce said quotation, for the policy year beginning March 1, 1998; and,

BE IT FURTHER RESOLVED, that the Town Board of the Town of Sand Lake hereby enters into an agreement with the agency for the provision, oversight and maintenance of all of the insurance needs of the Town as contained in the bid specifications transmitted to all agencies seeking to quote insurance for the Town.

AND BE IT FURTHER RESOLVED, that the Agency so stated will endeavor to provide the Town ninety (90) days prior to renewal quotations stipulating the renewal premium for all lines of insurance.

AND BE IT FURTHER RESOLVED, that the D. A. Fazioli and Son, Inc. be awarded the Town's Insurance Bid pursuant to the terms and conditions set forth in the specifications and their bid proposal for the succeeding three years.

ADOPTED= AYES 5 NAYS 0

RESOLUTION #42

Appointment - Youth Program Supervisor

Councilwoman Fasoldt moved and Councilwoman Dunn seconded the following resolution:

BE IT RESOLVED, that Lynn Hamel is appointed Youth Program Supervisor for the Town of Sand Lake.

ADOPTED= AYES 5 NAYS 0

RESOLUTION #43

Appointment - Camp Director

BE IT RESOLVED, that Tracey Albanese is appointed Camp Director for the Town of Sand Lake.

ADOPTED= AYES 5 NAYS 0

RESOLUTION #44

Schedule Public Hearing

BE IT RESOLVED, that a public hearing will be held on March 11, 1998 at 7:30 a.m. at Town Hall, Rt. 43 Sand Lake, New York 12153 to consider a proposed Local Law titled: A LAW TO INCREASE THE MAXIMUM ALLOWABLE ALTERNATIVE VETERANS EXEMPTION and numbered Local Law Number One of 1998. BE IT RESOLVED, that a public hearing will be held on March 11, 1998 at 7:30 p.m. at Town Hall, Rt. 43 Sand Lake, New York 12153 to consider a proposed Local law titled: A LOCAL LAW TO ENACT AN EXEMPTION FOR PROPERTY OWNED BY PHYSICALLY DISABLED TAXPAYERS, and numbered Local Law Number Two of 1998.

BE IT RESOLVED, that a public hearing will be held on March 11, 1998 at 7:30p.m. at Town Hall, Rt. 43 Sand Lake, New York 12153 to consider a proposed Local law titled: AUTHORIZATION OF COMMISSIONER OF PUBLIC WORKS TO REMOVE VEHICLES FROM ROADWAYS DURING PUBLIC AND SNOW EMERGENCIES and numbered Local Law Number Three of 1998.

ADOPTED= AYES 5 NAYS 0

RESOLUTION #45

Appointment to the Town of Sand Lake Library Board of Trustees

Councilwoman Fasoldt moved and Councilman Welcome seconded the following resolution:

BE IT RESOLVED, that upon the recommendation of the library Board of Trustees, that Laura K. Davis is appointed as Trustee to the Sand Lake Town Library Board of Trustees for a term ending December 31, 2002.

ADOPTED= AYES 5 NAYS 0

RESOLUTION #46

Municipal Cooperation Resolution

WHEREAS, New York General Municipal Law, Article 5-G, Section 119-0 ("Section 119-0") empowers municipal corporations (defined in Article 5-G, Section 119-N to include school districts, boards of cooperative educational services, cities, towns, and villages) and districts to enter into, amend, cancel and terminate agreements for the performance among themselves (or one for the other) of their respective functions, powers and duties on a cooperative or contract basis;

WHEREAS, The Town of Sand Lake, New York, wishes to invest certain of its available investment funds in cooperation with other municipal corporations and/or districts pursuant to a municipal cooperation agreement;

WHEREAS, The Town of Sand Lake, New York, wishes to assure the safety and liquidity of its funds;

NOW, THEREFORE, IT IS HEREBY RESOLVED:

The Town of Sand Lake Supervisor is hereby authorized to execute and deliver the Cooperative Investment Agreement in the name of and on behalf of the Town of Sand Lake, New York.

ADOPTED= AYES 5 NAYS 0

FEBRUARY 1998 FUND WARRANT

Supervisor Kelley moved and Councilwoman Fasoldt seconded the motion to approve the February 1998 Fund Warrant as audited; General Fund \$30,323.90; Highway Fund \$33,176.07; Sewer Fund \$3,240.77; and HO14 Fund for \$704.11 for a total warrant of \$67,444.85.

MOTION CARRIED: AYES 5 NAYS 0

COMMENTS FROM RESIDENTS:

Frank Allen; Traffic Safety Board reported on the traffic light at the intersection of NY 150 and County Route 55.

Ed Patanian, Garner Road Averill Park, New York spoke on research project for municipal alternatives and alternative sites.

Supervisor Kelley moved to adjourn the Board meeting and move into Executive Session at 8:56p.m. to discuss negotiations on 2 Tax Certiori Cases and the Hubbard v Town of Sand Lake.

MOTION CARRIED: UNANIMOUS

Supervisor Kelley moved to adjourn the Executive Session and reconvene the Board meeting at 9:12p.m.

MOTION CARRIED: UNANIMOUS

Supervisor Kelley moved and Councilwoman Fasoldt seconded the motion to adjourn the Board meeting.

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,

Christine M. Kronau

Town Clerk

REGULAR MONTHLY MEETING

March 11, 1998

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

PRESENT:

Councilwoman Dunn

Councilman Trupia

Councilwoman Fasoldt

Councilman Welcome

Supervisor Kelley

Attorney Stockman

RECORDING SECRETARY: Town Clerk Christine M. Kronau

OTHERS PRESENT: Duane Wehnau, Paul Blanchet, Justin Schultz, Linda Reynolds, Rosemary Brennan Quinn, Bob Burrige, Frank Fleming, Christine Perry, Nancy Kelley, Sean Maloney, Steve Robelotto, Frank Allen, Ed Patanian, Cheryl Foland, Linda Hastings, Timothy Fiato, Garth Slocum, Irv Sewell, Linda Weaver, Charles and Edna Burrige, Paul Glasser, Terry Turner, Betty Herman and others.

APPROVAL OF MINUTES: Supervisor Kelley made the motion that the minutes from the February 11, 1998 meeting be approved.

MOTION CARRIED: Ayes 5 = Nays 0

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

SUPERVISOR'S REPORT: Our 1997 financial audit report for the State of New York Comptroller's Office is coming along and should be ready by the end of the month. I will be delivering copies to the Town Clerk and the Town Board as soon as they are available. January and February's bank reconciliation are completed and balance exactly. We received the January 1998 Mortgage tax report from the County Clerk's Office. This revenue is generated twice a year. This revenue was 9% less than the same time period of the previous year. I received a letter from DEC concerning the costs and reimbursement for the landfill. We will be receiving \$864,000.00 which is half of the cost of the closure. This money will be put aside for future landfill remediation. In answer to one of the questions of the last Town Board meeting; the 43 Mall LTD is before the Planning Board trying to resolve certain problems concerning the parking and drainage of the mall. At this time there are very meager funds available through the HUD Program. Nevertheless, we are looking into other grant moneys which might become available. Our Public Works Commissioner has been checking on the debris problem on Tollgate Road which was called in last month. This will be taken care in the near future. The Town of Sand Lake will be receiving natural gas in the West Sand Lake area. Niagara Mohawk will be starting the construction in the Spring of 1998. Natural gas will be available to approximately 350 residences in the hamlet of West Sand Lake. We will keep the residents informed as this project progresses.

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

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

PUBLIC HEARINGS:

Please take notice that the Sand Lake Town Board will conduct the following Public Hearings at the Sand Lake Town Hall, Route 43, at 7:30 P.M. on Wednesday March 11, 1998 where all interested parties will be heard.

To consider adoption of a proposed local law entitled " A LOCAL LAW TO INCREASE THE MAXIMUM ALLOWABLE ALTERNATIVE VETERANS EXEMPTION".

To consider adoption of a proposed local law entitled "A LOCAL LAW TO ENACT AN EXEMPTION FOR PROPERTY OWNED BY PHYSICALLY DISABLED TAXPAYERS".

To consider adoption of a proposed local law entitled "AUTHORIZATION OF COMMISSIONER OF PUBLIC WORKS TO REMOVE VEHICLES FROM ROADWAYS DURING PUBLIC AND SNOW EMERGENCIES".

/s/

Christine M. Kronau, Town Clerk

Town Clerk Kronau read the proposed Local Law Number One. Supervisor Kelley opened the hearing to hear comments from local residents. As there were no comments from residents, Supervisor Kelley closed this portion of the Public Hearing.

Town Clerk Kronau read the proposed Local Law Number Two. Supervisor Kelley opened the hearing to hear comments from local residents. As there were no comments from residents, Supervisor Kelley closed this portion of the Public Hearing.

Town Clerk Kronau read the proposed Local Law Number Three. Supervisor Kelley opened the hearing to hear comments from local residents. Edward Patanian and Irv Sewell both spoke in relation to the amount of snow which would constitute an emergency and the cost of towing and storage for vehicles being removed from a site. Commissioner of Public Works, Steve Robelotto spoke of problems in and about some of the lake areas in town. Parking and lot size are at a minimum. This section of the Public Hearing was closed after all interested parties had spoke.

Supervisor Kelley moved and Councilman Welcome seconded the motion to adjourn the Public Hearing.

COMMENTS FROM RESIDENTS:

Irv Sewell, Taborton New York spoke about the new highway garage and if an Inspector had been on the construction site.

BUSINESS:

RESOLUTION # 47

Annual Review of Investment Policy

Supervisor Kelley moved and Councilwoman Fasoldt seconded to accept the Annual Review of the Investment Policy.

ADOPTED= AYES 5 NAYS 0

RESOLUTION # 48

Authorization for Training

Supervisor Kelley moved and Councilwoman Dunn seconded the following resolution:

BE IT RESOLVED, that Christine M. Kronau, Town Clerk, is hereby authorized to attend a conference scheduled for April 19 through April 22nd, 1998 in Saratoga New York, held by the New York State Town Clerks Association. All actual and necessary expenses shall be paid by the Town.

ADOPTED= AYES 5 NAYS 0

RESOLUTION # 49

Travel Request - Supervisor's Office

Supervisor Kelley moved and Councilwoman Fasoldt seconded the following resolution:

BE IT RESOLVED, that Denise King is authorized to attend a three day seminar titled Introduction to Municipal Bookkeeping to be held from March 24th through March 26th, 1998, by the New York State Comptroller's Office at Round Lake, Saratoga County.

ADOPTED= AYES 5 NAYS 0

RESOLUTION # 50

Travel Request- Building and Zoning Department

Supervisor Kelley moved and Councilman Welcome seconded the following resolution:

BE IT RESOLVED, that George Wright is authorized to attend a one day seminar on Basic venting of natural gas to be held on April 14, 1998.

ADOPTED= AYES 5 NAYS 0

RESOLUTION # 51

Proposed Local Law # 1 of 1998 “ A Law to Increase the Maximum Allowable Alternative Veterans Exemption”

Councilwoman Fasoldt moved and Supervisor Kelley seconded the following resolution:

WHEREAS, Chapter 417 of the Laws of the State of New York for 1997 has made amendments to Real Property Tax Law Section 458-a(2)(d), and

WHEREAS, as a result of those amendments the Town of Sand Lake has been authorized to adopt changes to 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 reward and compensate those residents who sacrificed their time and energy to defending this Country, in amounts commensurate with those allowed by the County of Rensselaer, as 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 March 11th, 1998.

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 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 twenty-one thousand dollars, fourteen thousand dollars, and seventy thousand dollars, respectively.

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

ADOPTED= AYES 3 NAYS 0 ABSTENTION 2 (Councilman Trupia and Councilman Welcome)

RESOLUTION # 52

Proposed Local Law # 2 of 1998 “ A Local Law to Enact an Exemption for Property Owned by Physically Disabled Taxpayers”

WHEREAS, the laws of the State of New York provide for the granting of a partial exemption from real property taxation for property owned by qualifying physically disabled persons, and

WHEREAS, a public hearing was duly called and held on March 11th, 1998, concerning the possible adoption of said exemption.

NOW, THEREFORE, be it enacted that:

1. The Town of Sand Lake, Rensselaer County, New York hereby enacts a Local law, designated Local Law Number Two and entitled “A Local Law to enact an Exemption for Property owned by Physically Disabled Taxpayers”.

2. That to qualify for a partial tax exemption based on physical disability for the purpose of the Local Law, an individual must comply with the requirements set forth in New York State Real Property Tax Law Section 459-c, and

5. That the Town of Sand Lake pursuant to New York State Real Property Tax Law Sections 459-c(1)(B) and 459-c(5)(A) adopts income eligibility schedule set forth herein, and

ANNUAL INCOME IN PERCENTAGE OF ASSESSED

DOLLARS VALUATION EXEMPT FROM

TAXATION

Up to 18500	50
18500 to 19500	45
19500 to 20500	40
20500 to 21500	35
21500 to 22400	30
22400 to 23300	25
23300 to 24200	20
24200 to 25100	15
25100 to 26000	10
26000 to 26900	5

4. That the Town of Sand Lake does not elect to allow taxpayers to offset income by all medical and prescription drug expenses actually paid which were not reimbursed or paid for by insurance, and

9. That such exemption shall be granted only upon application by the owner or all the owners of the real property in the manner set forth in New York State Real Property Tax Law Section 459-c, and

10. That if the assessor is satisfied that the applicant is entitled to an exemption pursuant to this Local law and the provisions of New York State real property tax Law Section 459-c, then the assessor shall approve the application and comply with the applicable procedures set forth in New York State Real property Tax Law Section 459-c for entering the exemption, and

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

ADOPTED= AYES 4 NAYS 0 ABSTENTION 1 (Councilman Welcome)

Local Law # 3 entitled “ Authorization of Commissioner of Public Works to Remove Vehicles from Roadways during Public and Snow Emergencies was tabled.

RESOLUTION # 53

Authorization for submission of Application for State Assistance for Landfill Closure

Councilman Trupia moved and Councilman Welcome seconded the following resolution:

WHEREAS, The Town of Sand Lake herein called the "Municipality" has hereby determined that certain work, as described in the State assistance application and any amendments thereof, herein called the "Project", is desirable and in the public interest; and

WHEREAS, Title 5 of Article 54 and Title 4 of Article 56 of the Environmental Conservation Law authorized State assistance payments to municipalities for closure of municipal landfills by means of a written agreement and the Municipality deems it to be in the public interest and benefit under this law to apply therein;

NOW, THEREFORE, BE IT RESOLVED BY the Town Board

1. That Douglas S. Kelley, Supervisor is directed and authorized as the official representative to act in connection with any application between the Municipality and the State, and to provide such additional information as may be required;
2. That one (1) certified copy of this Resolution be prepared and sent to the Director, Division of Solid & Hazardous Materials, New York State Department of Environmental Conservation, 50 Wolf Road, Albany, New York 12233-7250, together with the application; and
3. That this Resolution take effect immediately.

ADOPTED= AYES 5 NAYS 0

MARCH 1998 FUND WARRANT

Councilwoman Fasoldt moved and Councilwoman Dunn seconded the motion to approve the March 1998 Fund Warrant as audited; General Fund \$54,473.44; Highway Fund \$22,392.04; Sewer Fund

\$7,456.93; Street Lights \$5,572.57; Municipal Center Project Fund \$3,854.75; and Landfill Closing Capital Fund for \$3,097.95 for a total warrant of \$96,847.68.

MOTION CARRIED: AYES 5 NAYS 0

EXECUTIVE SESSION:

Supervisor Kelley made a motion to adjourn the Regular Town Board Meeting and move into Executive Session to discuss legal matters at 8:41P. M.

MOTION CARRIED: AYES 5 NAYS 0

At 8:49 p. m. the Executive Session was called to order. At this time we were counseled by Town Attorney John H. Stockman to accept the findings of Assessor Garth Slocum and the Attorneys for the 43 Mall Ltd. This agreement had been reached by the prior Supervisor, but was delayed due to final preparation of paper work.

Supervisor Kelley made the motion to adjourn the Executive Session and reconvene the Regular Town Board meeting at 9:09P.M.

MOTION CARRIED: AYES 5 NAYS 0

RESOLUTION # 54

43 Mall, LTD. vs. Town of Sand Lake

Supervisor Kelley moved and Councilman Welcome seconded the following resolution:

WHEREAS, a stipulation of settlement has been proposed by the attorneys for the parties to pending litigation between the 43 Mall, LTD and the Town of Sand Lake;

BE IT RESOLVED, that the stipulation of settlement of pending litigation between 43 Mall, LTD, and the Town of Sand lake be accepted by the Town Board and that the Supervisor is authorized to execute on its behalf.

ADOPTED= AYES 5 NAYS 0

Supervisor Kelley moved and Councilman Trupia seconded the motion to adjourn the meeting at 9:10 P. M.

MOTION CARRIED: AYES 5 NAYS 0

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

Respectfully Submitted,

Christine M. Kronau

Town Clerk

REGULAR MONTHLY MEETING

April 8, 1998

The regular monthly meeting of the Town Board of the Town of Sand Lake was called to order by Supervisor Kelley 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 Dunn
Councilman Trupia
Councilwoman Fasoldt
Councilman Welcome
Supervisor Kelley
Deputy Town Attorney Schreyer

RECORDING SECRETARY: Town Clerk Christine M. Kronau

OTHERS PRESENT: Paul Blanchet, Justin Schultz, Linda Reynolds, Rosemary Brennan Quinn, Bob Burrige, Frank Fleming, Christine Perry, Nancy Kelley, Steve Robelotto, Frank Allen, Ed Patanian, Cheryl Foland, Linda Hastings, Irv Sewell, Cindy Sewell, Charles and Edna Burrige, Terry Turner, Tami and Bob Thibeault, Art Handley, Dan Coiteux, Mrs. Roberts, Peter Prigger, Brian Hunt, Harry Ackner, Ray Loveridge and others.

APPROVAL OF MINUTES: Councilman Trupia moved and Councilwoman Dunn seconded to approve the March 11, 1998 Minutes as submitted.

MOTION CARRIED: UNANIMOUS

MONTHLY REPORTS:

TOWN CLERK - Christine Kronau

- Total fees submitted to the Supervisor for March 1998 - \$768.11
- Copy on file in the Town Clerk's Office

SUPERVISOR'S REPORT: Construction will soon begin on the DOT Project in West Sand Lake. I had a meeting today with Mr. Stevens from Malloy Construction . They are the contractors who will be doing the project. I will also be meeting with them tomorrow April 9, 1998 at 1:00 p. m. at Town Hall. Anyone interested is invited to attend. The project includes the widening of Route 43 from Meeler Road to Grange Road. They will be replacing three bridges and putting in sidewalks. Niagara Mohawk will be laying their gas line under the sidewalks. The trees to be saved have had a ribbon placed on them. They will also be reconstructing the entrance to the 43 Mall. During the month of May, we anticipate having a presentation concerning the Municipal Center Project. We have gathered all the letters from different community organizations and interested citizens concerning the Zoning regulations. They are available for public view in the Town Clerk's office during regular business hours. I received a report from Kestner Engineers regarding the Crooked Lake and Burden Lake Sewer Projects. A meeting with Kestner Engineers will be tomorrow morning at 10:00 a.m. if anybody is interested in attending. I received a correspondence from Senate Majority office of the Rensselaer County Legislature concerning The Environmental Management Council. They are asking for representatives from area towns to participate on this committee. If anyone is interested, please notify my office. This concludes my report.

BOARD MEMBER REPORTS:

CABLE - Councilwoman Nancy Dunn

STREET LIGHTING - Councilwoman Nancy Dunn

INSURANCE - Councilman Trupia

ANIMAL CONTROL - Councilman Trupia; on file in Clerk's Office

YOUTH AND RECREATION - Councilwoman Fasoldt

LIBRARY - Councilwoman Fasoldt

EMERGENCY SERVICES - Councilman Welcome; on file in Clerk's Office

SENIOR CITIZENS - Councilman Welcome; on file in Clerk's Office

COMMITTEE REPORTS:

PLANNING BOARD - Justin Schultz; on file in Clerk's Office

ZONING BOARD OF APPEALS - Frank Allen; on file in Clerk's office

COMMISSIONER OF PUBLIC WORKS - Steve Robelotto

MUNICIPAL PROJECT - Christine Perry

QUESTIONS AND COMMENTS FROM RESIDENTS:

Ed Patanian addressed the board with several concerns, including the 20/20 Committee, the Ethics law regarding the Planning Board and the Street Light Committee. He also commented on the green space regarding the DOT project on NY 43.

Irv Sewell commented on open government and the Planning Board.

Dan Holzer echoed Mr. Sewell's comments.

Frank Allen supports Mr. Schultz' involvement with the 20/20 Committee.

Rosemary Breenan Quinn from The Record questioned if all the Board has had an opportunity to hear the tapes of the last planning board meeting.

Mr. De Santis introduced himself regarding Timberland.

BUSINESS:

RESOLUTION # 55

Designation of Polling Places

Councilwoman Fasoldt moved and Councilman Welcome 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 Schoo	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

ADOPTED = AYES 5 NAYS 0

RESOLUTION # 56

Increment of Petty Cash Funds

Supervisor Kelley moved and Councilman Trupia seconded the following resolution:

BE IT RESOLVED, that A0210.003 is increased to \$100.00; and that A0210.0010 is increased to \$100.00; and that A0210.0010 is increased to \$125.00.

ADOPTED = AYES 5 NAYS 0

RESOLUTION # 57

Optional Health Care

Councilman Trupia moved and Councilwoman Dunn seconded the following resolution:

WHEREAS, the Town of Sand Lake wishes to provide quality Health care for its employees, and

WHEREAS, the Town wishes to provide flexibility in the selection of various co-pay options, and

WHEREAS, the current health care plan with the Capital District Physician's Health Plan, while excellent in its overall coverage, does not provide for flexibility in co-pay options, and

WHEREAS, the health care plan provided by Blue Shield of Northeastern new York does provide for several co-pay options while providing excellent health coverage,

BE IT RESOLVED, that the Town Board of the Town of Sand Lake Direct Supervisor Kelley to contract with Blue Shield of Northeastern new York to provide an additional source of health care for Town employees. Thus giving Town employees the option of selecting either the Capital District's Physician Health Plan or Blue Shield of Northeastern New York as their health care provider.

ADOPTED = AYES 5 NAYS 0

MARCH 1998 FUND WARRANT

Supervisor Kelley moved and Councilwoman Fasoldt seconded the motion to approve the March 1998 Fund Warrant as audited; General Fund \$24,477.78; Highway Fund \$24,362.48; Sewer Fund \$6,939.92; H006 Fund \$8,465.85; H012 Fund \$6,291.35 and SL1 Fund \$5,572.57 for a total warrant of \$76,109.95.

MOTION CARRIED: AYES 5 NAYS 0

COMMENTS FROM RESIDENTS:

At this time Supervisor Kelley responded to questions which had been called in to his office.

EXECUTIVE SESSION:

Supervisor Kelley moved and Councilman Trupia seconded a motion to adjourn the Regular Town Board meeting and move into Executive Session at 9:15 p.m.

MOTION CARRIED: UNANIMOUS

At 9:16 p. m. the Executive Session was called to order. At this time we were counseled by Deputy Town Attorney Fred Schreyer to accept the findings of Assessor Garth Slocum and the Attorneys for Harry and Richard Ackner.

It was at this session that the Town Board heard a petition from Eugene De Santis concerning a settlement offer from the residents at Timberland.

Supervisor Kelley moved and Councilman Trupia seconded the motion to adjourn the Executive Session and reconvene the Regular Town Board meeting at 9: 35 p.m.

MOTION CARRIED: UNANIMOUS

RESOLUTION # 58

Ackner vs. Town of Sand Lake

Councilwoman Fasoldt moved and Councilman Trupia seconded the following resolution:

WHEREAS, a stipulation of settlement has been proposed by the attorneys for the parties to pending litigation between Ackner and the Town of Sand Lake;

BE IT RESOLVED, that the stipulation of settlement of pending litigation between Ackner and the Town of Sand lake be accepted by the Town Board and that the Town Attorney is authorized to execute on its behalf.

ADOPTED = AYES 3 NAYS 0 ABSTENTION 2 (Councilwoman Dunn and Supervisor Kelley)

RESOLUTION # 59

De Santis et.al. vs Town of Sand Lake

Supervisor Kelley moved and Councilman Welcome seconded the following resolution:

WHEREAS, a stipulation of settlement of the above referred real property tax case has been proposed by the taxpayers;

BE IT RESOLVED, that the stipulation of settlement proposed is accepted by the Town Board and that the Town Attorney is authorized to execute it on the Town's behalf, subject to court approval, and the assessments on the referenced property are to be reduced for the 1996 tax year, with appropriate refunds to be paid by relevant taxing authorities:

Blais \$90,000.

DeSantis \$90,000

Haggerty \$90,000

Mahoney \$115,000

ADOPTED = AYES 3 NAYS 0 ABSTENTION 2 (Councilwoman Dunn and Councilman Trupia)

Supervisor Kelley moved and Councilman Welcome seconded the motion to adjourn the meeting at 9:45 p. m.

MOTION CARRIED: AYES 5 NAYS 0

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

Respectfully submitted,

Christine M. Kronau

Town Clerk

REGULAR MONTHLY MEETING

May 13, 1998

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 Dunn
Councilman Trupia
Councilwoman Fasoldt
Councilman Welcome
Supervisor Kelley
Town Attorney John Stockman

RECORDING SECRETARY: Deputy Town Clerk Arleen J. Obermayer

OTHERS PRESENT: Justin Schultz, Timmy Fiato, Paula M. Hernick, John J. Wright, Lynn A. Hamel, Mark Kestner, Bernie Mardon, Art Mandon, Ray Loveridge, Ralph Lsenhalt, William Burr ridge, Connie Mason, Fred Schreyer, Francis Flemming, Frank Allen, Barbara Fioravanti, Ed Partanian, Cindy Sewell, Dave Taft, Ronald Greene, and others.

APPROVAL OF MINUTES: Councilman Trupia moved and Councilwoman Dunn seconded to approved the April 8, 1998.

MOTION CARRIED: UNANIMOUS

MONTHLY REPORTS:

DEPUTY TOWN CLERK - Arleen J. Obermayer

· Total fees submitted to the Supervisor for April 1998 - \$468.39

· Copy on file in the Town Clerk's Office

SUPERVISOR'S REPORT:

Supervisor Kelley to give his report after Committee Reports.

BOARD MEMBER REPORTS:

CABLE - Councilwoman Nancy Dunn

STREET LIGHTING - Councilwoman Nancy Dunn

INSURANCE - Councilman Trupia

ANIMAL CONTROL - Councilman Trupia

YOUTH AND RECREATION - Councilwoman Fasoldt

LIBRARY - Councilwoman Fasoldt

EMERGENCY SERVICES - Councilman Welcome; on file in Clerk's Office

SENIOR CITIZENS - Councilman Welcome; on file in Clerk's Office

COMMITTEE REPORTS:

PLANNING BOARD - Justin Schultz

ZONING BOARD OF APPEALS - Frank Allen

COMMISSIONER OF PUBLIC WORKS - Steve Robelotto

TOWN YOUTH SUPERVISOR - Lynn Hamel

SUPERVISOR'S REPORT: Thanked the 10 respondents to the Zoning Revisions. Major themes were - more commercial zones needed; preserve residential nature of hamlets; Eastern Union Turnpike remain residential; include definitions in master plan and zoning; "Picnics, Porches and Progress" for theme, and to consider property owner's rights. The Supervisor asked the Planning Board and Zoning Board to

review the suggestions and make comments to the Town Board regarding changes that are appropriate and which are inappropriate and asked that they would hopefully give a response to the request within a 60 day period.

The Supervisor received a letter from the 1998 Orange Crate Derby Organization regarding a donation and use of Town property. The Town has not given authorization for this at this time. It will be discussed later in the meeting .

Chris Rowe, Engineer-in-Charge, of the Route 43 DOT Project is going to give a report on the project later in the meeting.

Municipal Center Update - Eastern Turnpike is still a viable option and they looked at eight existing buildings and three parcels of land - some include Capital Mutual Insurance Building; Salem Lutheran Church, West Sand Lake possibly for Library or other town offices; The Gregory House, Town Hall; the Town Garage on Eastern Union Turnpike; Engwer's; and took a tour through Lake Avenue Community Church . In talking to the School Board the Sand Lake School will remain open so it will not be an option.

Vacant Land - Reichard's Lake Estates - 37 acres Route 351; Massey Farm - 50 acres; and 27 acres on Eastern Union Turnpike.

Talked with the Superintendent of Schools, started a dialogue regarding consolidation of the three school libraries and one town library. He was receptive and spoke of recent legislation that encourages consolidation of this nature. Discussed with him about school days and evenings as concerns or problems.

It has been proposed to the School Board as a joint venture that would possibly save tax payers money.

Some facilities discussed were Sand Lake School, the High School or West Sand Lake School. Waiting to hear from him as to how to proceed to the next step to present to the Town Board and then to the people for consideration.

Made an announcement regarding the Memorial Day Parade schedule.

Reported that the Final Landfill Closure Agreements had been sent to New York State and expect \$864,760.

Supervisor will attend a meeting with the Sand Lake Business Association, 2020 Community Council on May 14th to discuss ideas with community leaders as to how Sand Lake should proceed and what sort of need the business community and the town needs to move forward together.

Sent a letter to New York State Department of Transportation to review the flashing traffic light in Averill Park because of concern of safety at the intersection.

Town Offices to be closed May 23 and May 25 in observance of Memorial Day.

Mark Kestner will report to the Board on the Water System Grant Application for the Averill Park hamlet.

ROUTE #43 REPORT:

Chris Rowe, Engineer-in-Charge, gave a brief description of what is going on right now. A proposal is being looked at and reviewed to build a by-pass that runs parallel to Route #43 just south of Miller's Market and _____ . The proposal will shorten time of construction from a planning finished date of September 1999 to approximately December of 1998, which would shorten the project by an entire year. Supervisor Kelley asked him to describe - he said it would begin on Springer Road and continue through the gravel pit going westbound and emptying on to Route #150 just South of Route #43 intersection. They hope to get the construction completed before the re-opening of school in September. Supervisor Kelley asked if it would be a permanent road. Mr. Rowe answered that it would be removed from service and public access as soon as the bridges are re-opened and will be returned to the original condition. Supervisor Kelley asked how this will impact on any of the businesses in West Sand Lake. Mr. Rowe said the by-pass is meant for the purpose of getting computer traffic to Albany and back. Local access will be available to all business through the down town district throughout the duration of the project, although there will probably be delays. Mr. Rowe said he can be reached at the Field Office in the 43 Mall or by phone at 674-4165.

WATER GRANT APPLICATION REPORT:

Mr. Mark Kestner reported that the application submitted last year was scored at 40 points. They are in the process of accepting new projects with a June 1st deadline. Town of Sand Lake's project will be automatically be carried over into the additional funding rounds. Supervisor Kelley asked what

our next step would be and Mr. Kestner said that the board should talk with New York State Department of Health and review the score to see if there is a way to increase the score. Supervisor Kelley asked if there is a real chance for doing this and Mr. Kestner said _____.

BUSINESS:

RESOLUTION #60

Detour Resolution

Supervisor Kelley moved and Councilwoman Fasoldt seconded the following resolution:

WHEREAS, the New York State Department of Transportation proposes to reconstruct Route 43, Town of Sand Lake.

WHEREAS, in conformance with Section 42 of the New York State Highway Law, the New York State Department of Transportation proposes to utilize the following roads and streets during the period of construction: Springer Road from its intersection with Route 43 to a point 300 feet south of the same intersection.

WHEREAS, the New York State Department of Transportation will provide traffic control devices and make improvements or repairs when necessary to the above mentioned roads and streets to make them adequate to handle additional detour traffic.

NOW, THEREFORE, BE IT RESOLVED: that the Board of the Town of Sand Lake does hereby authorize the New York State Department of Transportation to utilize the above mentioned roads and streets as detours during the period of construction.

BE IT FURTHER RESOLVED: that the Town of Sand Lake will continue to provide routine maintenance on the above mentioned roads and streets, including snow and ice control.

BE IT FURTHER RESOLVED: that the clerk of this town is hereby directed to transmit five (5) copies of this resolution to the State Department of Transportation.

ADOPTED = AYES 5 NAYS 0

- (a) no action
- (b) tabled until June meeting
- (c) additional information needed Welcome moved to table, Fasoldt seconded to table
- (d) premature - next month
- (e) tabled

RESOLUTION #61

1998 Health Insurance Renewal

Councilman Trupia moved and Councilwoman Dunn seconded the following resolution:

WHEREAS, the Town's current employee health insurance plan with the Capital District Physician's Health Plan is due for renewal on June 1, 1998, and

WHEREAS, the Town Board has approved the addition of Blue Shield of Northeastern New York as an optional employee health insurance plan which will begin on June 1, 1998,

BE IT RESOLVED, that the Town 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 with the Capital District Physician's Health Plan and to contract with Blue Shield of Northeastern New York as an optional employee health care provider.

ADOPTED = AYES 5 NAYS 0

RESOLUTION #62

Appointment of Secretary to the Board of Assessment Review

Councilman Welcome moved and Councilwoman Fasoldt seconded the following resolution:

BE IT RESOLVED, that Paula Hernick is appointed Receptionist and Stenographer to the Board of Assessment Review for the 1998 Session, with compensation at an hourly rate with total not to exceed \$258.00 for the Session.

ADOPTED = AYES 5 NAYS 0

RESOLUTION #63

Summer Camp Personnel

Councilwoman Fasoldt moved and Councilman Welcome seconded the following resolution:

BE IT RESOLVED, that the following people are authorized to be hired for the 1998 Sand Lake Town Summer Day Camp as follows:

NAME	POSITION	HOURLY WAGE
Tracy Albanese	Director	\$12.00
Jess Henchey	Exp. Sr. Counselor	\$ 7.00
Jen Dahl	Exp. Sr. Counselor	\$ 7.00
Jenn Brown	Exp. Sr. Counselor	\$ 7.00
Laura Burkart	Exp. Sr. Counselor	\$ 7.00
Keri Morin	Sr. Counselor	\$ 7.00
Steve Grogan	Sr. Counselor	\$ 6.00
Nicole Lape	Counselor	\$ 5.00

Amy Ward	Counselor	\$ 5.00
Ashlee Pavone	Counselor	\$ 5.00
Kerry Murphy	Counselor	\$ 7.00
Stephanie Perry	Substitute Counselor	\$ 6.00
Matt Verenini	Exp. Counselor	\$ 6.00
Eric Erfurt	Counselor	\$ 5.00
Jason Salisbury	Counselor	\$ 5.00
Lauren Moessner	Counselor-in-Training	\$ 4.00
Sarah Morris	Counselor-in-Training	\$ 4.00
Meghan Parry-Hill	Counselor-in-Training	\$ 4.00
Sara Villagio	Counselor-in-Training	\$ 4.00
Cara Gauch	Counselor-in-Training	\$ 4.00
Allen Willbrant	Counselor-in-Training	\$ 4.00
Ryan Noonan	Counselor-in-Training	\$ 4.00

ADOPTED = AYES 5 NAYS 0

RESOLUTION #64

Summer Camp Personnel

Supervisor Kelley moved and Councilwoman Fasoldt seconded the following resolution:

BE IT RESOLVED, that Brooke Wagner is appointed as Health Director at \$6.00/hour for a 30 hour week for 6 weeks up to a maximum of \$1,080.00.

ADOPTED = AYES 5 NAYS 0

RESOLUTION #65

Travel Request

Supervisor Kelley moved and Councilwoman Dunn seconded the following resolution:

BE IT RESOLVED, that George Wright and Steve Robelotto be authorized to attend a one day seminar on Americans with Disabilities Act Guidelines on

June 10, 1998.

ADOPTED = AYES 5 NAYS 0

APRIL 1998 FUND WARRANT

Councilman Trupia moved and Councilwoman Dunn seconded the motion to approve the April 1998 Fund Warrant as audited; General Fund \$27,029.08; Highway Fund \$45,700.27; Sewer Fund \$6,305.02; and SLI Fund \$5,572.57 for a total warrant of \$84,606.94.

MOTION CARRIED: AYES 5 NAYS 0

REGULAR MONTHLY MEETING

June 10, 1998

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

PRESENT: Councilwoman Dunn

Councilman Trupia

Councilwoman Fasoldt

Councilman Welcome

Supervisor Kelley

Attorney Stockman

RECORDING SECRETARY: Town Clerk, Christine M. Kronau

OTHERS PRESENT: Lynn Hamel, Steve Robelotto, Edward Martin, Mark Kestner, Robert Deeb, Frank Allen, Barbara Fioravanti, Fred Schreyer, Frank Fleming, Ida Schips, Ed Patanian, Bob Burr ridge, Justin Schultz, Rosemary Brennan Quinn, Monica Ayotte, Joseph Warren, Jr., Cheryl Foland, Tracey Albanese, Chris Roe, John Glasser, Linda Hastings, Paul Blanchet, Nancy Kelley, Garth Slocum, Ray Loveridge, Betty Herman and others.

APPROVAL OF MINUTES: Supervisor Kelley made the motion to approve the minutes of the May 13th 1998 meeting. This was seconded by Councilman Trupia.

MOTION CARRIED: Ayes 5 - Nays 0.

MONTHLY REPORTS:

TOWN CLERK - Christine Kronau

- Total fees submitted to the Supervisor for May 1998 - \$714.33
- Copy on file in the Town Clerk's office.
- Gave a report on the SARA grant; on file in office
- Reported that Crooked Lake Hotel was applying for a renewal of their liquor license.

SUPERVISOR'S REPORT: Supervisor Kelley suggested an alternative site to the Library Committee, being the Town Garage on Eastern Union Turnpike. They have toured it twice and have shown some enthusiasm. It is an alternative which we are looking at. Arch. + will be reevaluating the library's floor plan to see if it will adapt to this new site. It will afford plenty of parking and ample space. The town has received a Grant to cover 1/3 of the cost of extending the Crooked Lake Sewer Project. Mark Kestner of

Kestner Engineers will be giving a report on this later on during the meeting. The Burden Lake Project received no funding at this time. Supervisor Kelley will be touring the Capital Mutual Insurance Building at 10:00 A.M.

tomorrow if any Board members are interested in joining him. Next month he will be appointing a committee of 2 Board members and Deputy Attorney Schreyer to do a limited scope on the immediate problems concerning the Zoning revisions. DOT engineer Chris Roe will bring us up to date on the Route 43 Project. This concludes his report.

BOARD MEMBER REPORTS:

CABLE- Councilwoman Dunn

STREET LIGHTING - Councilwoman Dunn; letter on file in Clerk's Office.

INSURANCE - Councilman Trupia

ANIMAL CONTROL - Councilman Trupia; on file in Clerk's Office.

YOUTH AND RECREATION - Councilwoman Fasoldt

LIBRARY - Councilwoman Fasoldt

EMERGENCY SERVICES - Councilman Welcome

SENIOR CITIZENS - Councilman Welcome

COMMITTEE REPORTS:

PLANNING BOARD - Justin Schultz; on file in Clerk's Office.

ZONING BOARD - Frank Allen; on file in Clerk's Office.

COMMISSIONER OF PUBLIC WORKS - Steve Robelotto

YOUTH - Lynn Hamel

SEWER - Mark Kestner

DOT - Chris Roe

QUESTIONS AND COMMENTS FROM RESIDENTS:

Barbara Fiorvanti addressed the Board regarding a joint sponsorship of a project which Kiwanis wished to sponsor .

Cheryl Foland had questions regarding the Town Garage on Eastern Union Turnpike and the Ackner Hearing.

John Glasser spoke regarding the Kiwanis Summerfest to be held at Butler Park on July 25th & 26, 1998.

Ed Patanian spoke regarding Streetlight and dedicated roads.

BUSINESS:

RESOLUTION # 69

Town Board Meetings Date and Time

Supervisor Kelley moved and Councilwoman Fasoldt seconded the following resolution:

BE IT RESOLVED, that the time and place of the regular Sand Lake Town Board meetings shall henceforth be the second Friday of each month at the Town Hall, Route 43, Sand Lake, New York, at 7:30p.m. for a time period of six months, and

BE IT RESOLVED that the Town Clerk is hereby directed to post and publish all necessary notices with regard to this change.

ADOPTED = AYES 5 NAYS 0

RESOLUTION # 70

Deputy Registrar

Supervisor Kelley moved and Councilman Welcome seconded the following resolution:

BE IT RESOLVED: that Tami Thibeault is appointed Deputy Registrar of Vital Statistics to become effective July 1st, 1998.

ADOPTED = AYES 5 NAYS 0

RESOLUTION # 71

Gift of Archival Record to the West Sand Lake Fire Co.

Supervisor Kelley moved and Councilwoman Dunn seconded the following resolution:

WHEREAS, the Town Clerk in the performance of her duties as Record's Management Officer has discovered a historic document issued by the West Sand Lake Fire Department on March 24, 1892; and

WHEREAS, the West Sand Lake Fire Department has requested that such document be turned over to it as they can more easily provide access to the document for residents of the Town of Sand Lake; and

WHEREAS, the Town's Records Management Committee has determined that such a disposition would be acceptable

NOW, THEREFORE BE IT RESOLVED that a certain document entitled "Exempt Certificate" dated March 24, 1892 from the West Sand Lake Fire Department be delivered to the West Sand Lake Fire Department for the purpose of displaying it to the public.

ADOPTED = AYES 5 NAYS 0

RESOLUTION # 72

Acknowledgment

WHEREAS, it is the sense of our community to recognize the contributions of those residents who have strived for the betterment of our Town, and

WHEREAS, Christine Perry is one such resident, having selflessly volunteered her time and efforts to the improvement of our Town by spending countless hours researching and examining possible alternatives to the construction of new Town Offices and a Town Library, always seeking to best utilize the Town's resources; and

WHEREAS, through her dedicated commitment to the residents of Sand Lake, Christine Perry has freely and voluntarily demonstrated her concern for the long term interest of this Town; now therefore, let it be

RESOLVED, that Public recognition and commendation be accorded to resident volunteer, Christine Perry in appreciation of her service to the people of Sand Lake, which reflects our shared commitment to our Town.

ADOPTED = AYES 5 NAYS 0

RESOLUTION # 73

Schedule Public Hearing

Councilwoman Fasoldt moved and Supervisor Kelley seconded the following resolution:

BE IT RESOLVED, that a public hearing will be held on Friday, July 10, 1998 at 7:30 p.m. at Town Hall, Rt. 43 Sand Lake, New York 12153 to consider a proposed amendment to Chapter 75 Article II Section 6 of the Sand Lake Code (Animal Control Law).

G. "No person shall permit any dog to be on property owned by the Town of Sand lake, whether leashed or otherwise, except by exemption of the Town Board."

ADOPTED = AYES 5 NAYS 0

RESOLUTION # 74

Appointment of Cable TV Camera Operator

Councilwoman Dunn moved and Supervisor Kelley seconded the following resolution:

WHEREAS, there will soon be a vacancy for the position of Cable TV Camera Operator;

THEREFORE BE IT RESOLVED, that Benjamin Katz is appointed to the position of Cable TV Camera Operator at the rate of \$5.25 per hour.

ADOPTED = AYES 5 NAYS 0

RESOLUTION # 75

Town Beach Personal

Councilwoman Fasoldt moved and Supervisor Kelley seconded the following resolution:

BE IT RESOLVED, that the following people are authorized to be hired for the 1998 Sand Lake Town Beach Program as follows:

NAME	POSITION	HOURLY WAGE
Brenda Snyder	Lifeguard/ Water Safety Inst.	\$7.00
Amy Lawrence	Lifeguard/ Water Safety Inst.	\$6.50
Emily Will	Lifeguard	\$6.50
Vanessa Collopy	Lifeguard	\$6.25
Diane Leith	Lifeguard	\$6.25
Jared Basolt	Beach Aide	\$4.75
Barbara Wood	Beach Aide	\$4.75
Elizabeth Sinico	Beach Aide	\$4.75
Meghan Harris	Beach Aide	\$4.75
Christyn Hamel	Beach Aide	\$4.75
Ben Sela	Beach Aide	\$4.75

ADOPTED = AYES 5 NAYS 0

RESOLUTION # 76

Sewer Connection

Supervisor Kelley moved and Councilwoman Dunn seconded the following resolution:

WHEREAS, Monica Ayotte, owner of tax map parcel 159.2-2-10 on Teal Road in the Town has requested permission to install an additional sewer lateral for a second residence on such parcel to the existing house lateral, and

WHEREAS, the Sewer District's engineers, Kestner and Kestner, has reviewed the situation with members of the department of public works and advised that the connection would be made utilizing 6 inch pipe with gravity flow, minimizing any danger of one home backing up into the other, which are in any event both located on a single parcel owned by the same person, and

WHEREAS, permitting the connection would eliminate the need to open up the public sewer with the expense and risk of damage to the public sewer such work entails,

NOW THEREFORE IT IS RESOLVED AS FOLLOWS:

The proposal is approved provided the homeowner acknowledges in writing to the department of public works that all expenses of repair of such connection and house laterals shall be the responsibility of the homeowner.

ADOPTED = AYES 5 NAYS 0

RESOLUTION # 77

Dispensing Alcoholic Beverages at Butler Park

Councilman Trupia moved and Councilwoman Dunn seconded the following resolution:

BE IT RESOLVED, that the Brunswick Elks Club be permitted to dispense alcoholic beverage at Butler Park for the Kiwanis Summerfest on July 25 and July 26, 1998 in accordance with provisions of Local Law Number II of 1980 and upon condition that appropriate permits are obtained from the State Liquor Authority and insurance coverage is provided satisfactory to the Town Board.

ADOPTED = AYES 5 NAYS 0

RESOLUTION # 78

May Fund Warrant

Supervisor Kelley moved and Councilman Trupia seconded the following resolution:

BE IT RESOLVED that the May 1998 Fund Warrant be paid as audited; General Fund \$23,229.97; Highway Fund \$17,433.66; H011 Fund \$14,209.00; H015 Fund \$9,415.00; Sewer Fund \$2,810.29 and SL1 Fund \$11,146.26 for a total warrant of \$78,244.18.

ADOPTED = AYES 5 NAYS 0

RESOLUTION # 79

Co-sponsor Orange Crate Derby

Councilman Trupia moved and Councilwoman Dunn seconded the following resolution:

THAT the Town of Sand Lake co-sponsor the Orange Crate Derby and allow a rider to be placed on the Town's Insurance and that any costs involved would be born by the Sand Lake Kiwanis.

After some discussion, Councilman Trupia moved that this matter be tabled for further research and information. It was seconded by Councilwoman Dunn.

EXECUTIVE SESSION

Supervisor Kelley moved and Councilwoman Fasoldt second the motion to adjourn the Board Meeting and move into Executive Session at 9:20 P.M. to discuss legal strategy pertaining to Timberland; Hubbard vs. Town of Sand Lake and a discussion concerning a complaint against the Assessor.

MOTION CARRIED: UNANIMOUS

Supervisor Kelley moved and Councilwoman Fasoldt seconded the motion to adjourn the Executive Session and reconvene the Board Meeting at 9:40 P.M.

MOTION CARRIED: UNANIMOUS

MEETING ADJOURNMENT

Supervisor Kelley moved and Councilwoman Dunn seconded the motion to adjourn the Board meeting at 9:45 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,

Christine M. Kronau

Town Clerk

REGULAR MONTHLY MEETING

July 10, 1998

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

PRESENT: Councilwoman Dunn
Councilman Trupia
Councilwoman Fasoldt
Councilman Welcome
Deputy Supervisor Robelotto
Attorney Stockman

ABSENT: Supervisor Kelley

RECORDING SECRETARY: Town Clerk Christine M. Kronau

OTHERS PRESENT: Paul Blanchet, Justin Schultz, Bob Burr ridge, Sean Maloney, Frank Allen, Ed Patanian, George Smead, Lynn Hamel, Chris Roe, Fred Schreyer, Carla Engwer. Joe Warren, Jr., Ray Loveridge, Bernie Mardon , Dave Fryer and others.

APPROVAL OF MINUTES: Councilwoman Flora Fasoldt motioned and Councilman C. Joseph Trupia seconded that the minutes from the June10, 1998 meeting be approved.

MOTION CARRIED= AYES 4 NAYS 0

TOWN CLERK - Christine M. Kronau

- Total fees submitted to the Supervisor for June 1998 - \$ 542.05
- Copy on file in the Town Clerk's Office.

SUPERVISOR'S REPORT: At the August Board Meeting, Supervisor Kelley will be reporting to the Board and the Public in regards to the relocation of Town Offices , Town Library and State Police Barracks. Cost estimates are currently being prepared and will also be made public. Approximately one month after the Board Announcement, Supervisor plans to conduct a public survey and will receive public input. This input will be used to assist the Town Board in finalizing the plans. If the plans are acceptable to the community the Board will proceed as quickly as possible. According to the NYS Police, Division of Criminal Justice Services, the Town is receiving a \$92,000.00 Grant towards the facility for the State Police. The Supervisor will be meeting this week with the State Police to discuss the new facility. Supervisor Kelley will be meeting with Kestner Engineers and DEC concerning the Crooked Lake Sewer Extension. Kestner is working on a new concept plan for the Crooked Lake Area to address the lack of funding the Town is now scheduled to receive. The construction of the Niagara Mohawk gas line will begin Monday, July 13, 1998. Their work is going to start at Route 150 and 43. With regards to construction of Route 43, residents have inquired about sidewalks being constructed along Route 150 from the 43 Mall to the village. According to the original plans, sidewalks were not part of the project, however after Councilwoman Fasoldt discussed with the Project Engineer the wheels are turning and there is a possibility that while the drainage is being worked on sidewalks could be installed. We will keep the residents posted.

BOARD MEMBER REPORTS:

CABLE- Councilwoman Dunn

STREETLIGHTING- Councilwoman Dunn

INSURANCE- Councilman Trupia

ANIMAL CONTROL - Councilman Trupia; on file in Clerk's Office.

YOUTH & RECREATION- Councilwoman Fasoldt

LIBRARY- Councilwoman Fasoldt

EMERGENCY SERVICES- Councilman Welcome; on file in Clerk's Office.

SENIOR CITIZENS - Councilman Welcome

COMMITTEE REPORTS:

PLANNING BOARD- Justin Schultz; on file in Clerk's Office.

ZONING BOARD- Frank Allen; on file in Clerk's Office.

YOUTH - Lynn Hamel

DOT- Chris Roe

COMMENTS FROM RESIDENTS:

Frank Allen requested that the Town look into reducing the speed limit in the village of West Sand Lake as he feels it will be a speed way, when DOT is finished with the improvements.

PUBLIC HEARINGS

Please take notice that the Sand Lake Town Board will conduct the following Public Hearings at the Sand Lake Town Hall, Route 43, at 7:30 P.M. on Friday July 10, 1998 where all interested parties will be heard.

To consider a proposed Amendment to Chapter 75, Article II, Section 6 of the Sand Lake (Animal Control Law).

G. "No person shall permit any dog to be on any property owned by the Town of Sand Lake, whether leashed or otherwise, except by exemption of the Town Board."

/s/

Christine M. Kronau

Frank Allen asked if this would pertain to Seeing Eye dogs.

Fred Schreyer recommended we reword the amendment to exclude town roads.

Councilwoman Fasoldt moved and Councilman Welcome moved the motion to adjourn the public hearing.

MOTION CARRIED: AYES 4 NAYS 0

BUSINESS:

RESOLUTION # 79

Approval of Settlement of Litigation - Town of Sand Lake v. Hubbard

Councilwoman Fasoldt moved and Councilwoman Dunn seconded the following resolution.

Whereas, in 1994, the Town of Sand Lake commenced an action to take by eminent domain a parcel of land measuring approximately 36 acres located off Chamberlain Hill Road and consisting of the location of the landfill which was previously operated by the Town of Sand Lake. The operation of the landfill was carried out pursuant to a lease of the property. Pursuant to DEC regulations the Town is required to monitor and maintain the parcel for a period of 30 years from the date of the closure of the landfill the Town operated on the parcel.

Whereas, as the result of negotiations between the Town of Sand Lake and the owners of the property, a settlement and the valuation of the property was reached prior to trial of the litigation;

NOW, THEREFORE, BE IT RESOLVED BY the Town of Sand Lake that the sum of \$90,500.00 is hereby directed to be paid in full settlement for the purchase of the said parcel which is the subject of the litigation entitled Town of Sand Lake v. Warren Hubbard, Sr., Rosemary Hubbard, Richard Hauser and Robert Hauser, Index No. 182883, with a credit being taken for the approximately \$76,000.00 which the

Town previously deposited with the Rensselaer County Clerk in this proceeding, as well as all interest earned on those moneys.

ADOPTED= AYES 4 NAYS 0

RESOLUTION # 80

Transfer And assignment of a Cable Television Franchise

Councilwoman Dunn moved and Councilman Trupia seconded the following resolution:

Whereas, the Town of Sand Lake, New York (“Franchisor”) has granted A-R Cable Services, Inc. (“Transferor”) or its predecessor in interest, a franchise to operate a cable television system via a Franchise Agreement dated April 10, 1991 (the “Franchise”);

Whereas, Transferor has entered into an Asset Exchange Agreement (the “Exchange Agreement”) with Time Warner Entertainment Company, L.P. (“Time Warner”), pursuant to which Transferor will transfer substantially all of the assets of its cable television system serving the communities in and around Sand Lake, New York (the “System”), including its rights under the Franchise, to Time Warner as transferee;

Whereas, Time Warner may ultimately assign its rights under the Franchise and to the System to Time Warner Entertainment-Advance/Newhouse Partnership (“TWEAN”), an affiliate of Time Warner;

Whereas, Transferor and Time Warner have filed a Form 394 with Franchisor relating to the transfer of the Franchise to Time Warner;

Whereas, the Franchise requires Franchisor’s consent to any transfer or assignment of the Franchise, and provides that such consent will not be unreasonably withheld; and

Whereas, Transferor and Time Warner have requested Franchisor's consent to the transfer and assignment of the Franchise by Transferor to Time Warner, and thereafter, by Time Warner to TWEAN;

NOW, THEREFORE, BE IT RESOLVED BY the Town of Sand Lake:

1. Franchisor authorizes and consents to the transfer and assignment of the Franchise from Transferor to Time Warner, and, if applicable, from Time Warner to TWEAN. Time Warner (or TWEAN, if it shall be the ultimate transferee), shall assume the obligations of Transferor under the Franchise that relate to periods from and after the date on which Time Warner acquires the System.
2. The foregoing consent to the transfer and assignment of the Franchise shall be effective upon Time Warner's acquisition of the System, at which time Franchisor automatically shall be deemed to have released Transferor from all obligations and liabilities under the Franchise that relate to periods from and after such date. Notice of the date of Time Warner's acquisition of the System shall be given to Franchisor.
3. Franchisor confirms that: (a) the Franchise was properly granted; (b) the Franchise currently is in full force and effect and expires on July 09, 2001; (c) Transferor is recognized as the present holder and owner of the Franchise; (d) the Franchisor supersedes all other agreements between Franchisor and Transferor and represents the entire understanding between Franchisor and Transferor with respect to the System and Transferor's provision of cable television and other telecommunications services within the areas covered by the Franchise; (e) Transferor is in Compliance in all material respects with the Franchise; and (f) no event has occurred or exists that would constitute a default under the Franchise or that would permit Franchisor to revoke or terminate the Franchise.

ADOPTED= AYES 4 NAYS 0

RESOLUTION # 81

Speed Limit Reduction Oak Hill Road.

Councilwoman Fasoldt moved and Councilman Welcome seconded the following resolution:

Whereas, there exists in the Town of Sand Lake, a County road known and designated as Oak Hill Road which is County Route 43 with no designated speed limit; and

Whereas, the Town Board of the Town of Sand Lake, County of Rensselaer, New York , after due consideration deemed it to be in the best interest of the said Town of Sand Lake, and the residents thereof to reduce the maximum allowable speed limit on Oak Hill Road;

Now, Therefore, be it Resolved by the Town Board of the Town of Sand Lake that:

The Supervisor is hereby directed and authorized to request a reduction in the speed limit on Oak Hill Road, and to take all steps necessary to ensure that the said maximum allowable speed limits to be reduced, including, but not limited to, transmitting a copy of the Resolution to Stephen Coates, P. E., County Engineer of the County of Rensselaer, together with such other documentation as may be necessary, and to otherwise cooperate with said County Engineer to facilitate approval of these reductions.

ADOPTED= AYES 4 NAYS 0

RESOLUTION # 82

Road Closure

Councilman Trupia moved and Councilwoman Dunn seconded the following resolution:

Whereas, the Kiwanis Club of Sand Lake is sponsoring an Orange Crate Derby on August 15, 1998 and have requested permission from the Town of Sand Lake to close Gettle Road for such event, and

Whereas, the Sand Lake Ambulance and the Averill Park/Sand Lake Fire Company have both provided the Town with written authorization for such road closure, provided the road is able to be reopened immediately for emergencies; now

Therefore, Be it Resolved, that the Kiwanis Club of Sand Lake is authorized to close that portion of Gettle Road on August 15, 1998 between 6:00 a.m. and 6:00 p.m. provided it is able to be reopened immediately for emergencies.

ADOPTED= AYES 4 NAYS 0

Amendment to Animal Control Law was tabled for discussion at the next Board Meeting.

RESOLUTION # 83

Street Lighting

Councilwoman Dunn moved and Councilman Trupia seconded the following resolution:

Whereas, New York State Electric and Gas Corporation (NYSEG) has recently completed an audit of existing street lighting in the Town, and

Whereas, it has been determined that there is one remaining 1000 watt mercury vapor light which is located at the corner of Holcomb Road and Methodist Farm Road;

Therefore, Be It Resolved, that NYSEG be directed to change the 1000 watt mercury vapor light to a 400 watt high pressure sodium light at the following location:

Corner of Holcomb and Methodist Farm Roads - Line 368, Pole 23.

ADOPTED= AYES 4 NAYS 0

RESOLUTION # 84

Approve June Warrant

Councilwoman Fasoldt moved and Councilman Trupia seconded the following resolution:

Be it resolved that, the June 1998 Fund Warrant be approved as audited; General Fund \$21,195.59; Highway Fund \$ 145,106.21; H006 Fund \$ 2,216.92; H015 Fund \$ 2,959.00; and Sewer Fund \$5,972.49 for a total Warrant of \$ 177,450.21.

ADOPTED= AYES 4 NAYS 0

COMMENTS FROM RESIDENTS:

There were no comments at this time.

MEETING ADJOURNMENT

The Motion to adjourn was made by Councilman Trupia at 8:30p.m. and seconded by Councilwoman Dunn.

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,

Christine M. Kronau

Town Clerk

REGULAR MONTHLY MEETING

August 14, 1998

The regular monthly meeting of the Town Board of the Town of Sand Lake was called to order by Supervisor Kelley 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 Dunn
Councilman Trupia
Councilwoman Fasoldt
Councilman Welcome
Supervisor Kelley
Attorney Schreyer

RECORDING SECRETARY: Town Clerk, Christine M. Kronau

OTHERS PRESENT: Lynn Hamel, Steve Robelotto, Mark, Kestner, Frank Allen, Frank Fleming, Ed Patanian, Bob Burr ridge, Justin Schultz, Rosemary Brennan Quinn, Joseph Warren, Jr. Carol Warren, Joseph Warren, Sr., Tracey Albanese, John Glasser, Linda Hastings, Paul Blanchet, Nancy Kelley, Betty Herman, Linda Reynolds, Chris Perry, Lee Perry, Sil Martinage, Barbara Martinage, Sue Larsen, Claire Hamel, Carla Engwer, Mike Rohloff, Lois Rohloff, Joe Lazarony, John Kacharian, Charles Burr ridge, Ellie Patterson, Harry Ackner, John Wright, Barbara McLoughlin, Mr. & Mrs. Pierce, Dave Reynolds, Irv & Cindy Sewell, Jack Reardon, Sean Maloney, Cathy Welling, Laura Davis, Beth Wicks, Tina Dilello, Mr. & Mrs. Peter Priggy, Joe Chaput, Ruth Bordt, William Glasser, Jackie Tremont, Bruce Mitchell, Joe Johnson,

Charles Graber, Pat Mulligan, Fred & MaryEllen Wurtemburger, Mrs. Rescott, Deborah Hanish-Schreyer, Linda Ormsby, Derek Hasbrouck, Mike McNerney, Naomi Lloyd, Regina Cristo, Chris Simone, Rosemary Casey, and others.

APPROVAL OF MINUTES: Councilman Trupia made the motion to approve the minutes of the July 10th, 1998 meeting. This was seconded by Councilwoman Fasoldt.

MOTION CARRIED: AYES 4 NAYS 0 ABSTENTION 1 (Supervisor Kelley)

MONTHLY REPORTS:

TOWN CLERK - Christine M. Kronau

- Total fees submitted to the Supervisor for July 1998 - \$ 633.49.
- Copy on file in the Town Clerk's office.
- Gave Final report on Sara Grant; on file in office.

SUPERVISOR'S REPORT:

I want to talk directly to the residents of Sand Lake tonight about my commitment to the office of Supervisor. As a thirty five year resident of Sand Lake, I am deeply committed to this town and the elected office that I hold. I pay taxes in Sand Lake, my home is in Sand Lake, my family and my future is in Sand Lake. I made two promises to the residents when I ran for office. Those commitments were to change the direction Sand Lake was being led under Republican Administration in two different areas. One, the previous administration was preparing to build \$2,250,000.00 Municipal Center. I ran on the platform that our town did not need and could not afford a municipal center that would use up every penny of the town's savings and increase taxes for future generations. I ran on that platform and was elected. I intend to fulfill my campaign promise to the taxpayers not to build such an expensive and wasteful project. Tonight I will unveil my proposal that will save the taxpayers over one million dollars compared to the previous Republican administration's plan and will utilize town owned buildings, such as this historical building that were to be left vacant under the previous plan. My plan was not conceived overnight. It was a product of some talented dedicated volunteers, town employees, including much of my time over the last eight months. The second commitment I made to the residents was to stop the enactment of a highly restrictive zoning law proposed by the Republican administration and instead consider less restrictive zoning changes that would protect private property owners rights while insuring orderly attractive growth. I stopped the previous proposal and started the new zoning review

process. That process started on my first day in office and is proceeding. My zoning review plan includes a period of public, planning board, zoning board of appeals and town board input. This process is being accomplished without the use of out of town expensive consultants as utilized before. My administration zoning review process will be slower, resident friendly, and invites criticism and constructive comment. The next step of this process is on the agenda this evening. Some of my critics have suggested that I resign and ignore my commitments to the voters. They want me to leave my commitments undone and allow future boards to make decisions. I will not abandon the majority of voters who elected me and still support my decisions. If I had resigned the Town Board would be deadlocked on principal issues with two Republicans and two Democrats remaining. Possibly there would be very little accomplished. A new Republican majority would most likely pursue a previous administration agenda for costly municipal center and so on. The voters of Sand Lake voiced their objections to these policies last November and I will carry out their mandate. The decision to stay on as Supervisor was made easier recently by the fact that in a few weeks I will be returning to live and work in the area permanently.

I come away from this political episode with a renewed vigor to do an even better job for the taxpayers of Sand Lake. I have a profound appreciation and respect for the many residents who provided me with support over the last few weeks. It is an honor and pleasure to work with people like Flora Fasoldt, Jack Welcome, Linda Reynolds, Steve Robelotto, and others in town hall and the highway department. I want to thank all of you but most importantly, I want to thank my wife Nancy for always being there for me even during the rough times. Thank you very much.

I would assume, that it's just a guess, that some of you would like to make a comment or ask a question. I'm prepared, so let's get ready to rumble.

At this time Jack Reardon questioned Mr. Kelley Regarding his and other elected officials job descriptions.

As there were no further questions at this time, Mr. Kelley continued.

I would like to introduce two gentlemen I have been working with for awhile. They have been helping me formulate my plans, and helping me come up with a concept for a town office complex. What I want to propose this evening is just that, a concept. This is the direction I would like to go in folks. These are the buildings I would like to use, this is the amount of money that I think we can afford to make all the renovations on these buildings, reserve some historical buildings, save some money for the taxpayers and I asked Smith & Mahoney, an engineering firm which is already working for the Town at another capacity to help me find any pitfalls, any serious problems with my ideas. They did not find any. The fact is, that this is a doable plan. We are going to present a conceptual plan tonight without details. Over the next thirty days, I am going to meet with as many community organization that I possibly can including the Library. Once we get the input from these different organizations, we are going back to the drawing board, in terms of the budget, the floor plans, in terms of what renovations you envision that we didn't see. At the end of that 30 days, we will then present to the public a rather detailed project. At the end of

that period, we hope to send out to residents a complete description individually per household with a complete description of the project with some sort of a response card. When I get those responses back, we will go back to the drawing board again. That response card will also give me a feeling from the community that many people don't want anything. There will be multiple responses. At this time, Smith & Mahoney presented their presentation and answered many questions from the audience. The Concept was for the Town of Sand Lake to purchase the Capital Mutual Building for town offices; refurbish the present Town Hall for The Sand Lake Library, and renovate the former highway garage for the State Police, Court Clerk and Community Meeting Room.

COMMENTS FROM RESIDENTS:

Ed Patanian, Bruce Mitchell, Tina Delello, Irv Sewell, William Glasser, David , Joe Warren, Jr., Terry Turner, John Glasser, Nancy Dunn, Justin Schultz, Fred Wurtemberger, Joseph Chaput, Jacqueline Tremont, David Reynolds, Frank Fleming, John Kacharian, John Slyer, Ellie Patterson, Sean Maloney, Sue Larson, Beth Wicks, Jack Wright, Derek Hasbrouck and others questioned Supervisor Kelley and Smith & Mahoney, Engineers. All interested parties were heard.

Supervisor Kelley noted that the Rt. 43 Project was way ahead of schedule. The town would be purchasing some benches to be installed in certain areas along the sidewalks in West Sand Lake. This concluded Supervisor Kelley's report.

BOARD MEMBER REPORTS:

CABLE - Councilwoman Dunn

STREETLIGHTING - Councilwoman Dunn

INSURANCE - Councilman Trupia

ANIMAL CONTROL - Councilman Trupia; on file in Clerk's Office.

YOUTH AND RECREATION - Councilwoman Fasoldt reported on the Concert of 8/03 at Butler Park. It was a success. The Town Beach will be open until Labor Day.

LIBRARY- Councilwoman Fasoldt. The Library Committee is working on next year's budget and will be starting up their reading programs in the next few weeks.

EMERGENCY SERVICES - Councilman Welcome.

SENIOR CITIZENS - Councilman Welcome reported that the Seniors are very active. They have scheduled at least 5 trips over the next few months. They meet at the Church of the Covenant. Interested parties can call Aubrey Primeau at 674 5360.

COMMITTEE REPORTS:

PLANNING BOARD - Justin Schultz; on file in Clerk's Office.

ZONING BOARD - Frank Allen; on file in Clerk's Office.

COMMISSIONER OF PUBLIC WORKS - Steve Robelotto; on file in Clerk's Office.

YOUTH - Lynn Hamel

SEWER AND WATER - Mark Kestner reported that there would be a meeting with the Crooked Lake Association on August 28, 1998 to go over some of the highlights of the project. He also stated that we would need to do some housekeeping resolutions at the next Board meeting on September 11, 1998.

QUESTIONS AND COMMENTS FROM RESIDENTS:

BUSINESS:

RESOLUTION # 85

Appoint Engineers

Supervisor Kelley moved and Councilman Welcome seconded the following resolution:

WHEREAS, the Town is in need of engineering services in order to move forward with plans for Town Offices and related public facilities, and

WHEREAS, Smith and Mahoney, P.C. has been satisfactorily performing work for the Town in connection with the Landfill and expressed an interest in providing services with respect to plans for such Town Offices, and

WHEREAS, Smith and Mahoney, P.C. at the request of the Supervisor has reviewed various options available to the Town regarding a municipal center and has now presented a proposed plan with respect to same and the Town is desirous of obtaining public input with respect to same, Now Therefore

IT IS HEREBY RESOLVED AS FOLLOWS

Smith and Mahoney, P.C. is retained to provide engineering services to the Town with respect to the proposed plan for town offices in accordance with the scope of work and fee schedule attached hereto, said rates being the same as currently charged for landfill work, with total fees for the initial programmatic and schematic design phases not to exceed \$30,000 without further authorization from the Town Board.

ADOPTED= AYES 3 NAYS 0 ABSTENTION 2 (Councilwoman Dunn and Councilman Trupia)

RESOLUTION # 86

Appointment of Special Counsel

Supervisor Kelley moved and Councilwoman Fasoldt seconded the following resolution:

WHEREAS, the Town Board is in need of legal counsel for a variety of legislative and administration cases, initiatives and projects, and

WHEREAS, Frederick J. Schreyer, Esq., of Averill Park, is currently serving as Deputy Town Attorney assigned as counsel to the Planning and Zoning Boards and existing sewer district, and has offered to provide such services at a reduced hourly rate, now therefore

IT IS HEREBY RESOLVED AS FOLLOWS:

Frederick J. Schreyer is retained as Special Counsel to the Town Board at the rate of \$50.00 per hour, plus expenses to be paid monthly on standard vouchers. Projects and matters shall be assigned to Mr. Schreyer from time to time by majority vote of the Board. Payment hereunder is further authorized for the following services performed by Mr. Schreyer during the past month and in anticipation of the adoption hereof:

Attendance at August Town Board Meeting: 2.0 Hours

Appearance at August 3, 1998 Unemployment hearing 1.4 Hours

Preparation of Street Lighting Resolution: 1.8 Hours

Conference with Supervisor's Office regarding
preparation for Town Board meeting 2.0 Hours

Preparation of resolution retaining Smith and Mahoney,
Engineers, for advice and consultation regarding the
Town Municipal Center 1.0 Hours

Prosecution of lawsuit on behalf of Code Enforcement
officer regarding Park Plaza to enforce building code: 2.8 Hours

Total Time through and including August 14, 1998 11 Hours

Additionally, Mr. Schreyer is hereby retained as special counsel with respect to the following matters:

Counsel to Committee on amendments to Zoning and land use laws.

ADOPTED =AYES 5 NAYS 0

RESOLUTION # 87

Proposed Street Lighting Amendments and Resolution Setting a Public Hearing

Councilwoman Dunn moved and Supervisor Kelley seconded the following resolution:

WHEREAS, the subdivision law of the Town of Sand Lake does not currently reference street lighting as an element of a subdivision plan, and

WHEREAS, the cost of street lighting installed for public safety is generally paid through the town lighting district tax levy and,

WHEREAS, the decision whether such public funds should be expended is properly within the purview of the Town Board,

NOW THEREFORE, it is hereby resolved as follows:

A public hearing on the attached proposed amendments to Chapter 225 of the Code of the Town of Sand lake, entitled "Subdivision of Lands," is hereby scheduled for the 11th day of September 1998, and the Town Clerk is hereby directed to publish appropriate Notice thereof.

ADOPTED= AYES 5 NAYS 0

RESOLUTION # 88

Schedule Public Hearing

Councilwoman Fasoldt moved and Councilman Welcome seconded the following resolution:

BE IT RESOLVED, that a public hearing will be held on Friday, September 11, 1998 at 7:30 p. m. at Town Hall, Rt. 43 Sand Lake, New York 12153 to consider a proposed amendment to Chapter 75, Article II, Section 6 of the Sand Lake Code (Animal Control Law).

G. "No person shall permit any dog to be in or on any park, beach or recreational property owned by the Town of Sand Lake, whether leashed or otherwise, except for seeing eye dogs or by exemption of the Town Board for Community Events.

ADOPTED = AYES 5 NAYS 0

RESOLUTION # 89

Speed Limit Reduction Request

Supervisor Kelley moved and Councilwoman Fasoldt seconded the following resolution:

WHEREAS, requests have been made to reduce speed limits on various roads with problems of sight distance, 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 Momrow Road from 55MPH to 35 MPH, similar to the other roads in that area.

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

ADOPTED = AYES 5 NAYS 0

RESOLUTION # 90

Dispensing Alcoholic Beverages at Butler

Councilman Trupia moved and Councilwoman Fasoldt seconded the following resolution:

BE IT RESOLVED, that the St. Henry's Knights of Columbus be permitted to dispense alcoholic beverage at Butler Park for their function to be held there on August 30, 1998 in accordance with provisions of Sand Lake Town Code Chapter 73 entitled Alcoholic Beverages and upon condition that appropriate permits are obtained from the State Liquor Authority and insurance coverage is provided satisfactory to the Town Board.

ADOPTED =AYES 5 NAYS 0

RESOLUTION # 91

Proclamation

Supervisor Kelley moved and Councilman Trupia seconded the following resolution:

THE TOWN SUPERVISOR, DOUGLAS S. KELLEY AND THE RESPECTIVE BOARD MEMBERS WISH TO WELCOME THE DESCENDANTS OF BERNARD ULINE AND HIS WIFE ANNA MARIA.

WE DECLARE THAT ONCE AGAIN, WEST SAND LAKE BECOMES ULINESVILLE ON THIS DAY, THE 23RD OF AUGUST, 1998.

ADOPTED = AYES 5 NAYS 0

RESOLUTION # 92

Approve August Warrant

Councilwoman Fasoldt moved and Supervisor Kelley seconded the following resolution:

BE IT RESOLVED, that the August 1998 Fund Warrant be approved as audited; General Fund \$22,087.75; Highway Fund \$59,773.50; H006 Fund \$9,269.21; SL1 Fund \$11,225.25; and Sewer Fund \$5,920.92 for a total warrant of \$108,295.20.

ADOPTED = AYES 5 NAYS 0

COMMENTS FROM RESIDENTS

- Terry Turner regarding changing the Board meetings back to Wednesday's.
- Pat Stevens regarding speed limit on Momrow Road
- Regina Cristo regarding attitude of Board

EXECUTIVE SESSION

Supervisor Kelley moved and Councilman Welcome seconded the motion to adjourn the Board Meeting and move into Executive Session at 10:45 P.M. to discuss legal strategy pertaining to Timberland.

MOTION CARRIED: UNANIMOUS

At 10:47 P.M. the Executive Session was called to order. At this time we were counseled by Special Counsel Fred Schreyer pertaining to the petition from Eugene DeSantis and the residents of Timberland.

Supervisor Kelley moved and Councilwoman Fasoldt seconded the motion to reconvene the Regular Town Board meeting at 10:50 P.M.

RESOLUTION # 93

Timberland vs. Town of Sand Lake

Supervisor Kelley moved and Councilman Trupia seconded the following resolution:

WHEREAS, there are currently pending two lawsuits against the Town concerning real property tax assessments on property located on Timberland Drive in the Town, and

WHEREAS, the parties are desirous of settling the matter without the expense and inconvenience of further litigation, and

WHEREAS, the attached settlement has been negotiated over the past few months by the parties and their attorneys,

NOW THEREFORE IT IS HEREBY RESOLVED AS FOLLOWS:

The attached settlement of the legal actions therein described, is hereby approved, and the Supervisor and Deputy Town Attorney are authorized to execute same and take such other steps as may be necessary to effectuate such settlement according to its terms.

ADOPTED = AYES 4 NAYS 0 ABSTENTION 1 (Councilwoman Dunn)

MEETING ADJOURNMENT

Supervisor Kelley moved and Councilman Welcome seconded the motion to adjourn the Board meeting at 10:52 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,

Christine M. Kronau

Town Clerk

REGULAR MONTHLY MEETING

September 11, 1998

The regular monthly meeting of the Town Board of the Town of Sand lake was called to order by Supervisor Kelley 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 Dunn
 Councilwoman Fasoldt
 Councilman Welcome
 Supervisor Kelley
 Attorney Schreyer

ABSENT: Councilman Trupia

RECORDING SECRETARY: Town Clerk, Christine M. Kronau

OTHERS PRESENT: Joseph and Tina DiLello, Paul Blanchet, Rosemary Brennan Quinn, Frank Fleming, Joe Baum, William Glasser, Fred Wurtemberger, Sean Maloney, Ed Patanian, Irv Sewell, Cindy Sewell, Tracey Albanese, Lynn Manning, Steve Robelotto, Ben Katz, Jack Wsrigh, Bob Katz, Bob Hubler, Justin Schultz, Mr. Deyo, Joe Warren, Jr., James Dunn, Peter Priggy, Tim Fiato, Mike Rohloff, Barbara Martinage and others.

APPROVAL OF MINUTES: Supervisor Kelley made the motion to approve the minutes of the August 14, 1998 minutes. This was seconded by Councilwoman Dunn.

MOTION CARRIED: AYES 4 NAYS 0

MONTHLY REPORTS:

TOWN CLERK - Christine M. Kronau

- Total fees submitted to the Supervisor for August 1998 - \$757.29
- Copy on file in Town Clerk's office.
- Gave a report regarding Primary Day.

SUPERVISOR'S REPORT -

Supervisor Kelley introduced Mr. McGrath from the U.S. Postal Service and Sandy Simon, Postmaster of the West Sand Lake Post Office. Mr. McGrath informed the residents of Sand Lake that the West Sand Lake office was looking to relocate. He informed residents that they had an opportunity to have input in the decision. Any local landowner who thought they might be interested was encouraged to get in contact with the postal department. Justin Schultz inquired as to why the Post Office does not consolidate. He was informed that there was a moratorium on consolidation as small towns felt they lost their identity when they lost their post office.

Supervisor Kelley reported that pads are being poured for the benches in the hamlet of West Sand lake. He also mentioned that if any business or organization wished to sponsor a bench to contact his office. A Suggestion was made by a resident to televise planning board meetings. Supervisor Kelley asked Councilwoman Dunn to look into this.

There will be an Open House at Capital Mutual on Saturday, September 19, 1998. All residents are invited to attend. I apologize for the inconvenience of the landfill being closed on September 5, 1998. In the future, it will remain open on Saturday's when Town Hall is closed unless it is an actual holiday. I met with the residents of Crooked Lake and Kestner Engineers on Wednesday, September 9, 1998 concerning the establishment of Sand Lake Sewer District Number II. It was a very positive meeting. Kestner Engineers will also be working on defining a Water District. October 7, 1998 has been proclaimed EDITH DAY. It is a good time to check batteries and other essentials necessary for safe homes and business places.

BOARD MEMBER REPORTS:

CABLE - Nancy Dunn reported that Cable and Camera equipment were moved to back of the hall to seek better televised meetings.

STREET LIGHTING - When reporting outages, it takes a week to ten days for replacement of bulbs.

YOUTH & RECREATION - The Town Beach has been winterized and closed for the season. The park is still in operation with the field being used by Pop Warner Football.

The committee is gathering together specifics for putting a roof on the stage.

LIBRARY - Flora Fasoldt, Supervisor Kelley, and Smith & Mahoney, Engineers had a meeting with the Library Board of Trustees on Saturday August 29, 1998. Everyone came away with a positive attitude.

EMERGENCY SERVICES - Councilman Welcome; on file in Town Clerk's Office.

SENIOR CITIZENS - The Seniors meet at The Church of the Covenant. They still have some openings for trips to Raquette Lake, October Fest, Radio City Music Hall and Springfield, Mass.

COMMITTEE REPORTS:

PLANNING - Justin Schultz; on file in Clerk's Office.

ZONING BOARD - on file in Clerk's Office.

YOUTH - Lynn Hamel; Josh Stokes

COMMENTS FROM RESIDENTS:

Ed Patanian - regarding Street Light Regulations

PUBLIC HEARINGS:

Please take note that the Sand Lake Town Board will conduct the following Public Hearings at the Sand Lake Town Hall, Route 43, at 7:30P.M. on Friday, September 11, 1998 where all interested parties will be heard.

To consider a proposed Amendment to Chapter 75, Article II, Section 6 of the Sand Lake (Animal Control Law), prohibiting dogs in Town Parks and Recreation areas whether leashed or unleashed.

To consider a proposed Amendment to Chapter 225, Subdivision of Lands, of the Code of the Town of Sand lake, entitled Subdivision of Lands, requiring subdivision applicants to take certain action with respect thereto.

/S/

Christine M. Kronau, Town Clerk

Supervisor Kelley opened the Public Hearing on the Amendment to the Animal Control Law at 8:09 p.m.

Tina DeLello asked if seeing eye dogs were exempt. Supervisor Kelley assured her they certainly were exempt.

After no further questions, this part of the Public Hearing was closed at 8:11 p.m.

BUSINESS

RESOLUTION # 94

Adoption of Amendment to Dog Control Law

Councilwoman Fasoldt moved and Councilman Welcome seconded the following resolution:

A local law prohibiting dogs leashed or unleashed in Town parks and recreation areas except seeing eye dogs or by permission of the Town Board for community events.

Be it enacted by the Town Board of the Town of Sand Lake as follows:

Section 1.

Chapter 75, Article II, section 6 of the Code of the Town of Sand Lake (Animal Control Law) is amended by adding a new subsection G. to read as follows:

G. No person shall permit any dog to be in or on any park, beach or recreational property owned by the Town of Sand Lake, whether leased or otherwise, except for seeing eye dogs or by exemption of the Town Board for Community Events.

Section 2.

This law shall take effect immediately upon filing with the Secretary of State.

ADOPTED = AYES 4 NAYS 0

RESOLUTION # 96

In the matter of amending the Code of the Town of Sand Lake pertaining to street lighting in new subdivisions:

Councilwoman Dunn moved and Supervisor Kelley seconded the following resolution:

TOWN OF SAND LAKE

LOCAL LAW NUMBER IV OF 1998

A Local Law requiring that subdivisions obtain Town Board approval for public street lighting.

Be it enacted by the Town Board of the Town of Sand Lake as follows:

Section 1.

Chapter 225 of the Code of the Town of Sand Lake, Article III, section 225-5, subsection B, paragraph (1) is amended by adding a new subparagraph (m) to read as follows:

“(m) Street lighting, if any.”

Section 2.

Chapter 225 of the Code of the Town of Sand Lake, Article V, is amended by adding a new section 225-35 to read as follows:

“225-35. Street lighting.

Where the developer wishes to install street lighting in a subdivision, the location and type of lights to be installed shall be shown on the plans. The plans shall also designate which lights are to be installed for safety purposes and which are for aesthetic purposes. All street lighting shall be installed at the developer’s expense. Upon receiving preliminary approval of the subdivision from the Planning Board, the developer shall submit a copy of the plans showing such street lighting to the Town Board for its

review, along with a written statement by the developer as to the method proposed for financing the operation and maintenance of such lights, however such plans need not be submitted to the Town Board if such costs are to be born directly by the prospective owners of the properties in the subdivision. The Town Board, with the advice of the Commissioner of Public Works, shall promptly review any plans submitted, and transmit its approval, approval with modifications, or disapproval of such plans, to the Planning Board. The Town Board will also determine at such time the method of financing the operation and maintenance of each of the proposed street lights, whether by creation of a special lighting district, by including any light or lights as part of the existing town wide lighting district, or otherwise. The Planning Board may not want grant final subdivision approval until the Town Board has acted with respect to such matters and transmitted its decision to the Planning Board.”

Section 3.

This law shall take effect immediately upon filing with the Secretary of State.

ADOPTED= AYES 4 NAYS 0

RESOLUTION # 96

Travel Request; Planning Board

Supervisor Kelley moved and Councilwoman Fasoldt seconded the following resolution:

BE IT RESOLVED, that Justin Schultz, Planning Board Chairman be allowed to attend the NYPF Annual Institute being held September 14-16 in Rochester, New York. The cost of this conference not to exceed \$500.00.

ADOPTED= AYES 4 NAYS 0

RESOLUTION # 97

In the matter of making an appointment to the position of Clerk to the Assessor:

Councilwoman Fasoldt moved and Councilman Welcome seconded the following resolution:

Whereas, the position of Clerk to the Assessor is currently vacant, and

Whereas, it is in the interests of the Town that such position be filled so that the business of the Town may proceed in an orderly and expeditious fashion,

NOW THEREFORE IT IS HEREBY RESOLVED AS FOLLOWS:

Tracey Albanese is hereby appointed to the position of Clerk to the Assessor to be compensated at the rate of \$8.57 per hour.

ADOPTED = AYES 4 NAYS 0

RESOLUTION # 98

In the matter of making an appointment to the position of Town Attorney:

Councilwoman Fasoldt moved and Councilman Welcome seconded the following resolution:

Whereas, the position of Town Attorney is currently vacant, and

Whereas, it is in the interests of the Town that such position be filled so that the business of the Town may proceed in an orderly and expeditious fashion,

NOW THEREFORE IT IS HEREBY RESOLVED AS FOLLOWS:

Joseph T. Baum, Esq. is hereby appointed to the position of Town Attorney to be compensated at the rate stated in the current budget.

ADOPTED = AYES 4 NAYS 0

RESOLUTION # 99

In the matter of the appointment of a Zoning Revision Committee and Counsel Thereto:

Supervisor Kelley moved and Councilwoman Fasoldt seconded the following resolution:

Whereas, the Town Board has solicited and received suggestions from the public and interested parties regarding possible changes to the Towns Zoning and Land Use Laws, and

Whereas, the Board is desirous of moving forward with respect to such issues,

NOW THEREFORE IT IS HEREBY RESOLVED AS FOLLOWS:

1. A Zoning Revision Committee consisting of the following persons is hereby appointed:

C. Joseph Trupia

Flora Fasoldt

Douglas S. Kelley

The Committee is charged with the task of formulating specific recommendations to the full Town Board concerning any revisions to the Town's Zoning and other land use laws which such committee deems advisable. The Committee is directed to meet at least once in public for the purpose of receiving further public comment. The Committee shall complete its report within 90 days hereof or report the reasons

for its inability to do so. Such report shall include both majority and minority recommendations and reasons therefore along with the specific delineation of any lands to be rezoned.

2. Frederick J. Schreyer, Esq., of Averill Park is hereby appointed Special Counsel to the Zoning Revision Committee and this Board in connection with the work of such Committee and any recommendations it may make, with compensation to be paid to him through use of standard vouchers at the rate of \$50.00 per hour plus expenses.

ADOPTED = AYES 3 NAYS 0 ABSTENTION 1 (Councilwoman Dunn)

RESOLUTION # 100

In the matter of naming Roads (911).

Supervisor Kelley moved and Councilwoman Fasoldt seconded the following resolution:

Whereas, it is desirous to add road names in response to the County's 911 System and requests of residents;

Therefore, BE IT RESOLVED, that the following private road name be adopted:

FROM unnamed - between parcel # 169.2-1-17 & 160.2-1-18 TO Welcome Way.

ADOPTED = AYES 3 NAYS 0 ABSTENTION (Welcome)

RESOLUTION # 101

In the matter of Purchasing, Altering, Constructing or Remodeling Buildings for Town purposes and Making Expenditures Therefor:

Supervisor Kelley moved and Councilwoman Fasoldt seconded the following resolution:

Whereas, certain plans for town municipal facilities have been presented by a member of the Board and the Board has duly authorized retention of professional engineering services in respect of same, and

Whereas, the Town Board is desirous of expeditiously moving forward with making a decision with respect to whether or not to move forward with such plans or any revised plans, and

Whereas, the State Environmental Quality Review acts requires compliance with such law at the earliest possible opportunity in the development of a project such as this, and

Whereas, the plans call for purchase of a specific piece of real estate and it would expedite matters to have a form of contract for sale prepared for the Board's review, and

Whereas, payment for all purchases, improvements, equipment, etc. will be made using surplus funds, or capital reserve funds already designated for such purposes,

NOW THEREFORE IT IS HEREBY RESOLVED AS FOLLOWS:

1. The Supervisor with the advice of counsel is authorized to negotiate and solicit a form of contract of sale from the owners of the Capital Mutual Insurance building located on Route 66 in the Hamlet of Sand Lake, including the price to be paid and other items provided that such contract may not be executed without approval of the Town Board.
2. Under the State Environmental Quality Review Act, the Board finds this to be an unlisted action. The Board, after consultation with counsel and planning professionals, is unaware of any other agency to which the Town must apply for a permit to accomplish the plans and work proposed. The Board will conduct an uncoordinated review of the proposal, but hereby solicits written input from the public and any other interested parties or agencies. A draft Environmental Assessment Form has been prepared by

Smith and Mahoney, Engineers, and the same is hereby accepted for review purposes and shall be made available to the public and interested parties upon request.

3. A special meeting is hereby set for October 9, 1998 at 7:30p.m. to be held at Town Hall for the purpose of receiving oral statements from the public and interested parties concerning possible adverse environmental effects of the plan, as well as the plan itself, revisions thereto if any, and for the further purpose of taking further action with respect to determinations under SEQRA as well as the plans themselves should the Board so determine.

ADOPTED = AYES 3 NAYS 1

RESOLUTION # 102

Designate Representative to act on behalf of Town Board regarding 1996 Clean Air Bond Act.

Supervisor Kelley moved and Councilwoman Fasoldt seconded the following resolution:

1996 Clean Water/Clean Air Bond Act—Title 3 Section 56-0303

Water Quality Improvement Projects and

Environmental Protection Fund Article 17-14 Environmental Conservation Law

Nonagricultural Nonpoint Source Projects

Municipal Resolution

Resolution authorizing the items listed below pursuant to the Clean Water / Clean Air Bond Act of 1996.

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, 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 water quality improvement 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;

NOWM THEREFORE, BE IT RESOLVED BY Sand Lake

1. That Douglas S. Kelley, Supervisor or such person's successor in office, is the representative authorized to act on 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 for the Municipality's governing body in all matters related to the Project and to State assistance;

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 (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.

ADOPTED= AYES 4 NAYS 0

RESOLUTION 103

Speed Limit Reduction Request:

Supervisor Kelley moved and Councilwoman Dunn seconded the following resolution:

Whereas, requests have been made to reduce speed limits on NYS Route 43 in West Sand Lake because of sight distance, 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 NYS Route 43 from the western town line to Route 351 from 45 mph to 35mph.

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

ADOPTED= AYES 4 NAYS 0

RESOLUTION # 104

In the matter of Setting a Hearing to Consider the Attached Local law Amending the Code of the Town of Sand Lake pertaining to keeping Sidewalks free of Obstructions.

Supervisor Kelley moved and Councilman Welcome seconded the following resolution:

Whereas, side walks are being installed along State Routes 43 and 150 in the Hamlet of West Sand Lake, and

Whereas, Town Law Section 130.4 authorizes the Town Board to require the owner and occupants of premises abutting on any street where a sidewalk has been laid to keep such sidewalk free and clear of obstructions,

NOW THEREFORE IT IS RESOLVED AS FOLLOWS

A public hearing on the attached proposed amendment to Chapter 220 of the Code of the Town of Sand Lake, entitled "Streets and Sidewalks" is hereby scheduled for the 9th day of October, 1998, and the Town Clerk is hereby directed to publish appropriate Notice thereof.

TOWN OF SAND LAKE

LOCAL LAW NO. V OF 1998

A local law requiring owners and occupants of premises abutting on any street where a sidewalk has been laid to keep such sidewalk free of obstructions.

Be it enacted by the Town Board of the Town of Sand Lake as follows:

Section 1.

Chapter 220 of the Code of the Town of Sand Lake is amended by adding a new Article II to read as follows:

ARTICLE II

SIDEWALKS TO BE KEPT FREE OF OBSTRUCTIONS

Sect. 220-6 Purpose.

The purpose of this Article shall be to preserve the public peace and good order in the town, to contribute to the public welfare, safety and good order of its people and to contribute to the safe conveyance of its people over the sidewalks of the town by establishing certain regulations for the removal of snow and ice from the sidewalks of the town that are consistent with the rights and privileges of other residents of the town. It is further noted that certain snow-removal practices are a vexation and annoyance not only to the traveling public but to the owners and occupants of adjoining

lands. It is for these reasons and others that the Board of Sand Lake is compelled to legislate upon the subject matter.

Sect. 220-7 Duty to Keep Sidewalks Clear.

It shall be the duty of the owner and occupant, jointly, of every parcel of real estate adjoining a public sidewalk, whether the parcel of real estate is occupied by a structure or not, to keep such sidewalks adjoining such property free from snow and ice for the full paved width of such sidewalk.

Sect. 220-8

Snow and ice shall be removed within forty-eight (48) hours after the end of a snowfall. Sidewalks in front of commercial establishments shall be kept free of snow and ice at all times during hours of operation.

Sect. 220-9 Removal by town; costs.

A. Whenever the owner or occupant of any parcel of real estate adjoining a public sidewalk fails to remove the snow and ice from such sidewalk adjoining such property within the time specified in this Article, or within eight (8 hours) after notice by the Town of Sand Lake to remove or cause to be removed said snow and ice from such sidewalk and to notify the Town Clerk of the Expense incurred by the amount of labor, equipment and materials used.

B. The Town Clerk shall promptly present to the owner or occupant of each parcel a bill for the removal of snow and ice as certified by the Commissioner of Public Works. If not paid within thirty (30) days, the cost thereof shall be assessed against the property and become a lien thereon, collectible in the same manner as delinquent town taxes.

ADOPTED = AYES 4 NAYS 0

RESOLUTION # 105

In the Matter of a PROPOSAL TO Establish a Sewer District in the Town of Sand Lake, Rensselaer County, New York to be known as Sand Lake Sewer District Number II.

Supervisor Kelley moved and Councilman Welcome seconded the following resolution:

Whereas, the Town Board of the Town of Sand Lake has previously contracted with the firm of Kestner Engineers, P. C. for preparation of a concept plan with respect to installation of sewers in the vicinity of Glass and Crooked Lakes in the Town, and

Whereas, a public informational meeting was recently held concerning the proposal at which affected property owners and residents were invited to review the concept plan and make their views known as to whether they would support a project, and,

Whereas, at such meeting and through a straw poll, affected residents and property owners evinced substantial interest in such a project, and

Whereas, based upon such interest the firm of Kestner Engineers, P.C. was directed to complete a map, plan and report concerning such proposal, which map, plan and report has now been completed and filed in the Office of the Town Clerk on the 11th day of September, 1998, and

Whereas, pursuant to the State Environmental Quality Review Act, the Board finds this to be an (unlisted/type I) action, that it will conduct a coordinated review of the project, that the Town Board of the Town of Sand Lake shall be lead agency, that Kestner Engineers, P.C. shall prepare a draft long form Environmental Assessment Form for completion by the Board with such firm's aid, and that notice hereof shall be provided to the following involved and interested agencies: Department of Environmental Conservation, County Health Department, County Sewer District, New York State Department of Transportation, Rensselaer County Highway Department, Federal Environmental Protection Agency, NYS Environmental Facilities Corporation, and

Whereas, the area to be encompassed within the proposed Sand Lake Sewer District Number II is bounded and described as follows: that area of the Town encompassed by the parcels of land identified by tax map number in Exhibit A attached hereto; also see map of proposed district filed with the Town Clerk's office; and

Whereas, the improvements proposed consist of sanitary sewer service to the Crooked Lake area as shown on a map prepared by Kestner Engineers, P. C. dated March, 1998. Initially, sanitary sewer service would be provided to the properties from Creek Lane southeasterly along State Route 43/66 past the

intersection of Eastern Union Turnpike and Methodist Farm Road to the Sand Lake/Nassau town line. Sanitary sewer Service would also be extended once funding were obtained along Eastern Union Turnpike and Methodist Farm Road servicing properties on both sides of those roads including Maria Villa Way, Twin Lion Way, Holser Road Way and Perry Way off of Eastern Union Turnpike, and Connelly Way, Lilly Lane to Stewart Lane, Saxby Way and Stone Camp Way. The project would be serviced by grinder pumps and would discharge wastewater to the existing Town of Sand Lake Sewer District # I pump station at Creek Lane. Wastewater treatment would be provided by the Rensselaer County Sewer District Plant on the Hudson River. Anticipated typical costs for residents and landowners have been filed with the Town Clerk along with a detailed report, plan and map.

Whereas, the maximum amount proposed to be expended for the said improvement is the sum of \$765,445.00 to be financed as follows: \$500,000.00 grant through the New York State Environmental Bond Act and \$265,445.00 bond or Environmental Facilities Corporation loan,

NOW THEREFORE

IT IS HEREBY ORDERED that a meeting of the Town Board of the Town of Sand Lake shall be held at the Town Hall in the Town of Sand lake, New York on the 9th day of October, 1998 at 7:30 o'clock in the after noon of that day to consider the proposal and to hear all persons interested in the subject thereof concerning the same and for such other action on the vote of said Town Board with relation to the said proposal as may be required by law or proper in the premises.

ADOPTED = AYES 4 NAYS 0

RESOLUTION # 106

In the Matter of Retaining Legal Counsel in Connection With a Proposal to Establish a Sewer District in the Town of Sand Lake, Rensselaer County, New York to Be Known as Sand Lake Sewer District # II.

Supervisor Kelley moved and Councilwoman Fasoldt seconded the following resolution:

Whereas, it has been proposed that the Town Board for the Town of Sand Lake create a second sewer district in the Town, to be known as Sand Lake Sewer District Number II, to service areas in the vicinity of Glass and Crooked Lakes in the Town, and

Whereas, the Board will need legal counsel in connection with such proposal for the preparation of necessary resolution, orders, notices, contracts, deeds, rights of way, loans, grants, rules, local laws and other and sundry legal work, and

Whereas, Frederick J. Schreyer, Esq. Of Averill Park, currently serves as Deputy Town Attorney assigned as counsel to the existing sand lake Sewer District Number I, and is familiar with the method of operation and financing thereof and also with the proposal to create the Sand lake Sewer District Number II,

NOW THEREFORE IT IS HEREBY RESOLVED AS FOLLOWS:

Frederick J. Schreyer, Esq. Is hereby retained as special counsel to the Town Board with respect to the proposal to create the Sand Lake Sewer District Number II, with compensation as follows: \$50.00 per hour plus expenses, to be paid utilizing Town General or Special Funds heretofore or hereafter appropriated for such purpose. All sums for legal fees and expenses paid from Town General Funds hereunder shall be reimbursed to the Town by the said Sand Lake Sewer District Number II upon its creation and financing and such funds as so reimbursed shall become and be deemed a part of the capital cost of the improvement.

ADOPTED = AYES 4 NAYS 0

RESOLUTION # 107

In the Matter of Retaining Legal Counsel in Connection With Landfill Closure Reimbursement Grant.

Supervisor Kelley moved and Councilman Welcome seconded the following resolution:

Whereas, the Town is applying for an approximately \$800,00.00 grant to reimburse the Town for a portion of funds expended by the Town to close the landfill, and

Whereas, it is in the interests of the Town to retain legal counsel to review such grant application, now therefore

IT IS HEREBY RESOLVED AS FOLLOWS:

Frederick J. Schreyer, Esq., of Averill Park is retained as Special Counsel for that purpose of assisting the Town in applying for the landfill closure reimbursement grant, with compensation to be paid at the rate of \$50.00 per hour, plus expenses, to be paid upon standard vouchers.

ADOPTED = AYES 4 NAYS 0

RESOLUTION # 108

September Fund Warrant

Supervisor Kelley moved and Councilwoman Fasoldt seconded the following resolution:

BE IT RESOLVED, the September Warrant be approved as audited; General Fund \$ 18,904.14; Highway Fund \$8,586.29; Street Lighting \$5,651.56; Sewer Fund \$247,085.87.

ADOPTED =AYES4 NAYS 0

COMMENTS FROM RESIDENTS:

William Glasser; regarding Zoning Committee

Paul Blanchet; regarding

A motion was made by Supervisor Kelley to adjourn the meeting and go into Executive Session at 9:12P.M.

MOTION CARRIED: UNANIMOUS

A motion was made by Supervisor Kelley to reconvene the regular monthly meeting at 9:35P.M.

MOTION CARRIED: UNANIMOUS

RESOLUTION #109

In the Matter of Retaining Counsel to Defend Town of Sand Lake

Councilwoman Fasoldt moved and Councilman Welcome seconded the following resolution:

Whereas, the Sand Lake Town Board has authorized the Supervisor to retain Legal Counsel to defend an Article 78 procedure against the Sand Lake Planning Board.

ADOPTED = AYES 4 NAYS 0

MEETING ADJOURNMENT

The motion to adjourn was made by Supervisor Kelley at 9:36P.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,

Christine M. Kronau

Town Clerk

REGULAR MONTHLY MEETING

October 9, 1998

The regular monthly meeting of the Town Board of the Town of Sand Lake was called to order by Supervisor Kelley 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 Dunn
	Councilman Trupia
	Councilwoman Fasoldt
	Councilman Welcome
	Supervisor Kelley
	Attorney Baum

RECORDING SECRETARY: Town Clerk, Christine M. Kronau

OTHERS PRESENT: Frank Fleming, Ed Patanian, Lynn Manning, Irv & Cindy Sewell, Kate Bradley, Derrick Bradley, Tina Dilello, Ellie Patterson, Fred Wurtmeberger, Joe Warren, Jr. , Paul Blanchet, Laura Davis, Ronald Campbell, Fred Schreyer, Mark Kestner, Mr. & Mrs. Thomas Hale, Sean Maloney, Dora Wehnau, Art Miller, Ed Miller, Rosemary brennan Quinn, Mr & Mrs. Manfred, Mr. & Mrs. Bergman, Steve Robelotta, William Glasser, Frank Allen, Lynn Wolfe, Kelly Paslow, James M. DeFayette, John P. Goca, Colleen O'Bryne, Tim Kelly, Michaelene Kelly, John & Julia Bielawski, Florine Rogers, Phyllis Lacross, Tiffany Welcome, Peter Prigge, Amy Wilsey, Bill & Helen Deyo, Justin Schultz and others.

APPROVAL OF MINUTES: Councilman Trupia made the motion to approve the minutes of the September 9, 1998 meeting. This was seconded by Councilwoman Dunn.

MOTION CARRIED: AYES 5 NAYS 0

MONTHLY REPORTS:

TOWN CLERK - Christine M. Kronau

- Total fees submitted to the Supervisor for September 1998 - \$ 690.38.
- Copy on file in Town Clerk's Office.

SUPERVISOR'S REPORT:

SUPERVISOR - Douglas S. Kelley

· Supervisor Kelley sent a letter requesting RFT'S from interested engineering firms regarding construction of a water system in the hamlet of Averill Park. Our Board is going to begin the selection process for a contractor to investigate further grant opportunities to increase our grant score that we received last time, which was too low for funding and to proceed with the project. The time for study is over. I know it's been studied and we have documented the problem. We are now in the process of defining a district and proceeding with the actual grant reapplication. So any engineering firms that have experience with water supply systems are encouraged to contact my office.

· I would like to make residents aware that there are census takers circulating in the Town of Sand Lake. If you see a few people with graphs and charts don't be suspicious, they may belong to the Census and will be gathering information for the next eight weeks.

· I mostly want to talk this evening about the Sidewalks in West Sand Lake. One thing, before I talk about the Sidewalk Law that's on the agenda tonight, there will be a sidewalk constructed along

Route 150 from the corners to the entrance to the 43 Mall and that was in addition to the original project. The Town Board petitioned for that to happen and I just received some unofficial notification that those sidewalks along 150 will be constructed.

The next part of my report has to do with the Sidewalk Law itself. It comes latter on in the agenda. There will be a Public Hearing on this matter tonight. I would like to let the public know that we are not going to consider passing this law. This law basically has no support on the Town Board. I polled the Town Board and none of us are in support of this law. I guess the question is where it came from. Well, it was a model law that was sent to us when the question was being raised with DOT as to how do we maintain it and who maintains it. Nevertheless, it is an issue now that we are never going to adopt. We will not require homeowners to clear the sidewalks in West Sand Lake. The Town has in it's possession right now a four wheel drive tractor with a four foot snow blower on it. We are going to try that out for this year. We are not sure exactly how that's going to work or whether that will be the right piece of equipment for the job. I know some other municipalities have rubber track type vehicles with small plows on the front. That perhaps is something we might look at after a years experience. But in any case we are going to gain experience this year without any law in place without requiring residents to clean it. We're going to clean it and as our highway department gains experience, we will get better at it. We are going to remove ice through the use of calcium, we are not going to use salt on the sidewalks. We are afraid it might not only damage the sidewalks, but lawns as well. We are worried about the ice that might be pushed over by state plows from the main road onto the sidewalk and worried about whether we will be able to do an adequate job removing that with the snow blower. I have asked the Highway Department and the Commissioner of Public Works to look at some other pieces of equipment just to have as a study in case we find that the piece of equipment we have will not do the job. But it very well might. Another concern I have concerning the sidewalks are the mail boxes. I understand there will be some mail boxes between the curbing and the sidewalks themselves. These mail boxes will probably be a prime target for the state plow. It won't be for our snow blower. I am worried about that. In some areas our highway department said they will be able to come down with their wing and simply wing back where there are no obstructions. Again our crew is not experienced with sidewalks. It will give us a year to experiment and to hone our expertise in terms of getting our sidewalks cleaned off with some of the plows and equipment we are using now. When the Town begins to maintain those sidewalks we are assuming liability for them. That will relieve the homeowner of not all liability but at least where I can see any liability will primarily be directed at the municipality because we have assumed the responsibility to keep those clean. We are going to try it this year without extra help on the highway department which means the timing might not be best if the fellows are out plowing all night long. You may not get your sidewalks cleaned at 8:00 o'clock in the morning. They may need a break. In any case the timing will have to see just how it works out and we'll get the guys back in and that will be the next priority for the fellows once they've cleaned off all the roads to get down there and clean off all the sidewalks with their equipment. I wanted to let the people know we've had a considerable amount of discussion with the Public Works Department about the sidewalks, about this law, and our assuming the responsibility. Among the Town Board itself, the Public Works Department and I wanted to put many residents minds to ease at this point that we can still have the public hearing

tonight and welcome any comments you might have but we are not going to adopt this proposed law. That concludes the Supervisor's Report for tonight.

BOARD MEMBER REPORTS:

CABLE - Time Warner will be taking over the cable on November 1st. Councilwoman Dunn thanked Bob Hebler for all the help he has given to the town in order to improve the televising of our Town Board Meetings.

STREETLIGHTS - Councilwoman Dunn requested that when notifying a streetlight outage, it would be very helpful to have the Pole Number.

INSURANCE - Nothing to report

ANIMAL CONTROL - Copy on file in Town Clerk's Office.

YOUTH - Councilwoman Fasoldt met with Susan Frost and Joan Fuess regarding a Joint Program on the Theatre and Arts for the children of Sand Lake.

LIBRARY - The Library has given the Supervisor floor plans they have worked on for the existing Town Hall. They are on file in the Supervisor's Office. The library will also be doing a Dried Flower Arrangement Class for Adults.

EMERGENCY - Copy on file in Town Clerk's Office.

SENIORS - Copy on file in Town Clerk's Office.

COMMITTEE REPORTS:

PLANNING - Justin Schultz; on file in Clerk's Office.

ZONING BOARD OF APPEALS - Frank Allen; on file in Clerk's Office.

PUBLIC WORKS - Steve Robelotto; on file in Clerk's Office.

YOUTH- Lynn Hamel; The youth Committee is waiting for approval from the APCSD regarding the roller skating parties. There will be Christmas Crafts at Town Hall on 12/01 and 12/09 for Sand Lake residents. Notice will be in the Advertiser for both occasions.

PUBLIC HEARINGS:

Councilman Trupia made a motion to recess and open the Public Hearings. This was seconded by Councilwoman Dunn.

MOTION CARRIED = UNANIMOUS

Please take note that the Sand Lake Town Board will conduct the following Public Hearings at the Sand Lake Town Hall, Route 43, at 7:30 P.M. on Friday, October 9, 1998 where all interested parties will be heard.

To consider a proposed Amendment to Chapter 220, of the Code of the Town of Sand Lake, entitled "Streets and Sidewalks".

/S/

Christine M. Kronau, Town Clerk

TOWN OF SAND LAKE

LOCAL LAW NO. V OF 1998

A local law requiring owners and occupants of premises abutting on any street where a sidewalk has been laid to keep such sidewalk free of obstructions.

Be it enacted by the Town Board of the Town of Sand Lake as follows:

Section 1.

Chapter 220 of the Code of the Town of Sand Lake is amended by adding a new Article to read as follows:

ARTICLE II

SIDEWALKS TO BE KEPT FREE OF OBSTRUCTIONS

Sect. 220-6 Purpose.

The purpose of this article shall be to preserve the public peace and good order in the town, to contribute to the public welfare, safety and good order of its people and to contribute to the safe conveyance of its people over the sidewalks of the town by establishing certain regulations for the removal of snow and ice from the sidewalks of the town that are consistent with the rights and privileges of other residents of the town. It is further noted that certain snow-removal practices are a vexation and annoyance not only to the traveling public but to the owners and occupants of adjoining lands. It is for these reasons and others that the Board of Sand Lake is compelled to legislate upon the subject matter.

Sect. 220-7 Duty to Keep Sidewalks Clear.

It shall be the duty of the owner and occupant, jointly, of every parcel of real estate adjoining a public sidewalk, whether the parcel of real estate is occupied by a structure or not, to keep such sidewalks adjoining such property free from snow and ice for the full paved width of such sidewalk.

Sect. 220-8 Time Limit for Removal.

Snow and ice shall be removed within forty-eight (48) hours after the end of a snowfall. Sidewalks in front of commercial establishments shall be kept free of snow and ice at all times during hours of operation.

Sect. 220-9 Removal by town; costs.

A. Whenever the owner or occupant of any parcel of real estate adjoining a public sidewalk fails to remove the snow and ice from such sidewalk adjoining such property within the time specified in this Article, or within eight (8) hours after notice by the Town of Sand Lake to remove same, it shall be the duty of the Commissioner of Public Works to remove or cause to be removed said snow and ice from such sidewalk and to notify the Town Clerk of the expense incurred by the amount of labor, equipment and materials used.

B. The Town Clerk shall promptly present to the owner or occupant of each parcel a bill for the removal of snow and ice as certified by the Commissioner of Public Works. If not paid within (30) days, the cost thereof shall be assessed against the property and become a lien thereon, collectible in the same manner as delinquent town taxes.

At this point Supervisor Kelley assured the Town that this Local Law was to be tabled. He had received many letters on the subject and felt that the Town would like to take a wait and see attitude. The town would maintain the sidewalks for this winter and see how things worked out. He stated that the Town had enough Liability Insurance and this would not cost the taxpayers any more money.

- Ellie Patterson thanked The Town Board for their consideration.
- Dave Grinnell also thanked the Town Board for the sidewalks along Route 150.
- Jim Laporte arrived late to the meeting and after being informed that the Local Law was being tabled thanked the Supervisor and Board for their concern.

Councilman Welcome made the motion to kill Local Law Number V of 1998. Councilwoman Fasoldt seconded the motion.

MOTION CARRIED = UNANIMOUS

Councilman Welcome made the motion to open the Public Hearing for the establishment of Sand Lake Sewer District Number II. It was seconded by Councilwoman Dunn.

MOTION CARRIED = UNANIMOUS

At this point Sewer Attorney Schreyer gave a short synopsis of the proposed Sewer District Number II. Kestner Engineers handed out fliers regarding the cost to the taxpayer concerning payments for the bond and operation and maintenance costs.

- Deborah Jewell spoke in favor of establishing the Sewer District.
- John Bergmann also spoke in favor. He has seen the lake waters become crowded with vegetation. He has two residences in the district and knows that the people need this even though it is very expensive.

- Julie Bielawski asked some questions regarding her vacant parcel. They have not built as of yet.
- Michaelene and Tim Kelly also have vacant land with plans to build in the future.
- Ed Patanian asked questions concerning grinder pumps in the district.

Councilman Trupia made the motion to close the Public hearing. It was seconded by Councilman Welcome.

MOTION CARRIED = UNANIMOUS

RESOLUTION # 110

In the Matter of Determining the Environmental Impacts of Creating a Sanitary Sewer System to Service the Crooked Lake Area of the Town.

Supervisor Kelley moved and Councilwoman Fasoldt seconded the following resolution:

Whereas, it has been proposed by the Town Board of the Town of Sand Lake that a new sewer district be created in the Town to service the Crooked Lake area, and

Whereas, the Town Board as project sponsor has previously determined such action to be a Type I action under the State Environmental Quality Review Act (SEQRA), has designated itself as lead agency, determined it would conduct a coordinated review and provided appropriate notice thereof to all other involved agencies, and

Whereas, such other involved agencies have advised the board that they have no objection to the Town Board acting as lead agency and have further provided their comments with respect to the project and have no objections thereto, and

Whereas, the Town Board has reviewed the plans and full Environmental Assessment Form (EAF) submitted by the project engineers and have taken a hard look at the project from the standpoint of whether it will cause or create any significant adverse environmental impacts, and

Whereas, a public hearing has been held with respect to the proposal and possible environmental impacts associated therewith,

NOW THEREFORE IT IS HEREBY RESOLVED AS FOLLOWS:

There are no significant adverse environmental impacts associated with the project and the Board hereby issues the Negative Declaration of Environmental Significance attached hereto.

State Environmental Quality Review

NEGATIVE DECLARATION

Notice of Determination of Non-Significance

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town Board of the Town of Sand Lake, New York, as lead agency, has determined that the proposed action will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

NAME OF ACTION

Sand Lake Sewer District Number II.

SEQRA STATUS

Type I.

CONDITION NEGATIVE DECLARATION

No.

DESCRIPTION OF ACTION

Create a new sewer district in the Town to be known as Sand Lake Sewer District Number II and construct sewerage system to provide sanitary sewer service to residences and businesses. First phase of construction involves installation of approximately 7000 feet of low pressure sewer line, about forty building connections, and a pump station. Ultimately, once funding is obtained, project will encompass an additional two miles of pressure sewer line with necessary building connections and pumps.

LOCATION

Crooked Lake Area

REASONS SUPPORTING DETERMINATION

Long form EAF was prepared by Kestner Engineers. All facilities except pump stations will be located underground. No identifiable impacts upon land, air or water resources. Land disturbed during construction will be restored to original condition, although it will be necessary to keep sewer line right of way free and clear of obstructions including large trees, in case repairs to line become necessary. No threatened or endangered species in area, and in any event, restoration of project site to natural condition will ameliorate any effects. Beneficial effect upon lake water and aquatic flora and fauna. No agricultural land in project area, no historic or archaeological impacts. Aesthetic and recreational resources (lake) enhanced due to expected improved water quality. Small impact upon transportation during construction in public roads. No impact upon community's energy supply. Small impact upon noise during construction, but none when project complete. Positive impact upon odors to decrease in possibility of failing septic systems. Positive impact upon public health. No impact upon character of community. Small to moderate impact upon future growth in the area to be served.

IF CONDITIONED NEGATIVE DECLARATION PROVIDE THE SPECIFIC MITIGATION MEASURES IMPOSED.

Not applicable.

FOR FURTHER INFORMATION CONTACT

Douglas Kelley, Town Supervisor.

ADOPTED = AYES 5 NAYS 0

RESOLUTION # 111

In the Matter of Establishing a Second Sewer District in the Town to be Known as Sand Lake Sewer District Number II.

Supervisor Kelley moved and Councilman Welcome seconded the following resolution:

Whereas, on September 11, 1998, pursuant to Article 12-A of the Town Law, the Town Board resolved to hold a public hearing on October 9, 1998, on whether a new sewer district in the Town should be created to provide sanitary sewer service in the Crooked Lake area, said new district to be known as Sand Lake Sewer District Number II, and

Whereas, said resolution recited the improvements proposed, the boundaries of the proposed district, the estimated expenses thereof, and the fact that a licensed engineer's map, plan and report concerning the project had theretofore been filed with the Town Clerk, and

Whereas, such resolution was duly posted and published as required by law, and

Whereas, a hearing in the matter was duly held by the Board on the 9th Day of October, 1998 commencing at 7:30 pm at the Town Hall in the said Town and considerable discussion upon the matter having been had and all persons desiring to be heard having been duly heard including many people in the proposed district, and various other persons speaking in favor of the proposed district, and

Whereas, the Town Board as lead agency under the State Environmental Quality Review Act has on this date issued a written negative declaration of environmental significance with respect to this Type I project,

Now upon the evidence given upon such hearing ,

IT IS HEREBY RESOLVED AND DETERMINED THAT (a) the Resolution of September 11, 1998, ordering a hearing on this matter to be held October 9, 1998, was duly published and posted as required by law and is otherwise sufficient; (b) all of the property and property owners within the proposed district are benefitted thereby; (c) all of the property and property owners benefitted are included within the limits of the proposed district; (d) the establishment of the proposed district is in the public interest; and it is further

RESOLVED AND DETERMINED, that the establishment of a sewer district as proposed in the Board's resolution of September 9, 1998 is approved, that the improvement therein described be constructed and the service therein mentioned be provided for upon the required funds being made available or provided for; and that such district shall be designated and known as the Sand Lake Sewer District Number II, and shall be bounded and described as set forth in Attachment A hereto which is incorporated herein by reference; and it is further

RESOLVED, that the proposed improvements including costs of rights of way, construction costs, legal fees and all other expenses shall not exceed \$765,445.00 and shall be financed as follows: bond issue not to exceed \$765,445.00 extending over a thirty year or less life period. Bond anticipation note for temporary financing not to exceed \$765,445.00. Town has been awarded a NYS Environmental Bond Act grant of \$500,000.00 for the project which will be used to reduce or repay such bond issue and bond anticipation note; and it is further

RESOLVED that this resolution is subject to a permissive referendum in accordance with section 209-e of the Town Law.

ADOPTED= AYES 5 NAYS 0

BUSINESS:

RESOLUTION #112

Speed Limit Reduction Request

Councilwoman Fasoldt moved and Councilman Welcome seconded the following resolution:

Whereas, requests have been made to reduce speed limits on Gettle Road in Averill Park because of sight distance, curves, pedestrian traffic, existing and proposed housing and school density; and

Whereas, the public 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 Gettle Road from 40mph to 30mph.

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

ADOPTED = AYES 5 NAYS 0

RESOLUTION # 113

Speed Limit Reduction Request:

Councilwoman Fasoldt moved and Councilman Welcome seconded the following resolution:

Whereas, requests have been made to reduce speed limits on NYS Route 43 and NYS Route 150 in West Sand Lake because of sight distance, curves, pedestrian traffic, existing and proposed housing density; and

Whereas, the public 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 NYS Route 43 from the western town line to Route 351 from 40mph to 30mph and NYS Route 150 from Sheer Road to Wildwood Heights from 40mph to 30mph.

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

ADOPTED = AYES 5 NAYS 0

RESOLUTION # 114

Travel Request; Building and Zoning Department.

Councilwoman Dunn moved and Councilman Trupia seconded the following resolution:

BE IT RESOLVED, that George Wright is authorized to attend the Annual Educational Conference to be hosted by the New York State Building Officials on October 19th, 20th and 21st. The cost of this seminar is \$180.00.

ADOPTED = AYES 5 NAYS 0

RESOLUTION # 115

Solicit Bids for purchase of a Step Van for the Sand Lake Sewer Department.

Supervisor Kelley moved and Councilwoman Fasoldt seconded the following resolution:

BE IT RESOLVED, that the Town Clerk is authorized to advertise for bids for the purchase of a step van; in conjunction with specifications prepared by the Commissioner of Public Works; said bids to be received by the Town Clerk before 3:30P.M. on November 12, 1998.

ADOPTED = AYES 5 NAYS 0

RESOLUTION # 116

Solicit Bids for purchase of a 10 Wheel Dump Truck with plow, wing and sander included.

Supervisor Kelley moved and Councilman Welcome seconded the following resolution:

BE IT RESOLVED, that the Town Clerk is authorized to advertise for bids for the purchase of a 10 wheel dump truck with plow, wing and sander included; in conjunction with specifications prepared by the Commissioner of Public Works; said bids to be received by the Town Clerk before 3:30 P. M. on November 12, 1998.

ADOPTED = AYES 5 NAYS 0

RESOLUTION # 117

Relocation of Streetlight to Teal Road

Councilwoman Dunn moved and Supervisor Kelley seconded the following resolution:

Whereas, New York State Electric and Gas Corporation (NYSEG) has recently completed an audit of existing street lighting in the Town; and

Whereas, it has been determined that outdoor lighting in the Averill Park High School parking lot provides sufficient lighting for the parking lot and the eastern entrance to the Averill Park High School parking lot off Gettle Road; and

Whereas, the Town would be better served by relocating this streetlight to the intersection of Teal Road and Short Road; now

THEREFORE, BE IT RESOLVED, that NYSEG be directed to move its streetlight located at Gettle Road (pole 2.2) to the intersection of Short and Teal Roads.

ADOPTED = AYES 5 NAYS 0

RESOLUTION # 118

Budget Transfers

Supervisor Kelley moved and Councilwoman Fasoldt seconded the following resolution:

BE IT RESOLVED THAT the following Transfers be made in the 1998 Budget:

FROM	TO	AMOUNT
A1990.4	A1320.4 Auditor	\$6000.00
A1990.4	A1950.4 Taxes/Property	\$ 494.18
A1990.4	A3510.4 Animal Control	\$1000.00

ADOPTED = AYES 5 NAYS 0

RESOLUTION # 119

October Fund Warrant

Supervisor Kelley moved and Councilwoman Fasoldt seconded the following resolution:

BE IT RESOLVED, that the October Warrant be approved as audited; General Fund \$20,552.29; Highway Fund \$35,093.66; Street Lighting \$5,627.04; Sewer Fund \$5,792.12; and the Municipal Account Fund \$16,479.59 for a total of \$83,544.70.

ADOPTED = AYES 5 NAYS 0

COMMENTS FROM RESIDENTS:

- Fred Wurtemberger thanked the Town Board for their consideration in killing the Sidewalk Maintenance Amendment.
- Ellie Patterson commented on which account the Budget Transfers were made; also regarding changing the Town Board Meeting night back to Wednesdays' and placing the microphone back in the middle of the room so that people in the audience could participate without going to the front of the room.
- Don Clifford spoke in regards to televising the Planning Board Meetings. He feels we should consider the Planning Board and individuals who come before the Planning Board into the decision.
- Ed Patanian Spoke in favor of the televising the Planning Board Meetings. He feels it is nice to just stay at home and be able to watch Town Government from his home.
- Joe Warren, Jr. asked some questions pertaining to some resolutions that were adopted in 1996. Council Baum will be looking into this matter.

MEETING ADJOURNMENT

The Motion to adjourn was made by Councilman Trupia and seconded by Councilman Welcome at 9:40P.M.

MOTION CARRIED: UNANIMOUS

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

Respectfully submitted,

Christine M. Kronau

Town Clerk

REGULAR MONTHLY MEETING

November 13, 1998

The regular monthly meeting of the Town Board of the Town of Sand Lake was called to order by Supervisor Kelley 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 Dunn
	Councilman Trupia
	Councilwoman Fasoldt
	Councilman Welcome
	Supervisor Kelley
	Attorney Baum

RECORDING SECRETARY:	Town Clerk, Christine M. Kronau
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OTHERS PRESENT: John Kacharian, Mark Kestner, Ben Katz, Robert Katz, Fred Schreyer, Nancy Kelley, Ken Baldwin, Patty Baldwin, Rose Salerno, William Glasser, Paul Blanchet, Dick Halse, Vicky Halse, Rosemary Brennan Quinn, Judy Rowe, Mr. & Mrs. Peter Priggy, Ken Newberry, Ellie Patterson, Joe Warren, Jr., Sean Maloney, Frank Allen, Steve Robelotto, Frank Fleming, Sue Larsen, Don Clifford, Laura Davis, Ed Patanian, Lynn Hmael, Tracy Albanese, Stan Supkis, Joe & Tina DiLello, Mike McNerney, Dave Winkler, Rosemary Supkis, Diane Freeman, Fred Wurtemberger, Daniel Holser, Michael Rohlof, Derek Hasbrouck, Tom Fasoldt, Peter Brucato and others.

APPROVAL OF MINUTES: Councilman Trupia made the motion to approve the minutes of the October 9, 1998 meeting. This was seconded by Councilman Welcome.

MOTION CARRIED: AYES 5 NAYS 0

MONTHLY REPORTS:

TOWN CLERK-Christine M. Kronau

- Total fees submitted to the Supervisor for October 1998 - \$726.28.
- Copy on file in Town Clerk's Office.

SUPERVISOR'S REPORT:

BOARD MEMBER REPORTS:

Councilwoman Dunn would like to extend congratulations to Barbara Biittig, recently elected to position of Receiver of Taxes.

CABLE - Cablevision will be televising planning board meetings beginning November 18, 1998. They are held on the first and third Wednesday of each month. They will also be televising the special Town Board Meetings which will be held on Friday, November 20, 1998 for the purpose of adopting the budget and Tuesday, November 24, 1998 pertaining to the Town Office Project.

STREETLIGHTS - NYSEG is in the process of installing the street light at the intersection of Teal and Short Roads. I would also like to let the residents know that the lights in Butler Park do not fall under the street lighting committee.

INSURANCE - Councilman Trupia; Nothing to report this month.

ANIMAL CONTROL - On file in Town Clerk's Office.

YOUTH - I received a copy of the final Grant Application that was submitted to the Rensselaer County Council for the Arts by Joan Fuess of the Circle Theatre Players. This is a joint community project that hopefully will provide a Summer theatre program for some of our youth in town and we hope to hear next month regarding the funding. I also talked to Judge Fryer regarding the possibility of establishing a youth Court program in Town. Currently we are in the process of gathering information and will be meeting with the director of the Rensselaer County Youth Court Program sometime in December.

LIBRARY - The Library has agreed to the offer to relocate to the second floor of the Capital Mutual Building providing of course that the Town moves forward with the purchase. Discussions continue regarding the Library budget in light of the proposed cuts. Library programs: Children's book week is held from November 16 to November 22. Children will have an opportunity to vote for their favorite children's book or author. Voters will be entered in a drawing to win a \$25.00 gift certificate to a book store. The Library will be participating in an Internet Training Program entitled Safe netting for families offered by the Upper Hudson Library System. As a result of this training the library will be offering programs to parents and children.

EMERGENCY - Copy on file in Town Clerk's Office.

SENIORS - Copy on file in Town Clerk's Office.

TOWN ATTORNEY - Reported on the affairs of the town. He stated that there is but one tax case left to settle. He has examined the retention schedule for Town Records and has become aware that the Library Board of Trustees has not taken an oath of office to the best of his knowledge. There are none on file with the Town Clerks' office. They may be on file at the County Clerk's Office. He will be looking into this further.

COMMITTEE REPORTS:

PLANNING - Copy on file in Town Clerk's office.

ZONING BOARD OF APPEALS - Frank Allen; Copy on file in Town Clerk's Office.

PUBLIC WORKS - Steve Robelotto; Copy on file in Town Clerk's Office.

YOUTH - Lynn Hamel; Everyone had a good time at the hay ride and bon fire at Mark Randall's farm on Friday evening, November 6, 1998. There will be roller skating next Friday, November 20, 1998. The details and information for the Christmas crafts will be in the Advertiser. Look for details.

PRESENTATION:

At this time Mike McNerney and Dave Winkler gave a presentation regarding the facilities at Capital Mutual Insurance Co. Inc. and the renovations to the present Town Hall.

Basically, the lower floor will contain the offices of the Supervisor, Commissioner of Public Works, Secretaries to the Supervisor; the Town Clerk, Deputy Town Clerk, Receiver of Taxes, Planning, Zoning, Assessor's Office and the Building and Code Enforcer. There will be an employees room, a copy and mail room. A reception area. The second floor will house the Library and the Historian. The present Town Hall will provide offices for the Court Clerk, Judges and also house the State Police.

COMMENTS FROM RESIDENTS:

- John Kacharian
- William Glasser
- Ellie Patterson
- Stan Supkis
- Paul Blanchet
- Ellie Patterson also asked about the possibility of a hazardous waste day for residents.
- Sean Maloney expressed his thanks and gratitude to Supervisor Kelley and Councilwoman Fasoldt for their patience and considerations during the process of the budget and relocation of the library.

BUSINESS:

RESOLUTION # 120

Recognition of Property Improvements:

Supervisor Kelley moved and Councilwoman Fasoldt seconded the following resolution:

Whereas, the people in the Town of Sand lake have expressed an interest in keeping an attractive appearance in the town which includes the revitalization of our hamlets; and

Whereas, the efforts of the residents to do so are assuredly noticed, but need to be acknowledged,

NOW, THEREFORE BE IT RESOLVED

That this certificate be presented to Tarek & Lisa Warner, in recognition and appreciation of the restoration work that they have done on the property located at 3660 NY 43 and 3687 NY 43 known as the Hamlet of West Sand Lake.

ADOPTED = AYES 5 NAYS 0

RESOLUTION # 121

A resolution Ordering a Referendum to be held on the Proposal to Establish Sand Lake Sewer District Number II.

Councilman Trupia moved and Councilwoman Dunn seconded the following resolution:

Whereas, the Town Board's resolution of October 9, 1998, establishing the Sand Lake Sewer District Number II was subject to a permissive referendum upon a petition of five percent of the owners of property within the proposed district, and

Whereas, such a petition has been filed with the Town Clerk, Now Therefore,

IT IS HEREBY FOUND, DETERMINED AND ORDERED AS FOLLOWS:

1. There are 197 owners of property in the proposed district as shown on the attached list derived from the latest town Assessment roll.
2. The Petition heretofore filed with the Town Clerk requesting that a referendum be held on the proposal contains the acknowledged signatures of 11 owners of property in the proposed district.
5. The petition was filed with the Town Clerk within thirty days of adoption of the Board's resolution establishing the District.

4. More than five percent (5%) of the owners of the property in the proposed district signed such petition.
5. A referendum on the proposal to establish the District is hereby ordered to be held in accordance with law, with the details of such referendum to be established at the December meeting of this Board.

ADOPTED = AYES 5 NAYS 0

RESOLUTION # 122

Award bid for Ten Wheel Dump Truck

Councilwoman Fasoldt moved and Councilman Welcome seconded the following resolution:

BE IT RESOLVED, upon the recommendation of the Commissioner of Public Works, that DeLurey Sales & Service Inc. is awarded the bid in the amount of \$103,662.00 as the low bidder, for furnishing a Ten (10) Wheel Dump Truck with Plow, Wing and Sander, complying with technical specifications, pursuant to bids received on November 12, 1998.

ADOPTED = AYES 5 NAYS 0

RESOLUTION # 123

Award bid for Step Van

Supervisor Kelley moved and Councilman Welcome seconded the following resolution:

BE IT RESOLVED, upon the recommendation of the Commissioner of Public Works, that DePaula Chevrolet, Inc. is awarded the bid in the amount of \$ 28,444.00 as the low bidder, for furnishing a Step Van, complying with technical specifications, pursuant to bids received on November 12, 1998.

ADOPTED = AYES 5 NAYS 0

RESOLUTION # 124

Appoint Engineers

Supervisor Kelley moved and Councilwoman Fasoldt seconded the following resolution:

Whereas, the Town is in need of engineering services in order to move forward with plans for an Averill Park Water System,

IT IS HEREBY RESOLVED AS FOLLOWS

Smith and Mahoney is retained to provide engineering services to the Town with respect to the proposed plan for the Averill Park Water System in accordance with the scope of work and fee schedule attached hereto.

ADOPTED = AYES 4 NAYS 1 (Councilwoman Dunn voting Nay).

RESOLUTION # 125

Resolution Supporting the Rensselaer County Supervisors Association Regarding An Agreement for Distribution of Sales Tax Receipts to Towns and Other Local Governments of Rensselaer County.

Supervisor Kelley moved Councilwoman Fasoldt seconded the following resolution:

Whereas, the Town Supervisors of Rensselaer County have joined together as an Association for purposes of discussing and formulating policy with respect to issues at the county and state level which materially affect the Town governments of Rensselaer County; and

Whereas, the current sales tax distribution agreement in Rensselaer County will expire on November 30,1999; and

Whereas, sales tax revenues constitute almost one-third of all locally raised revenues and the majority of local non-property tax revenues; and

Whereas, this Association of Rensselaer County Town Supervisors is desirous of participating in the discussions and negotiations regarding a successor agreement to the current sales tax agreement ending November 30, 1999, which agreement is presently unsatisfactory for the needs of the towns throughout Rensselaer County; NOW, THEREFORE, BE IT

RESOLVED that the County share with this Association any comprehensive studies or analysis of sales tax collection and distribution in Rensselaer County; and BE IT FURTHER

RESOLVED that, with the goal of devising a more fair and equitable method of distribution of the non-State share of sales taxes collected within Rensselaer County, any committee currently or hereafter established for the purpose of advising or directing the County concerning sales tax collections and distribution have representation from this Association; and, BE IT FURTHER

RESOLVED that this governing body strongly encourages the Rensselaer County Executive and the Rensselaer County Legislature to grant permission to the Rensselaer County Supervisors Association to fully participate in the discussions and negotiations regarding a successor agreement to the current sales tax agreement ending November 30, 1999; and, BE IT FURTHER

RESOLVED that this said resolution be forwarded to all members of the Rensselaer County Legislature, Rensselaer County Supervisors Association and to the County Executive, Henry Zwack.

ADOPTED = AYES 5 NAYS 0

RESOLUTION # 126

Approve November Warrant

Supervisor Kelley moved and Councilwoman Fasoldt seconded the following resolution:

BE IT RESOLVED THAT the November 1998 Fund be approved as audited: General Fund \$ 53,457.84; Highway Fund \$ 15,033.39; Street Lighting \$ 5,610.20; Sewer \$ 2,196.99; Municipal Account \$ 14,621.67 for a total of \$90,920.09.

COMMENTS FROM RESIDENTS:

- Ed Patanian
- Dan Holzer
- Mark Kestner
- John Kacharian
- Sean Maloney
- Richard Halse
- Ken Newberry

A motion was made by Supervisor Kelley and seconded by Councilwoman Dunn to go into Executive Session at 9:45P.M. to discuss a Tax Certiorari Claim.

MOTION CARRIED: UNANIMOUS

A motion was made by Councilman Trupia to reconvene the meeting at 10:10P.M. It was seconded by Councilman Welcome.

MOTION CARRIED: UNANIMOUS

RESOLUTION # 127

Capital Mutual vs. Town of Sand Lake

BE IT RESOLVED that the Town Attorney has the Authority to settle the Tax Certiorari with Capital Mutual Insurance Company, Inc. at the discussed amount.

ADOPTED = AYES 5 NAYS 0

MEETING ADJOURMENT

Councilman Trupia moved and Councilman Welcome seconded the motion to adjourn the Board meeting at 10:15 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,

Christine M. Kronau

Town Clerk

REGULAR MONTHLY MEETING

November 24, 1998

The special meeting of the Town Board of the Town of Sand Lake was called to order by Supervisor Kelley 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 Dunn
Councilman Trupia
Councilwoman Fasoldt
Councilman Welcome
Attorney Baum

RECORDING SECRETARY: Town Clerk, Christine M. Kronau

OTHERS PRESENT: Michele Anderson, Ben Katz, Robert Katz, John Kacharian, William Glasser, Paul Blanchet, Ellie Patterson, Christine Perry, Joan Fuess, David Winkler, Linda Reynolds, Frank Allen, Cherie Foland, John Glasser, Frank Fleming, Mike McNerney, Fred Wurtemberger, Jim Dunn, Derek Hasbrouck, Betty Herman, Lynn Hamel, Ed Patanian, Steve Robelotto, Sean Maloney, Art Handley IV, Carolyn McLoughlin, Jay Martin and others.

SUPERVISOR'S INTRODUCTION;

Tonight's meeting will focus on the question of whether to purchase the Capital Mutual Insurance Building for Town Office and Library use. This meeting culminates a considerable amount of work by a number of People. Each making a unique and valuable contribution.

What is decided tonight will have an impact on future generations living in Sand Lake. We don't take this responsibility lightly and we have not progressed to this, the decision making stage without research, advice and analysis by many.

I want to thank some of the individuals whose contributions have helped us reach this point.

- Christine Perry; for initial site identification and data gathering.
- Steve Robelotto; Deputy Supervisor, Commissioner of Public Works, for site inspection and research.
- Mike McNerney; from Smith & Mahoney for keeping the project on track and suggesting alternatives and solutions as problems arose.
- Dave Winkler; from Smith & Mahoney for architectural ideas and plans and the primary Codes person.
- Joe Baum; Town Attorney for negotiating for the Town Board during the past couple of months. For preparing contracts and reviewing the work of others.

We have in attendance this evening attorneys representing the owners of the building.

Risking the criticism of being repetitious, I have asked Mike & Dave to again show us the Proposed floorplan for the Capital Mutual Bldg. For the Town Offices and the Library, and to field questions.

OVERVIEW OF PROJECT BY SMITH & MAHONEY:

COMMENTS FROM RESIDENTS:

- Ellie Patterson: regarding the cost of the building and perhaps a water situation.
- John Glasser; regarding a public survey.
- William Glasser; regarding the plans for the current Town Hall.
- Ed Patanian; regarding Appraisals in general.

A motion was made by Supervisor to move into Executive Session at 8:12 P.M. and seconded by Councilman Welcome.

MOTION CARRIED: UNANIMOUS

A motion was made by Supervisor Kelley to reconvene the meeting at 8:31 P.M. This was seconded by Councilwoman Fasoldt.

MOTION CARRIED: UNANIMOUS

BUSINESS:

RESOLUTION # 128

Proposed Town Hall Purchase-Negative SEQR Declaration

Supervisor Kelley moved and Councilwoman Fasoldt seconded the following resolution:

Whereas, it has been proposed that the Town of Sand Lake purchase land improved by an existing commercial office building owned by Capital Mutual Insurance Company at the intersection of Routes 43 and 66 in the Town of Sand Lake for a Town Hall and Town Library.

Whereas, the Town Board is the lead agency for the above referenced action under the New York State Environmental Quality Review Act, and

Whereas, the Town Board has reviewed a Full Environmental Assessment Form (EAF) for the proposed action, and

Whereas, the EAF did not identify any significant adverse environmental impacts associated with the proposed action,

BE IT RESOLVED THAT the Town Board resolves that the action will not have any adverse environmental impacts and adopts the attached Negative Declaration pursuant to the Town Board's responsibility as Lead Agency for this action.

State Environmental Quality Review

NEGATIVE DECLARATION

Notice of Determination of Non-Significance

November 24, 1998

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Sand Lake Town Board, as Lead Agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action:

Purchase and Renovation of Building

REGULAR MONTHLY MEETING

December 9, 1998

The special meeting of the Town Board of the Town of Sand Lake was called to order by Supervisor Kelley at 8:00 P.M. at the Town Hall, in Sand Lake, New York. After the Pledge of Allegiance, the following answered roll call:

PRESENT: Councilwoman Dunn
Councilman Trupia

Councilwoman Fasoldt

Councilman Welcome

Supervisor Kelley

Attorney Fred Schreyer

RECORDING SECRETARY: Town Clerk, Christine M. Kronau

OTHERS PRESENT: Mr. & Mrs. Robert Armeo, Sandra Morrison, Rosemary Brennan Quinn, Daniel Holser, Daniel Holser, Jr., Ken Newberry, Dick Halse, John & Nancy Bergmann, Debbie and Bob Jewell, Jim Dunn, Fred Wurtemberger, Frank Bulan, Harry Ackner, Mark Kestner and others.

COMMENTS AND QUESTIONS FROM RESIDENTS:

Supervisor Kelley opened the discussion period by introducing Mark Kestner, from Kestner Engineers, P. C.. Mark proceeded to explain his revised findings for the proposed Sewer District Number II. There would be a cost sharing adjustment between Served and Unserved parcels. Also, properly operating septic systems would not be required to hook up immediately. The Town operations and maintenance cost would also be revised and the back charge for interceptor would be eliminated.

Sewer Attorney Fred Schreyer reviewed some options which the Town might take an interest in pursuing.

1. John Bergmann spoke on the condition of the Crooked Lake waters.
2. Fred Wurtemberger spoke in regards to the County rent and what charges that covered.
3. Dan Holser, Sr. spoke about the cost and thought the whole lake should be done.
4. Dan Holser, Jr. is concerned about affording the sewer system in the future.
5. Dick Halse is in favor of the sewer district for the whole lake. He feels it should all be done and all properties hooked up to the system. He was in favor of a fair deal.

Deborah Jewell, Ken Newberry, John Defazio and others spoke regarding the Sand Lake Sewer District Number II.

BUSINESS:

RESOLUTION #130

Rescind Establishment of Sand Lake Sewer District Number II

Supervisor Kelley moved and Councilman Trupia seconded the following resolution:

The resolution adopted by the Town Board on October 9, 1998 to establish the Sand Lake Sewer District Number II is hereby rescinded.

ADOPTED= AYES 5 NAYS 0

A motion was made to adjourn the meeting at 9:37 P.M.

MOTION ADOPTED= UNANIMOUS

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

Respectfully submitted,

Christine M. Kronau

Town Clerk

REGULAR MONTHLY MEETING

December 11, 1998

The regular monthly meeting of the Town Board of the Town of Sand Lake was called to order by Supervisor Kelley 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 Dunn
Councilman Trupia
Councilwoman Fasoldt
Councilman Welcome
Supervisor Kelley
Attorney Baum

RECORDING SECRETARY: Town Clerk, Christine M. Kronau

OTHERS PRESENT: Justin Schultz, Steve Robelotto, Mr. Campbell, William Glasser, Frank Allen, Ben Katz, Ed Patanian, Lynn Hamel, Tracy Albanese, Charles Burrige, Paul Blanchet and others.

APPROVAL OF MINUTES: Councilwoman Fasoldt made the motion to approve the minutes of 11/13/98; 11/20/98; 11/24/98. This was seconded by Councilwoman Dunn.

MOTION CARRIED: AYES 5 NAYS 0

MONTHLY REPORTS:

TOWN CLERK- Christine M. Kronau

- Total fees submitted to the Supervisor for November 1998 - \$ 512.87.
- Copy on file in Town Clerk's office.

SUPERVISOR'S REPORT:

Supervisor Kelley began his report by thanking the Sand Lake Business Association and Troy Sand & Gravel for erecting and decorating the Christmas Trees in the hamlets of town. He mentioned there will be two terms expiring as of December 31, 1998. One of these is on the Planning Board and the other on the Zoning Board. Anyone interested in being considered should send a resume to the attention of the Supervisor at P. O. Box 273, Sand Lake, New York 12153. There will be a workshop on Tuesday, December 29, 1998 for the Sand Lake Sewer District Number II with Mark Kestner and Fred Schreyer. The STAR exemption form needs to be filed with the Assessor by March 1, 1999. Forms are available at Town Hall at the Town Clerk's office or the Assessor's office. Both offices are open on Wednesday nights from 5:00 P.M. to 7: 00 P.M. for your convenience. He is in the process of making arrangements with the Averill Park School District to hold some of the town's monthly meetings at their facilities while work is being done on the Town Hall Project. This concludes his report.

BOARD MEMBER REPORTS:

CABLE- Councilwoman Dunn - The Planning Board meeting will not be televised on Wednesday, December 16,1998 due to a conflict with the technician.

STREET LIGHTING - Councilwoman Dunn - Nothing to report this month.

INSURANCE - Councilman Trupia - Blue Cross, one of the town's providers of Health Insurance is requesting a rate change. I will keep the town posted on this matter.

ANIMAL CONTROL - Councilman Trupia - There were 43 calls this month, 95% relating to dogs.

I would also like to entertain a resolution to hold the Board meetings on the second Wednesday of each month as the six month trial period has ended.

LIBRARY - Councilwoman Fasoldt - The Sand Lake Library will be holding a Fine Free Week from December 21 through January 2nd of 1999. The Library will be closed on December 24, 25, 31 and January 1st in observance of the Holidays. There will be an opening for a Library Board Trustee. Anyone interested should contact Sean Maloney for consideration. I would like to clarify an article that was in the Advertiser. This year we will be raising \$125,000.00 in taxes for the Library which is a reduction of \$10,000.00 from last year. The 1999 Library Budget is less than last year's budget.

EMERGENCY - Councilman Welcome - Emergency Services - on file in the Town Clerk's office.

SENIORS - Councilman Welcome - On file in the Town Clerk's office.

TOWN ATTORNEY - Joseph T. Baum, Esquire - The Board of Trustees for the Sand Lake Library will need to be reappointed at the organizational meeting as no one has taken an oath of office. Mr. Baum also advised the Town Board that interested applicants for the Board of Trustees should apply directly to the Town Board.

We are awaiting the reports of a Radon test. We expect this very shortly and expect to close on the purchase of Capital Mutual Life Ins. Co. building by the end of December.

COMMITTEE REPORTS:

PLANNING - Justin Schultz - On file in the Town Clerk's office.

ZONING - Frank Allen - On file in the Town Clerk's office.

COMMISSIONER OF PUBLIC WORKS - Steve Robelotto - On file in the Town Clerk's office.

YOUTH - Lynn Hamel - There were 100 children participating at the first roller skating event on November 20th. I would like to thank two helpers; Jen Brown & Ryan Noonan from our summer day camp program for volunteering. There were about 10 participants at our Christmas Craft on December 1, 1998. Also, thanks to Vicki Cramer for helping with this craft. We are working on the field trips for next summer's day camp, so that they will coincide with the summer school program. There will be roller skating on the following dates; 1/08; 2/26; 3/05 and 4/19. There will also be an Easter Egg Hunt on Saturday, April 3, 1999.

COMMENTS FROM RESIDENTS:

· Ed Patanian - Regarding the Mining Pit Entrance on NY 150. He thought that Chris Roe from DOT stated that the Detour would be completely removed and the land would be returned to it's original state. Attorney Baum will be researching this with DOT.

BUSINESS:

RESOLUTION # 131

Award Animal Shelter Agreement

Councilman Trupia moved and Supervisor Kelley seconded the following resolution:

WHEREAS, the Animal Shelter Agreement with Mohawk and Hudson 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.

ADOPTED= AYES 5 NAYS 0

RESOLUTION # 132

Late Notice Fee - Unpaid Taxes

Supervisor Kelley moved and Councilwoman Fasoldt 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.

ADOPTED= AYES 5 NAYS 0

RESOLUTION # 133

In the matter of extending Disability Coverage

Councilman Trupia moved and Councilwoman Dunn seconded the following resolution:

WHEREAS, the Town of Sand Lake previously elected to voluntarily become a covered Employer under the Disability Benefits Law,

WHEREAS, only certain Town employees were covered under the Boards prior resolution of December, 1966,

WHEREAS, the Town Board desires to extend voluntary Disability Benefit Insurance coverage to all eligible town employees,

BE IT RESOLVED, that the Town Board at the Town of Sand Lake hereby makes application for voluntary disability benefits insurance coverage, without contribution by employees, for all eligible employees of the Town of Sand Lake. Such benefits to be at the statutory rate.

ADOPTED = AYES 5 NAYS 0

RESOLUTION # 134

Town Board Meetings and Date Time

Councilman Trupia moved and Councilwoman Dunn seconded the following resolution:

BE IT RESOLVED, that the time and place of the regular Sand Lake Town Board meeting shall henceforth be the second Wednesday of each month at the Town Hall, Route 43, Sand Lake, New York at 7:30P.M.

BE IT RESOLVED, that the Town Clerk is hereby directed to post and publish all necessary notices.

ADOPTED= AYES 5 NAYS 0

RESOLUTION # 135

Schedule Public Hearing; Senior Citizen, low income exemption limits.

Supervisor Kelley moved and Councilman Welcome seconded the following resolution:

SENIOR CITIZEN EXEMPTION - AMENDMENT OF MAXIMUM ALLOWABLE INCOME

BE IT RESOLVED, that the Town Board shall hold a public hearing concerning an ordinance to increase the annual income ceiling applicable to the Town of Sand Lake's Ordinance # 1 of 1966 which was originally passed to grant a partial tax exemption for real property of senior citizens, the public hearing to be held at the Town Hall, Route 43, Sand Lake, New York at 7:30 P.M., on January 13, 1999, and the Town Clerk is hereby directed to publish notice accordingly.

The proposed Ordinance is introduced as follows:

TOWN OF SAND LAKE

RENSSELAER COUNTY

STATE OF NEW YORK

SENIOR CITIZENS EXEMPTION - AMENDMENT OF MAXIMUM ALLOWABLE INCOME

WHEREAS, the laws of the State of New York provide for the granting of a partial exemption from real property taxation for real property owned by certain persons with limited income who are 65 years of age or over, and

WHEREAS, there is currently in effect within the Town of Sand Lake, an Ordinance providing for such partial exemption subject to the conditions as stated in the basic enabling legislation as amended to date, for persons who are 65 years of age or over, having income within specified limits, and

WHEREAS, a public hearing is duly called and will be held on January 13, 1999, concerning the possible increase of said specified income limits.

NOW, THEREFORE, be it ordained as follows:

1. Said Ordinance concerning the tax exemption for senior citizens is hereby amended and modified to increase the amount of income which said persons who are 65 years of age or over, may receive and still be eligible for said exemption from the limits currently in effect to:

2.

ANNUAL INCOME IN DOLLARS PERCENTAGE OF ASSESSED

VALUATION EXEMPT

FROM TAXATION

Up to \$19,500

\$19,500 to \$20,500 50%

45%

\$20,500 to \$21,500 40%

\$21,500 to \$22,500 35%

\$22,500 to \$23,400	30%
\$23,400 to \$24,300	25%
\$24,300 to \$25,200	20%
\$25,200 to \$26,100	15%
\$26,100 to \$27,000	10%
\$27,000 to \$27,900	5%

2. This Ordinance shall be effective 10 days after publication in the official newspaper of the Town and posting by the Town Clerk.

Whereupon the Supervisor declares the Ordinance duly passed, the Town Clerk is directed to publish said Ordinance in the official newspaper and post same on the Town Clerk's Board at the Town Hall, Route 43, Sand Lake, New York.

ADOPTED= AYES 5 NAYS 0

RESOLUTION # 136

Approve December Fund Warrant

Supervisor Kelley moved and Councilwoman Fasoldt seconded the following resolution:

BE IT RESOLVED THAT the December 1998 Warrant be approved as audited: General Fund \$19,062.89; Highway Fund \$26,480.55; Street Lighting \$5,609.26; Sewer \$3,881.32; Municipal Account \$12,428.17 and Sewer Study \$4,316.00 for a total of \$71,778.19.

ADOPTED= AYES 5 NAYS 0

COMMENTS FROM RESIDENTS:

· Frank Allen: Member of Traffic Safety Board; commented he has sent a letter of concern to the Traffic Safety Board regarding the dangerous intersection of Burden Lake Road, Eastern Union Turnpike and NY 43. He hopes it to have some impact with the Board.

ADJOURNMENT:

Supervisor Kelley moved and Councilman Welcome seconded the motion to adjourn the Board Meeting at 8:12 P.M.

MOTION CARRIED: UNANIMOUS

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

Respectfully submitted,

Christine M. Kronau

Town Clerk