

TOWN OF SAND LAKE
Town Board Workshop Meeting
April 26, 2023

A Workshop Meeting of the Town of Sand Lake was held on April 26, 2023 at the Sand Lake Town Hall. After the Pledge of Allegiance, the following answered roll call:

PRESENT: Supervisor Gallerie
Deputy Supervisor S. Clemens
Councilman S. Nippes
Councilman P. Glasser
Town Attorney Danaher

RECORDING SECRETARY: Christina Luther, Deputy Town Clerk
OTHERS PRESENT: Based on attendance sign in; Bill Glasser, Kevin Rifenburgh, Ed Patanian, Brian Hunt, Wayne Gendron

CALL TO ORDER: Supervisor Gallerie opened the meeting at 7:00 pm.

SUPERVISOR'S REPORT

Town Hall Parking Lot: The proposal from FCM Engineering regarding the paving of the town parking lot to eliminate water issues and improve safety has been reviewed and is on the agenda for this evening.

Late File Resolution: A resolution to progress the Equipment Bond for the Public Works Equipment and fueling station purchase was received from Bond Council this morning and was added to the agenda for consideration by the Town Board.

LED Lighting: Long process to begin the switch over to LED lighting saving the town and taxpayers money.

MS4: Draft copy in the town clerk's office and it is on the website.

Veterans: Upgrading the veterans hall to restore the building to its original historical appearance through an approved grant that will be matched by the town. Memorial Day parade on May 29 at 10 am. American Legion meeting Monday May 1st 7pm, and VFW Thursday May 4th at 7pm.

Deputy Supervisor Clemens' Report:

Electronic Recycling Event: The event this past Saturday at Town Hall was a huge success.

Town Wide Clean Up Day: Scheduled for this Saturday April 29th with a rain date of May 6th.

Beach: To open Saturday June 24th, there will be a meeting for those interested in employment at the beach to be held this Tuesday May 2nd at the Town Beach 5:30pm

LED Street Light Project: The start of the financing will be discussed with tonight's resolution saving the town \$42,000.

Councilman Nippes' Report:

Thanks to Deputy Supervisor for his hard work on the LED lighting project.

Butler Park: This Saturday will be a big clean up and new sand on the volleyball court. Reminder to clean up dog waste. Thanks to Kevin Rifenburg and the highway department with all their efforts in the cleanup of telephone poles etc.

Councilman Glasser's Report:

Sand Lake Center for the Arts: Working with the supervisor of SLCA on getting a public access defibrillator for the center as there is a great need with the public events held there. Repairs are coming to the steps of the center as well.

Emergency Services West Sand Lake: Brooks Chicken BBQ tomorrow; congratulations to the newly elected officers serving in the fire departments.

Transfer Station: Meeting with Bill Film to discuss budget etc. and the paint recycling program has been very successful there.

PUBLIC COMMENT: (Each speaker has 5 minutes)

Mr. Edward Patanian, Developer of Westfall Village, discussion regarding modifying the Sewer Law to allow for sewer billing based on metered usage.

Legislator Wayne Gendron, congratulations to the board on the beach opening, town hall parking lot project, LED lighting project, Kiwanis summer fest to be held in June 16, 17, 18 at Butler Park with fireworks.

Highway, Kevin Rifenburg: Improvements and clean up at Butler Park, Beach replacement of fencing, milling and preparation for paving of designated roads, street sweeping.

BUSINESS:

RESOLUTION #2023-04-73

Approving Kiwanis use of Butler Park for Summerfest 2023

Moved by: Deputy Supervisor S. Clemens

Seconded By: Councilman Nippes

WHEREAS, the Kiwanis Club of Sand Lake is an integral part of the fabric of the Town of Sand Lake; and

WHEREAS, the group has requested the use of Butler Park for the annual Sand Lake Summerfest on June 12th through June 19th, 2023; and

WHEREAS, the Kiwanis Club of Sand Lake has requested that the Town waive the fees associated with the use of Butler Park for Summerfest; now therefore be it

RESOLVED, The Sand Lake Town Board hereby waives the fees for the Kiwanis Club of Sand Lake's use of Butler Park for the 2023 Summerfest; and be it further

RESOLVED, that, prior to the start of usage, the Kiwanis Club of Sand Lake is required to submit proof of liability insurance to the Office of the Town Clerk.

AYES 4 – NAYS 0 UNANIMOUS

RESOLUTION #2023-04-74

Authorizing the Installation of Gutters on Town Hall

Moved by: Supervisor Gallerie

Seconded By: Deputy Supervisor Clemens

WHEREAS, the Town Hall needs to have gutters installed or replaced over the mechanical room and by the library and conductor heads installed on the West end of the building to prevent further water damage; and

WHEREAS, the Town of Sand Lake Procurement Policy requires that two written quotes be obtained for Public Works projects up to \$2,500; and

WHEREAS, quotes were obtained from Capital Seamless Gutters and from Triple H Seamless Gutters, and Capital Seamless Gutters provided the lowest quote at \$2,050.00; now therefore be it

RESOLVED, that the Town Board authorizes the installation of gutters and conductor heads by Capital Seamless Gutters as shown on the attached quote for an amount not to exceed \$2,050.00 to be paid from budget code A 1620.4000, Buildings – Contractual.

AYES 4 – NAYS 0 UNANIMOUS

RESOLUTION #2023-04-75

Clarifying Part B Medicare Coverage to Select Retirees and Amending the Town Employee Handbook

Moved by: Supervisor Gallerie

Seconded By: Councilman Glasser

WHEREAS, the Town Board of the Town of Sand Lake would like to clarify Part B Medicare Insurance Coverage to Select Retirees and to amend the Town of Sand Lake Employee Handbook to reflect such clarification, and good cause appearing therefore, now therefore be it
RESOLVED, that the Town Board of the Town of Sand Lake hereby amends the Town of Sand Lake Employee Handbook (Adopted May 9, 2012) under “Plan” on Page 800-12, in the third paragraph thereof, such that such paragraph shall now read “Any non-unionized Employees hired by the Town of Sand Lake after December 31, 2018 shall not be entitled to, or eligible for, any Part B Medicare Reimbursement from the Town of Sand Lake, however, any non-unionized

Employees hired by the Town of Sand Lake on or before December 31, 2018 who thereafter retire and have accumulated sufficient service time and otherwise meet the Eligibility Requirements of the Town, will be entitled to Part B Medicare Reimbursement according to the charts located on page 800-11 of the Town of Sand Lake Handbook.”

AYES 4 – NAYS 0 UNANIMOUS

RESOLUTION #2023-04-76

Approving FCM Engineering’s Proposal for the Lower Town Hall Parking Lot Improvements Project

Moved by: Supervisor Gallerie

Seconded By: Councilman Nippes

WHEREAS, Resolution 2022-04-92 designated FCM Engineering, PLLC, to provide engineering services for drainage, highway, and other civil, traffic, and highway engineering services to town departments requiring same; and

WHEREAS, the lower parking lot at Town Hall is in need of extensive drainage, grading, safety upgrades, and Americans with Disabilities (ADA) compliance.

WHEREAS, FCM Engineering, PLLC, has submitted a proposed Scope of Services for survey, preliminary design, (including stormwater collection and discharge, increasing the number of usable parking spaces, traffic protection of the charging station and dumpster, adding both ADA and additional parking spaces), preliminary cost estimate, construction bid documents, and permitting.

RESOLVED, that the Town Board of the Town of Sand Lake approves FCM Engineering LLC’s proposal, and authorizes the Town Supervisor to sign the proposal in an amount not to exceed \$27,580.00 subject to approval by the Town Attorney as to form.

AYES 4 – NAYS 0 UNANIMOUS

RESOLUTION #2023-04-77

Authorizing Grinding and Removal of the Wood and Brush Pile with Stumps at the Department of Public Works

Moved by: Supervisor Gallerie

Seconded By: Deputy Supervisor Clemens

WHEREAS, the Department of Public Works (DPW) has a pile of wood waste that needs to be ground into chips, and additionally remove four tractor-trailer loads of stumps from the DPW site; and

WHEREAS, the Commissioner of Public Works contacted SM Gallivan LLC, Troy Sand and Gravel and W.M. Biers to obtain three quotes as required by the Sand Lake Purchasing Policy; and

WHEREAS, S.M. Gallivan, LLC has provided the lowest responsible quote at \$27,175.00 for the work specified; now therefore be it

RESOLVED, that the Town Board authorizes S.M. Gallivan, LLC to perform the requested work per the attached quote at an amount not to exceed \$27,175.00, and authorizes the Commissioner of Public Works to execute the agreement to perform the job.

AYES 4 – NAYS 0 UNANIMOUS

RESOLUTION #2023-04-78

Authorizing Paving Projects for the 2023 Construction Season - Department of Public Works

Moved by: Deputy Supervisor Clemens

Seconded By: Councilman Nippes

WHEREAS, in accordance with Town procurement policy and General Municipal Law, all public works projects in excess of \$35,000 require Town Board approval; and

WHEREAS, the Rensselaer County Bid for Conventional Asphalt Paving was awarded on April 1st, 2023 until December 31, 2023, and the results of the bid were made available to municipalities and school districts in the State of New York; and

WHEREAS, the Commissioner of Public Works has reviewed the needs of the Town and determined that as many of the following pavement preservation projects as possible will be completed this season subject to available funding; and

ROAD NAME	PROCESS	ESTIMATED COST	FUNDING SOURCE
Avon Court	2" Overlay Hot Mix Asphalt	\$57,000.00	DB5112.2 Permanent Improvements Contractual
Barzen Road	Mill & Fill, 2" Overlay Hot Mix Asphalt	\$21,000.00	DB5110.4 General Repairs Contractual
Bullis Drive	Mill & Fill, 2" Overlay Hot Mix Asphalt	\$26,000.00	DB5112.2 Permanent Improvements Contractual
Capital Boulevard from Route 150 to Montgomery Court	Mill & Fill, 2" Overlay Hot Mix Asphalt	\$68,000.00	DB5112.2 Permanent Improvements Contractual
Montgomery Court	Mill & Fill, 2" Overlay Hot Mix Asphalt	\$15,000.00	DB5112.2 Permanent Improvements Contractual
Woodlawn Court	Mill & Fill, 2" Overlay Hot Mix Asphalt	\$14,000.00	DB5110.4 General Repairs Contractual

RESOLVED, that the Commissioner of Public Works is hereby authorized to approve paving expenses not to exceed \$201,000.00 for paving of the abovementioned roads.

AYES 4 – NAYS 0 UNANIMOUS

RESOLUTION #2023-04-79

Approving a Long Term Financing Agreement with the New York Power Authority – Office of the Supervisor

Moved by: Deputy Supervisor Clemens

Seconded By: Councilman Glasser

WHEREAS, the Town of Sand Lake is progressing with the contract agreement with the New York Power Authority (NYPA) to upgrade our streetlighting and the Town Hall, Butler Park, DPW entrance and Transfer Station entrance lighting to LED technology as part of the LED Lighting Upgrade Project; and

WHEREAS, the Town Board is seeking to execute a Long-Term Financing Supplemental Agreement with NYPA to cover the construction costs of this project; now therefore be it

RESOLVED, Town Board of the Town of Sand Lake authorizes the Town Supervisor to execute the April 10th, 2023 Letter Agreement with the New York Power Authority per attached.

AYES 4 – NAYS 0 UNANIMOUS

RESOLUTION #2023-04-80

Budget Amendments/Transfers

Moved by: Supervisor Gallerie

Seconded By: Deputy Supervisor Clemens

BE IT RESOLVED;

The following transfers are made to the 2023 Budget:

From	To	Amount
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None at this time.

Budget Amendments

Increase Appropriation A 522.9950.9000 General Fund Transfer to Capital Project in the amount of \$30,890 by increasing Revenue A 980.4089.9999 Federal Aid-Other in the amount of \$30,890 due to funding received through the Coronavirus State and Local Fiscal Recovery Funds. Funds are then transferred from the General Fund to the Capital Project H008 2nd Dyke Culvert by increasing Appropriation H008 522.5110.4000- 2nd Dyke Culvert Contractual in the amount of \$30,890 and increase Revenue H008 980.5031.9999 Interfund Transfer in the amount of \$30,890 for the installation of guiderails.

AYES 4 – NAYS 0 UNANIMOUS

RESOLUTION #2023-04-81

EXTRACT OF MINUTES OF MEETING OF TOWN BOARD ADOPTING BOND RESOLUTION

At a meeting of the Town Board of the Town of Sand Lake, Rensselaer County, New York, duly held on the 26th day of April, 2023:

Moved by: Supervisor Gallerie

Seconded By: Councilman Nippes

BOND RESOLUTION DATED APRIL 26, 2023 OF THE TOWN BOARD OF THE TOWN OF SAND LAKE AUTHORIZING NOT TO EXCEED \$775,000 AGGREGATE PRINCIPAL AMOUNT OF SERIAL GENERAL OBLIGATION BONDS TO FINANCE THE ACQUISITION OF EQUIPMENT AND REPLACEMENT OF FUEL SYSTEM, AT AN ESTIMATED MAXIMUM COST OF \$775,000, LEVY OF TAX IN ANNUAL INSTALLMENTS IN PAYMENT THEREOF, THE EXPENDITURE OF SUCH SUM FOR SUCH PURPOSE, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, this time sensitive resolution was not able to be submitted on time to be posted to the Town’s website 24 hours in advance of the meeting where practicable per section 103 of the Public Officers Law of the State of New York; and

WHEREAS, prior to the adoption of this resolution all action required pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the “SEQR Act”), and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6NYCRR Part 617, as amended (the “Regulations”, and collectively with the SEQR Act, “SEQRA”) have been taken; NOW THEREFOR BE IT RESOLVED, by the Town Board of the Town of Sand Lake, Rensselaer County, New York (the “Town”) as follows:

Section 1. The Town is hereby authorized to (A) acquire (i) two (2) medium duty plow trucks with equipment package, (ii) one (1) heavy duty plow truck with equipment package and (B) replace the current 2,000 gallon capacity fuel system with a 3,000 gallon capacity fuel system, as more particularly described in Section 3 hereof.

Section 2. The Town is hereby authorized to issue its serial general obligation bonds (the “Bonds”) in the aggregate principal amount of not to exceed \$775,000 pursuant to the Local Finance Law of New York, in order to finance the class of objects or purposes described herein. The proposed maturity of the Bonds will be in excess of five (5) years.

Section 3. The classes of objects or purposes, or specific objects or purposes (collectively, the Purpose”), to be financed pursuant to this bond resolution and the period of probable usefulness of each object or purpose pursuant to the applicable subdivision of paragraph a of Section 11.00 of the Local Finance Law, are as follows:

(a) Acquisition (i) two (2) medium duty plow trucks with equipment package, (ii) one (1) heavy duty plow truck with equipment package, such class of objects or purposes having a period of probable usefulness of fifteen (15) years pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of not to exceed fifteen (15) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date the first bond anticipation notes issued in anticipation of the issuance of such serial bonds; and

(b) The acquisition and replacement of the current 2,000 gallon capacity fuel system with a new 3,000 gallon capacity fueling station, such class of objects or purposes having a period of probable usefulness of fifteen (15) years pursuant to subdivision 88 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of not to exceed fifteen (15) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date the first bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 4. It is hereby determined and declared that (a) the maximum cost of the Purpose, as estimated by the Town Board, is \$775,000, (b) no money has heretofore been authorized to be applied to the payment of the cost of the Purpose, and (c) the Town plans to finance the cost of the Purpose from funds raised by the issuance of the Bonds and bond anticipation notes hereinafter referred to and available funding from the State of New York.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the sale of the Bonds, including renewals of such notes, is hereby delegated to the Supervisor of the Town, the chief fiscal officer.

Section 6. The power to further authorize the issuance of the Bonds and bond anticipation notes and to prescribe the terms, form and contents of the Bonds and bond anticipation notes, including the consolidation with other issues and determining whether to issue the Bonds with substantially level or declining annual debt service, subject to the provisions of this Resolution and the Local Finance Law, and to sell and deliver the Bonds and bond anticipation notes, is hereby delegated to the Supervisor of the Town. The Supervisor of the Town is hereby authorized to sign and the Town Clerk is hereby authorized to attest any Bonds and bond anticipation notes issued pursuant to this Resolution, and the Town Clerk is hereby authorized to affix to such Bonds and bond anticipation notes the corporate seal of the Town.

Section 7. The faith and credit of the Town of Sand Lake, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such Bonds and bond anticipation notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall be levied annually on all taxable real property of the Town, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 8. This Resolution shall constitute the Town's "official intent", within the meaning of Section 1.150-2 of the Treasury Regulations, to finance the cost of the Purpose with the Bonds and notes herein authorized. The Town shall not reimburse itself from the proceeds of the Bonds or notes for any expenditures paid more than sixty days prior to the date hereof, unless specifically authorized by Section 1.150-2 of the Treasury Regulations.

Section 9. This Resolution is adopted subject to a permissive referendum pursuant to Section 35.00 of the Local Finance Law and Section 90.00 of the Town Law. The Town Clerk is

hereby authorized and directed within ten (10) days after the adoption of this Resolution, to cause to be published a notice which sets forth the date of this Resolution's adoption and contains an abstract of this Resolution concisely stating its purpose and effect.

Section 10. When effective, this Resolution, or a summary thereof, shall be published by the Town Clerk together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, and such publication shall be in each official newspaper of the Town. The validity of the Bonds or of any bond anticipation notes issued in anticipation of the sale of the Bonds may be contested only if such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or the provisions of law which should be complied with at the date of publication of this Resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 11. The firm Barclay Damon LLP is hereby appointed to serve as Bond Counsel to the Town in connection with the Bonds and notes herein authorized.

Section 13. This Resolution is adopted subject to permissive referendum.

The Motion having been duly seconded by Councilman Nippes, it was adopted, and the following votes were cast:

AYES 4 – NAYS 0 UNANIMOUS

A Motion to adjourn the meeting was made by Councilman Nippes and it was seconded by Deputy Supervisor Clemens at 7:32 pm.